

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

**MINUTES  
WEDNESDAY, SEPTEMBER 2, 2015, 2:00 P.M.**

**ALTERNATE HEARING OFFICER SAM STARRITT**

**I. CALL TO ORDER**

The meeting was called to order at 2:00 p.m. Those present were Hearing Officer Sam Starritt, City Attorney John Shaver, and Deputy City Clerk Debbie Kemp.

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

1. LOCO, Inc. dba LOCO Food Store No. 16, 2249 Broadway #8, Grand Junction, CO 81507, 3.2% Retail Beer (Off Premises)

No one was present representing the applicant.

The application for renewal for LOCO, Inc. dba LOCO Food Store No. 16 was found to be in order and approved.

2. Hong Luong, Inc. dba Bamboo City, 2472 F Road #2, Grand Junction, CO 81505, Beer and Wine

No one was present representing the applicant.

Ms. Kemp advised the Authority that Cindy Hale, the applicant's bookkeeper, had called and informed Ms. Kemp that no one would be present to attend the meeting as the applicant just had a baby and Ms. Hale was unavailable. Ms. Hale requested that the consideration for the renewal be continued to the September 16, 2015 Liquor and Beer Meeting. Ms. Kemp also advised that Mesa County Health Department had also requested continuance due to the public health significance of repeated violations.

The application for renewal for Hong Luong, Inc. dba Bamboo City was continued to the September 16, 2015 Liquor and Beer Meeting.

3. Vega's Momma, LLC dba ¡sabrosa! restaurante, 122 and 124 S. 5<sup>th</sup> Street, Grand Junction, CO 81501, Tavern

Kari Boukhalfa, owner of ¡sabrosa! Restaurante, was present.

Ms. Kemp advised the application for renewal was filed in the City Clerk's office 11 days late and that the applicant provided a letter stating the reason for the late filing which was provided to the Hearing Authority.

No one was present in opposition to the renewal of the liquor license.

Good cause was shown for the late filing and the application for renewal for jsabrosa! restaurante was found to be in order and approved.

4. Black Dog Grills, LLC dba Genghis Grill, 2474-C Hwy. 6 & 50, Grand Junction, CO 81505, Hotel and Restaurant

No one was present representing the applicant.

The application for renewal for Black Dog Grills, LLC dba Genghis Grill was found to be in order and approved.

5. Mill Inn, Inc. dba W W Peppers, LTD, 753 Horizon Drive, Grand Junction, CO 81506, Hotel and Restaurant

No one was present representing the applicant.

Ms. Kemp advised that Mesa County Health Department reported three critical violations that were found and a follow up inspection would be made on or after September 4, 2015. They have requested a conditional approval.

The application for renewal for Mill Inn, Inc. dba W W Peppers, LTD was found to be in order and approved subject to compliance with Mesa County Health Department.

6. 314 Main, LLC dba Dream Cafe, 314 Main Street, Grand Junction, CO 81501, Hotel and Restaurant with Outdoor Dining Lease

The application for renewal with outdoor dining lease was found to be in order and approved.

Michael Bell, Member of 314 Main, LLC arrived after approval had been made and was advised the application had been approved.

### **III. APPLICATIONS TO RENEW ART GALLERY PERMITS**

1. J and J, LLP dba The Main Street Gallery, 412 Main Street, Grand Junction, CO 81501

Janice Jackson, partner with J and J, LLP, was present. Ms. Jackson said they are an art gallery that represents local artists and they do an art walk the first Friday of each month where they provide wine and food.

Hearing Officer Starritt reviewed the dates that were listed on the application and noted that the Statute does have a limit on the number of people allowed during the event and asked Ms. Jackson to be aware of that.

The application for renewal for J and J, LLP dba The Main Street Gallery was found to be in order, it was noted that the representations on the application are within the limitations subject to applicable law, and it was approved.

2. The Raw Canvas, LLC dba The Raw Canvas, 507 Main Street, Grand Junction, CO 81501

No one was present representing the applicant.

Ms. Kemp read the dates on the application that were being requested which were a total of 11 days.

The application for renewal for The Raw Canvas, LLC dba The Raw Canvas was found to be in order and approved.

#### **IV. APPLICATIONS FOR CHANGE IN CORPORATE STRUCTURE**

1. City of Grand Junction dba Avalon Theatre, 645 Main Street, Grand Junction, CO 81501, Tavern, Lincoln Park Sports Complex, 1307 North Avenue, Grand Junction, CO 81501, Tavern, and Two Rivers Convention Center, 159 Main Street, Grand Junction, CO 81501, Hotel and Restaurant

Interim City Manager Timothy Moore, 564 W. 1<sup>st</sup> Street, Palisade, CO 81526 replaces Richard Englehart

The applications for change in corporate structure for City of Grand Junction dba Avalon Theatre, Lincoln Park Sports Complex, and Two Rivers Convention Center were found to be in order and approved.

#### **V. APPLICATION FOR A SPECIAL EVENTS PERMIT**

1. St. Nicholas Greek Orthodox Church of Grand Junction, 3585 N. 12<sup>th</sup> Street, Grand Junction, CO 81501 – Greek Festival, September 26, 2015 from 10:00 a.m. to 10:00 p.m., 3585 N. 12<sup>th</sup> Street, Malt, Vinous, and Spirituous

Pres/Sec'y. of Org.: Fred Fowler, 2495 Sage Run Court, Grand Junction, CO 81506

Event Manager: Georgann Jouflas, 743 Wedge Drive, Grand Junction, CO 81506

Fred Fowler, President of the Counsel for St. Nicholas Greek Orthodox Church, was present.

City Attorney Shaver handed Mr. Fowler three documents, two marked with a letter "A" in the upper right hand corner and one document marked with a letter "B" in the upper right hand corner. He asked Mr. Fowler what the documents are. Mr. Fowler said that Exhibit A is a series of questions that were completed by the event manager Georgann Jouflas and the document marked with a "B" is a schematic of the event site which also shows where liquor would be served and the controls that will be in existence.

City Attorney Shaver asked if he has personal knowledge of the information that is contained in Exhibit A. Mr. Fowler said he did as he has had personal knowledge by either attending or working the event for nine out of the ten years it has been held. City Attorney Shaver asked Mr. Fowler if he is aware of any

problems with the event in the past years. Mr. Fowler said he is not aware of any problems with the event in the past. City Attorney Shaver asked Mr. Fowler how the event will ensure the service of the alcohol will be in accordance to law. Mr. Fowler explained that the event is about Greek food and dancing and unique iconography that is part of the church and pointed out from Exhibit B, there is only one entrance and exit. When people come into the event, they will have to show their identification and will be issued a wrist band if they are 21 years old or older. City Attorney Shaver asked Mr. Fowler who would be checking the identification. Mr. Fowler said normally, it is women church members who are very scrupulous in identifying people and ensuring no alcohol would be removed from the event site. City Attorney Shaver asked if the people checking identification have been trained or have been doing that in the past. Mr. Fowler said they have done it in the past. City Attorney Shaver asked Mr. Fowler if Exhibit B is the property of the St. Nicholas Greek Orthodox Church of Grand Junction located at 3585 N. 12<sup>th</sup> Street. Mr. Fowler replied affirmatively. City Attorney Shaver asked what the red line depicts. Mr. Fowler said he thinks that it is a red plastic fence that surrounds the event to limit entry to or exit from the event to one location and has been successful for achieving that purpose in the past. City Attorney Shaver asked Mr. Fowler whose signature is on the second page of Exhibit A. Mr. Fowler said he presumes it is the event manager Georgann Jouflas because she is the one who completed the application. City Attorney Shaver asked if Ms. Jouflas has been given the authority to act as event manager by the Parish Counsel. Mr. Fowler said she had been given the authority.

Hearing Officer Starritt asked for clarification of what type of security will be provided because number 6 of the affidavit regarding what type of security will be provided states that off duty police officers and/or traffic professionals are hired for traffic control and church members with law enforcement background and TIPS certification. Mr. Fowler said that in the past they have hired an off duty police officer however, there has never been an event where their services have been needed. He has not personally hired an off duty police officer for this event. Ms. Jouflas has, in the past, hired traffic professionals to help assist people crossing 12<sup>th</sup> Street from the parking lot to the event. Hearing Officer Starritt asked how the perimeter fence is monitored. Mr. Fowler said that there is no part of the fencing that is not visible or observable and on one side of the event is a retainer wall.

Hearing Officer Starrit said that adequate security is a precondition for the issuance of the permit and approved the application for a special events permit for St. Nicholas Greek Orthodox Church of Grand Junction conditioned that Mr. Fowler and Ms. Jouflas provide a supplement with specifics for security to the City Clerk's office within five days.

Hearing Officer Starritt entered Exhibits A and B into the record.



**VI. APPLICATION FOR TRANSFER OF OWNERSHIP**

1. TA Operating, LLC dba Travel Centers of America, 222 Hwy. 6 & 50, Grand Junction, CO 81505, 3.2% Beer (Off-Premises) from Bold Petroleum Inc. dba Acorn Travel Plaza

Director: Barry M. Portnoy, PO Box 150 Crystal Lake Rd., Easton NH 03832  
Dir. Pres., CEO: Thomas M. O'Brien, 30662 Lake Road, Bay Village, OH 44140

Exe. VP, CFO, Treas./Asst. Sec: Andrew J. Rebholz, 18054 Spyglass Hill Dr., Strongsville OH 44136

Sec.: Jennifer B. Clark, 88 Hudson Road, Sudbury MA 01776

Ron Cochran, Area Manager for TA Operating, LLC, was present.

The application for transfer of ownership for TA Operating, LLC dba Travel Centers of America was found to be in order and approved.

**VII. APPLICATIONS FOR NEW LICENSE – RESOLUTION, FINDINGS, AND DECISION**

1. Wal-Mart Stores, Inc. dba Walmart #4491 Fuel, 541 Warrior Way, Space A, Grand Junction, CO 81504, Retail 3.2% Beer Off-Premises – Master File in Denver

Pres./CEO: Carl D. McMillon, 1701 NE Tiger Blvd., Bentonville, AR 72712

Sr. VP/CCO: Phyllis P. Harris, 7 Oxford Dr., Rogers, AR 72758

Treas: Jeffrey A. Davis, 84 Champions Blvd., Rogers, AR 72758

Asst. Sec.: Andrea M. Lazenby, 808 Irelan St., Lowell, AR 72745

Asst. Sec.: Amy Y. Thrasher, 30 Watson Dr., Bella Vista, AR 72714

2. Wal-Mart Stores, Inc. dba Walmart Market #4491, 541 Warrior Way, Grand Junction, CO 81504, Retail 3.2 Beer On/Off-Premises – Master File in Denver

Pres./CEO: Carl D. McMillon, 1701 NE Tiger Blvd., Bentonville, AR 72712

Sr. VP/CCO: Phyllis P. Harris, 7 Oxford Dr., Rogers, AR 72758

Treas: Jeffrey A. Davis, 84 Champions Blvd., Rogers, AR 72758

Asst. Sec.: Andrea M. Lazenby, 808 Irelan St., Lowell, AR 72745

Asst. Sec.: Amy Y. Thrasher, 30 Watson Dr., Bella Vista, AR 72714

Kevin Coates, Dill, Dill, Carr, Stonbraker, and Hutchings, PC, attorney on behalf of the Wal-Mart Stores, Inc., Christopher Hillam, store manager, and Max Scott, Oedipus, Inc. surveyors of the neighborhood, were present.

Ms. Kemp advised that Wal-Mart Stores, Inc. has a Master File established with State Liquor Enforcement and read the results of the survey that was conducted on behalf of both applications into the record (see attached).

Mr. Coates noted that there is no one left in the room to oppose the two applications. Mr. Coates described the two locations, one being a fuel station which will have an indoor store which will be 800 square feet with rows of goods, a point of sale, will house at least two employees at all times, and hours

will be 6:00 a.m. to 10:00 p.m. The other location will be a neighborhood market which is a new smaller version of Walmart and centers on grocery and grocery-like items. Mr. Hillam will be the manager for both locations and is training all employees regarding alcohol sales to make sure they will be in compliance with local and State rules. If customers purchase beer at one of the self-checkout locations, they will be prompted through a point of sale system which will require an employee to verify identification. Mr. Coates explained that the Market is requesting a 3.2 Beer On/Off-Premises license and that there is no intent to have on premises consumption. The only reason this type of license is being requested is to have the ability to deliver beer to customers and under the Liquor Code 12-46-107, it is the only type of beer license that allows deliveries. Mr. Coates pointed out that there is only one other City liquor license in the neighborhood which is Rite Aid holding a 3.2% beer off premises license. As far as the needs and desires of the neighborhood, some negative responses were that people didn't like Walmart, too much traffic, and too much crime, which does not relate to the needs and desires per case law. The results of the survey were about a 95% approval rate showing it is an underserved area.

Hearing Officer Starritt asked Mr. Coates if Walmart has other locations where they deliver. Mr. Coates said this will be the first location that has applied for the on/off license to try the delivery. There will be approximately 10 other locations in the Denver metro area that will apply for an on/off license and any new licenses applied for will be for on/off licenses. Delivery is important to people in this day and age.

City Attorney Shaver asked if Walmart will require that food be delivered when beer is delivered. Mr. Coates said that the Liquor Regulations do not require food delivery, but practically speaking, he believes when people order delivery, it will include food also.

City Attorney Shaver asked Mr. Hillam to tell the Authority about his background with Walmart. Mr. Hillam said that he started with Walmart when he was 16 years old and he was trained on the handling and sales of alcohol, how to watch for minors, and any other red flags as is required for all Walmart employees. City Attorney Shaver asked Mr. Hillam if he has a protocol relative to the alcohol training for his stores. Mr. Hillam advised that it is required that all employees will be trained before they start working the floor. They have come up with a store "Pledge of Excellence" and part of that will be to comply with all government regulations 100% which they will continually talk about on a daily basis with all employees. City Attorney Shaver asked Mr. Hillam to explain the Point of Sales System to which Mr. Hillam replied that anything that is sold with an age requirement, the cashier cannot go forward and is prompted to either indicate that the customer appears to be 40 years old or older or verify the customer's identification and enter a birth date into the system.

Hearing Officer Starritt pointed out the requirements in the Liquor Code if the applicant uses an agent for the delivery of beer. Mr. Coates advised that it is not Walmart's intent to immediately start deliveries, but when they do, it will be Walmart employees making the deliveries, not an outside agency. If they decide to use an agency, they will comply with the regulation.

Max Scott, Oedipus, Inc. provided the history and why the 3.2% beer on/off premises license was put into place.

Hearing Officer Starritt confirmed that with a 3.2% beer license, there is no distance restriction from a school.

City Attorney Shaver asked Mr. Scott if he heard the results of the survey Ms. Kemp read into the record and does he believe that to be a true and accurate representation of the results that he obtained. Mr. Scott said, in terms of signatures, if a party of interest wants to participate but not sign the petition, they do record that information. There were five people that had verbal responses, four in favor and one was opposed. Mr. Scott said that in terms of signatures, the results Ms. Kemp read were correct. He explained that their petition form allows a person to write in a reason against the issuance of the liquor license. There were 11 people that wrote in that there was not another need, 13 signatures with abhorrence of alcohol, there were 21 usage objections with most of those against Walmart, traffic issues, crime issues, etc. Mr. Scott said that the survey results for the needs and desires came out to be 94.7% in favor of the issuance of the license. City Attorney Shaver asked Mr. Scott if he has formed an opinion based on the survey results. Mr. Scott said he had and there is a need and desire for two licenses, an off premise and an on/off premises 3.2% fermented malt beverage for 541 Warrior Way and 541 Warrior Way, Space A, Grand Junction, CO.

Hearing Officer Starritt reviewed the site plans that were submitted by the applicant for both locations.

Hearing Officer Starritt found that the applications for new licenses for Wal-Mart Stores, Inc. dba Walmart #4491 Fuel and dba Walmart Market #4491 were in order, the site plans were reviewed, the survey appeared to meet the needs and desires of the neighborhood, there were no opponents who claimed undue concentration, and he approved both applications. The City Clerk's office will prepare resolutions for Hearing Officer Starritt's signature.

#### **VIII. OTHER**

There was none.

#### **IX. ADJOURNMENT**

The meeting was adjourned at 3:10 p.m.

**NEXT REGULAR MEETING – September 16, 2015**

A

### QUESTIONNAIRE AND AFFIDAVIT

1. Name of Event: Greek Festival
2. How many attendees are expected at this event?  
1000-1500
3. Has the event been held in the past? If so, how many years?  
Yes, for 11 years
4. Have there ever been any violations or citations issued during the event in the past?  
No
5. Describe the premises at which this event will take place.  
Parking lot and church of the Greek Church at 3585 North 12th Street
6. What type of security will be provided at this event?  
Off duty policer officers and/or traffic professionals are hired for traffic control. Church members with law enforcement background and TIPS certification
7. How many security personnel will be on hand?  
5 volunteers ~~1-2 professionals~~
8. How will security personnel be identified?  
Uniform and/or t-shirt
9. If this event is being held outdoors, how will the exterior boundaries of the premises be marked (i.e., roped, fenced, etc.)?  
Red/Orange construction fence with only one entrance that will have someone monitoring
10. What method will be used in checking identification for proper age of attendees (i.e., at the door, at the bar, etc.) and how will underage patrons be identified so as not to be served alcohol beverages (i.e., stamp or mark on the hand, etc.)  
ID's will be checked at only entrance (ID reference guide will be available) Patrons wishing to drink will be given Wristbands.

A

Volunteers serving and other volunteers will be trained on guidelines

12. Have the volunteers or members of your organization been trained in the sale/service of alcohol beverages?

Yes

13. What types of alternate beverages and food/snacks will be available?

Water, Soft drinks, greek pastnes, Lamb, Gyro, rice, green beans

Rice, additional Greek Fare

14. Has a State and City Sales Tax Number been initiated by you or a member of your organization? If so, provide those numbers in the space provided.

yes 27-55962 N

I hereby certify, under penalty of perjury, that the information provided to the Grand Junction Liquor Licensing Authority contained in this affidavit is true and accurate to the best of my knowledge.

Applicant's Signature 

Date 6-29-15

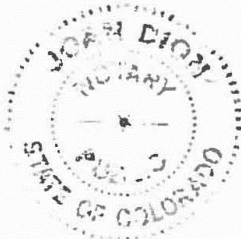
STATE OF COLORADO )  
COUNTY OF MESA ) SS.  
CITY OF GRAND JUNCTION)

Subscribed and sworn to before me this 29 day of June, 20 15.

Witness my hand and official seal.

  
Notary Public

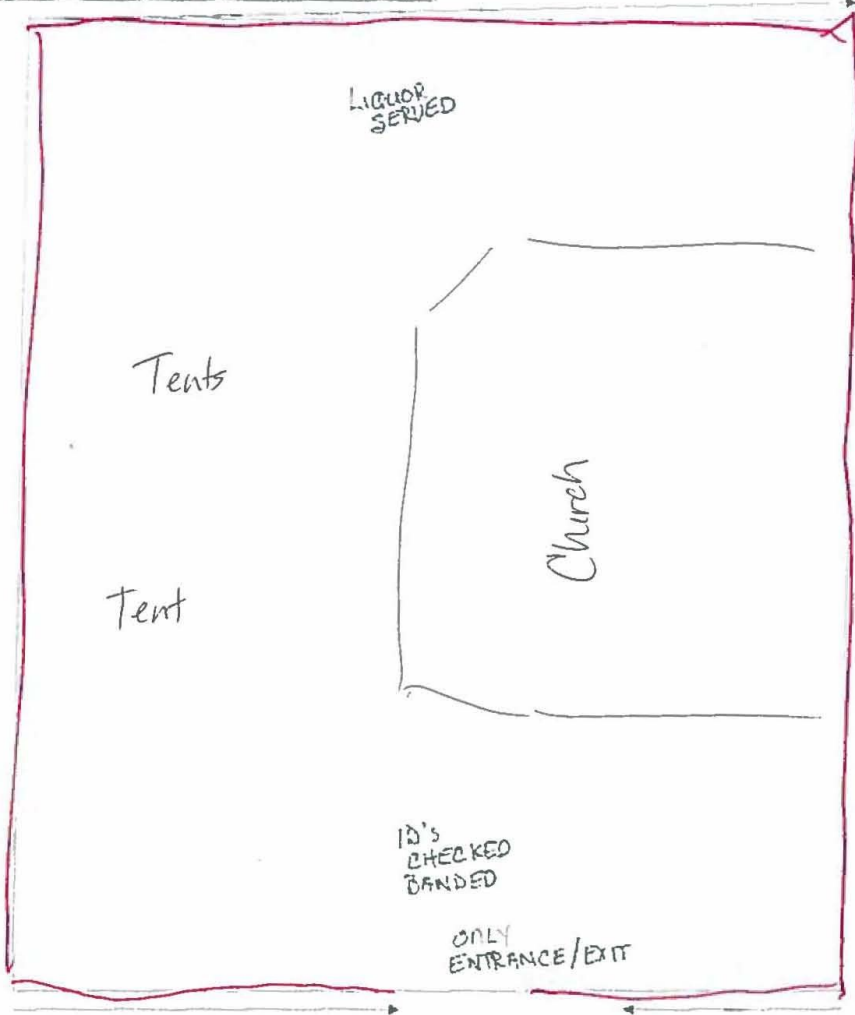
My commission expires 11-10-18



Submitted by:  
St Nicholas Greek Orthodox Church  
242-9590 Or  
Georgann Jouflas 260-9500

B

PERIMETER  
FENCED





MEMO: Local Licensing Authority

FROM: Debbie Kemp, Deputy City Clerk *DK*

DATE: August 25, 2015

SUBJECT: Application for a new 3.2% Beer On/Off Premises license by Wal Mart Stores, Inc. dba Walmart Market #4491, 541 Warrior Way, Grand Junction, CO and Application for a new 3.2% Beer Off Premises license by Wal Mart Stores, Inc. dba Walmart #4491 Fuel, 541 Warrior Way, Space A, Grand Junction, CO

Wal mart Stores, Inc. filed two applications with the Local Licensing Authority on July 15, 2015 for a new 3.2% Beer On/Off Premises license permitting the sale of fermented malt beverage for consumption by the drink at place where sold and in sealed containers not for consumption at place where sold at 541 Warrior Way under the trade name of Walmart Market #4491 and a new 3.2% Beer Off Premises license permitting the sale of fermented malt beverages in sealed containers not for consumption at place where sold at 541 Warrior Way, Space A under the trade name of Walmart #4491 Fuel. The applications and supplementary documents were reviewed, found to be in order and accepted. Copies were sent to the State Liquor Enforcement Division for a Concurrent Review. The hearing date was set for September 2, 2015. Notices of Hearing were given by posting signs on the properties on or before August 19, 2015 and by publishing display ads in the Daily Sentinel on August 21, 2015.

In order to address the reasonable requirements of the neighborhood and the desires of the adult inhabitants of the neighborhood, the applicant hired Oedipus, Inc. out of Louisville, CO to conduct the survey. The neighborhood was defined as the area bounded on the North by Patterson Road, I-70 B on the South, 31 ¾ Road on the East and 30 Road on the West and included both sides of the streets as the outer boundaries. The results of that survey are as follows:

If you favor and support these applications for a retail 3.2% FMB (Fermented Malt Beverage) License, on/off premises, and a retail 3.2% FMB license, off premises because It is your opinion the reasonable requirements of the adult inhabitants of the defined neighborhood are not now being adequately served by existing businesses that hold the same or similar type of licenses now doing business in the defined neighborhood, and It is your desire these licenses be issued please sign and check the FAVOR column to grant the requested licenses, and please write in your reason why you favor these license applications. If you oppose and do not support these applications for a retail 3.2% FMB license, on/off premises, and a retail 3.2% FMB license, off premises, please sign and check the OPPOSE column, and please write In your reason why you oppose these license applications.

Business Results:	FAVOR:	10
	OPPOSE:	4
Residential Results:	FAVOR:	171
	OPPOSE:	42

There were four responses that were disqualified because three responses were out of the defined neighborhood boundary and one response was illegible.

The report provided by Oedipus, Inc. regarding the petition/opinion poll to determine needs and desires is attached.

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

The Grand Junction Police Department has investigated the manger listed for local criminal history. Representatives with Oedipus, Inc. posted the notices of hearing at the properties and provided the City Clerk's office with affidavits of posting. The Grand Junction Police Department have inspected the property and verified the Notice of Hearing was posted in a timely manner and will be verifying that the diagram matches the establishment once the construction is completed. Reports have been requested by the City of Grand Junction Sales Tax Department.

The number of liquor licensed outlets in the survey area are:

3.2% Beer (Off Premises) = 1 (Rite Aid #6258)

That concludes this report.

cc: Applicant  
John Shaver, City Attorney  
Meghan Woodland, Grand Junction Police Department  
File



*Oedipus, Inc.*<sup>TM</sup>

*Empirical Data Services*

***Wal-Mart Stores, Inc.,  
dba  
Walmart Market #4491***

**541 Warrior Way  
Grand Junction, CO 81501  
Retail On/Off Premises License**

**&**

***Wal-Mart Stores, Inc.,  
dba  
Walmart #4491 Fuel***

**541 Warrior Way, Space A  
Grand Junction, CO 81501  
Retail Off Premises License**

# Oedipus™, Inc.

Empirical Data Services

P.O. BOX 1012  
LAFAYETTE, CO 80026  
303 661 0638  
303 604 2862 FAX

2 September 2015

Local Licensing Authority  
Grand Junction, Colorado

Re: Petition/Opinion Poll to Determine Needs and Desires  
of the Defined Neighborhood in the Application of:

**Wal-Mart Stores, Inc., dba Walmart Market #4491**  
541 Warrior Way, Grand Junction, CO 81501  
Retail 3.2% FMB On/Off Premises License  
**Wal-Mart Stores, Inc., dba Walmart #4491 Fuel**  
541 Warrior Way, Space A, Grand Junction, CO 81501  
Retail 3.2% FMB Off Premises License

- PETITION & TELEPHONE SURVEYS
  - Liquor & 3.2 Beer Licensing
  - Rezoning
  - Opinion Poll
  - Venue
  - Special Tax Districts
- LIQUOR LICENSE SITE & ECONOMIC ANALYSIS

## PETITION/OPINION POLL PROCEDURE

1. Under the direction and control of Oedipus, Inc. management, the Oedipus, Inc. employees were briefed on the application.
2. The employees carried a clipboard with the following:
  - A. A map of the area denoting the proposed location of the licenses and the boundaries of the defined neighborhood;
  - B. Petitions allowing individuals contacted to indicate their opinion with instructions and qualifications for signing;
  - C. A stat sheet to record the opinion of those not signing and not-at-homes.
3. This petition/opinion poll was performed on Saturday and Sunday, 15 and 16 August 2015 of businesses and residences within the neighborhood defined as Patterson Road on the North; I-70B on the South; 31 3/4 Road on the East; and 30 Road on the West (see maps). The circulation packets have cover maps, and the areas in which each petition circulation/polling took place are outlined in highlighter. Included in this Report is a master circulation map outlining all areas where circulation/polling was conducted.
4. Individuals were contacted on a random sampling basis, were screened to identify them as parties in interest, and were asked their opinion after they had been informed of the applicant, site location, and type of license being applied for. Their opinion was either recorded on the petition format or on the stat sheet.
5. Four (4) petition packets (two packets representing businesses, two packets representing residences), together with a Summary Letter, this Report, and Affidavits of Posting with photographs were prefiled via Federal Express with the office of Ms. Debra Kemp, MMC, Deputy City Clerk for the City of Grand Junction, to comply with prefilings deadline.

©Oedipus, Inc.

**PETITION/OPINION POLL RESULTS**

1. <u>Total Doorknocks:</u>		
Not-at-Homes and/or Business Owners/Managers Not Available		180
Not Qualified to Sign		15
Preferred to Not Participate		26
Parties in Interest that Participated		236
Deleted Signatures		<u>0</u>
<b>Total Base Figure</b>		<b>457</b>

2. Qualified Contacts:

A. Signatures and Those Not Signing

Signatures Favoring Issuance		184
Businesses	10	
Residences	174	
Not Signing/Favoring Issuance		4
Signatures Opposing Issuance		47
Businesses	4	
Residences	43	
Not Signing/Opposing Issuance		<u>1</u>
<b>Total Contacts</b>		<b>236</b>

B. Breakdown of Reasons of Signatures in Opposition:

No Need	10
Abhorrence of Alcohol	13
Religious Objections	0
Usage Objections	21
Miscellaneous Reasons	2
No Reason Given	<u>1</u>
<b>Total Signatures</b>	<b>47</b>



C. Breakdown of Signatures Favoring and Opposing:

Favoring Issuance (Based on Needs/Desires)	188	=	79.66%
Signatures	184		
Not Signing	4		
Opposing Issuance (Based on Needs/Desires)	11	=	4.66%
Signatures	10		
Not Signing	1		
Abhorrence of Alcohol	13	=	5.51%
Signatures	13		
Not Signing	0		
Religious Objections	0	=	0.00%
Signatures	0		
Not Signing	0		
Usage Objections (Commercial, Traffic, Parking, Crime)	21	=	8.90%
Signatures	21		
Not Signing	0		
Other Miscellaneous Reasons	2	=	0.85%
Signatures	2		
Not Signing	0		
No Reason Given	<u>1</u>	=	<u>0.42%</u>
Signatures	1		
Not Signing	0		
<b>Total Base Figure</b>	<b>236</b>	<b>=</b>	<b>100.00%</b>

3. Needs and Desires Signatures:

Signatures Favoring Issuance (Based on Needs/Desires)	184		
Favoring Issuance/Not Signing (Based on Needs/Desires)	4	}	188 = 94.47%
Signatures Opposing Issuance (Based on Needs/Desires)	10		
Opposing Issuance/Not Signing (Based on Needs/Desires)	1	}	<u>11</u> = <u>5.53%</u>
<b>Total Base Figure</b>	<b>199</b>	<b>=</b>	<b>100.00%</b>

The petition packets are presented as follows: Cover map, petitions, and affidavit.

#1 & #2 / Pamela Bishop / Businesses & Residences  
#3 & #4 / Tina Scott / Businesses & Residences

## CATEGORIES OF SIGNATURES IN OPPOSITION

**NN NEEDS & DESIRES CRITERIA:**

Individuals opposed to the license application based on needs and desires criteria per the Colorado Liquor/Beer Codes (currently existing licensed establishments of a same or similar type of license now located within the defined neighborhood are meeting the reasonable requirements of the adult inhabitants of the defined neighborhood at this time).

**NON NON-USAGE OF ALCOHOL / ABHORRENCE OF ALCOHOL:**

Individuals opposed to the license application because they do not drink alcohol beverages, do not approve of alcohol consumption, and/or abhor alcohol.

**RO RELIGIOUS OBJECTIONS:**

Individuals opposed to the license application based on religious beliefs/reasons.

**OBJ USAGE OBJECTIONS:**

Individuals opposed to the license application because of their fear or concern for the potential of parking problems, traffic problems, crime, noise, littering, undesirable people drawn to the area, loss of property value; or individuals who opposed this type of business or applicant, any type of commercial usage in the neighborhood, any new growth in the neighborhood; or, individuals who think this type of business (if issued a liquor/beer license) should not be located near a residential neighborhood, church, or school, etc.; or, individuals who opposed because they are against any alcohol service at this type of facility, location, or atmosphere; or, individuals who favor the service of beer and wine but oppose the service of distilled spirits (on H&R applications).

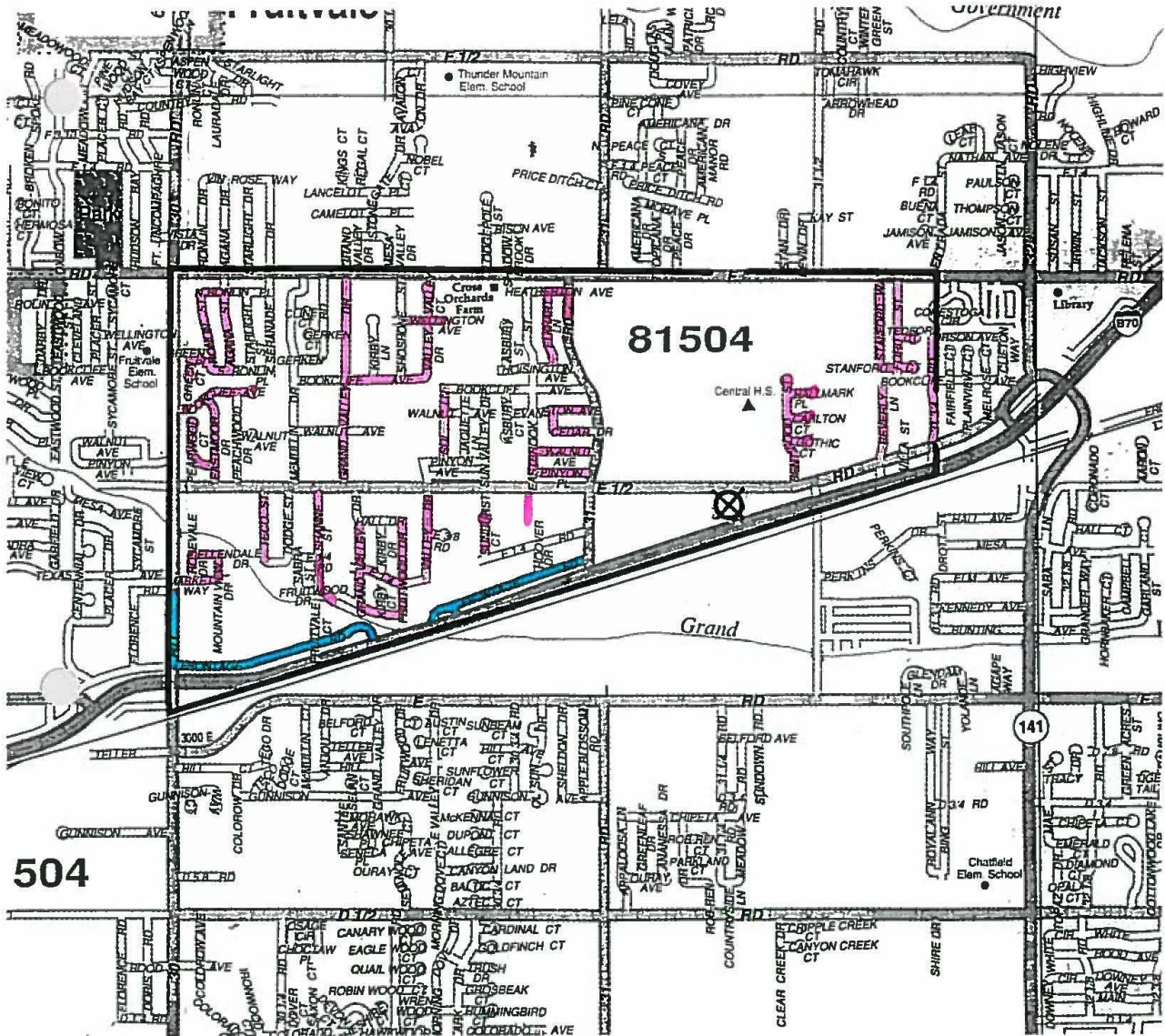
**MS MISCELLANEOUS OBJECTIONS:**

Individuals opposed to the license application for other miscellaneous reasons to include: fear or concern for the possibility of drunk drivers in the area, fear or concern of resulting behavioral problems, individuals who would purchase alcohol beverages then drink and drive, sales to minors/underaged drinking, the location becoming a teen hang-out and the problems that can arise from this, and the effect it could have on family values or their family in general because they have young children or teens; or, individuals who opposed because competition is not desired or how said business may affect the livelihood of existing businesses; or, individuals who compared the “needs and desires” criteria to existing licensed outlets other than the type of license applied for.

**NR NO REASON GIVEN:**

Individuals who preferred to not state a reason for opposing.





**● - BUSINESSES      ● - RESIDENCES**

**APPLICANT/TRADE NAME:** WAL-MART STORES, INC., dba WALMART MARKET #4491  
**SITE LOCATION:** 541 WARRIOR WAY, GRAND JUNCTION, CO 81501  
**APPLICATION FOR:** RETAIL 3.2% FMB ON/OFF PREMISES LICENSE [To sell 3.2% beer, in sealed containers as a grocery item, to be consumed OFF the licensed premises only; and licensee may deliver at retail fermented malt beverages in sealed containers in conjunction with delivery of food products]

**APPLICANT/TRADE NAME:** WAL-MART STORES, INC., dba WALMART #4491 FUEL  
**SITE LOCATION:** 541 WARRIOR WAY, SPACE A, GRAND JUNCTION, CO 81501  
**APPLICATION FOR:** RETAIL 3.2% FMB OFF PREMISES LICENSE [To sell 3.2% beer, in sealed containers as a grocery item, to be consumed OFF the licensed premises only]

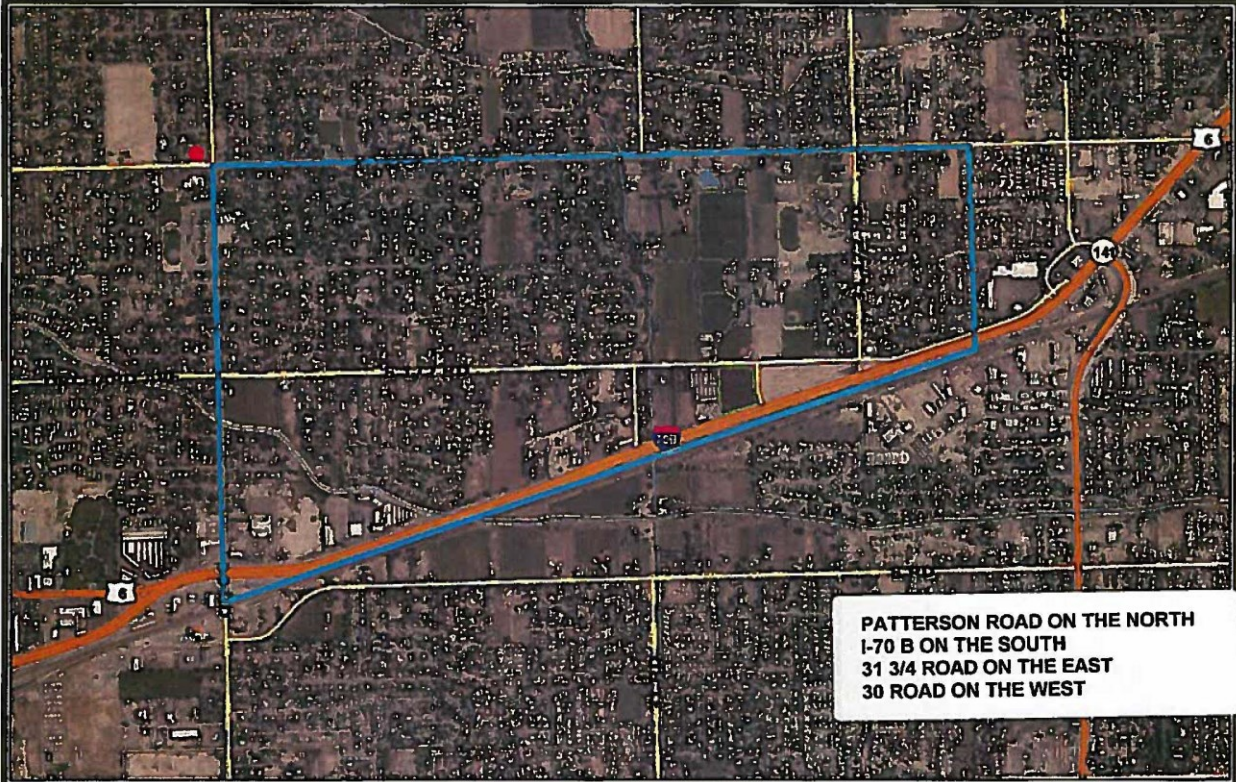
**PUBLIC HEARING:** WEDNESDAY, 2 SEPTEMBER 2015, 2:00 P.M., MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 5<sup>TH</sup> STREET, GRAND JUNCTION, CO

**DEFINED NEIGHBORHOOD:** NORTH: PATTERSON ROAD      SOUTH: I-70 B  
 EAST: 31 3/4 ROAD      WEST: 30 ROAD

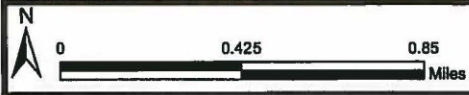
- INCLUDES BOTH SIDES OF THE STREET -



Wal-Mart Stores Inc.



PATTERSON ROAD ON THE NORTH  
I-70 B ON THE SOUTH  
31 3/4 ROAD ON THE EAST  
30 ROAD ON THE WEST



Printed: 7/27/2015

1 inch = 1,433 feet

