

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

**MINUTES
WEDNESDAY, JANUARY 3, 2018, 2:00 P.M.**

HEARING OFFICER SAM D. 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 Juanita Peterson.

II. APPLICATION TO RENEW LIQUOR AND BEER LICENSES

1. Chipotle Mexican Grill, Inc. dba Chipotle Mexican Grill, 2504 Highway 6 & 50, Suite 300, Grand Junction, CO 81505, Hotel and Restaurant

No one was present to represent the applicant. The renewal application for Chipotle Mexican Grill, Inc. dba Chipotle Mexican Grill was found in order and approved.

2. VAT, LLC dba Jack Rabbit Liquor, 2681 Unawweep Avenue, Unit C & D, Grand Junction, CO 81503, Retail Liquor Store

No one was present to represent the applicant. The renewal application for VAT, LLC dba Jack Rabbit Liquor was found in order and approved.

3. Walterscheid Investment & Consulting, Inc. dba All Pro Liquor, 2913 Patterson Road, #104, Grand Junction, CO 81504, Retail Liquor Store

No one was present to represent the applicant. The renewal application for Walterscheid Investment & Consulting, Inc. dba All Pro Liquor was found in order and approved.

4. Providence Project, Inc. dba MX Tapas Bar Restaurante, 546 Main Street, Grand Junction, CO 81501, Hotel and Restaurant

No one was present to represent the applicant. The renewal application for Providence Project, Inc. dba MX Tapas Bar Restaurante was found in order and approved.

III. APPLICATION FOR NEW LICENSE – RESOLUTION, FINDINGS, AND DECISION

1. Target Corporation dba Target Store T-0093, 2424 Hwy 6 & 50, Grand Junction, CO 81505, 3.2% Fermented Malt Beverage Off Premises

Senior VP: Corey L. Haaland, PO Box 9471 CC-1028, Minneapolis, MN 55440
Senior VP: Aaron E. Alt, PO Box 9471 CC-1028, Minneapolis, MN 55440
Executive VP: Timothy R. Baer, PO Box 9471 CC-1028, Minneapolis, MN 55440

Present for the applicant was Adam Stapen with Dill Dill Carr Stonbraker & Hutchings, P.C., the local store manager Ann Jenkins, and Max Scott with Oedipus, Inc. whose firm conducted the needs and desires survey.

Ms. Peterson reported the paperwork is in order and read the results of the survey (attached). Oedipus, Inc. also supplied the City Clerk's office with their petition/opinion poll procedure which is also admitted as exhibits (attached).

There were several questions of the manager Ann Jenkins on how their staff is trained. City Attorney Shaver and Hearing Officer Starritt concurred that the information contained in the report from the City Clerk's office and Oedipus, Inc. indicates favoring issuance of this license based on the results of the survey.

Hearing Officer Starritt asked if anyone would like to speak against the application. There was no one. He then said based on the information presented, there is no evidence that the application would not meet the needs and desires of the neighborhood and approved the application. The City Clerk's Office will prepare a resolution of findings for Hearing Officer Starritt's signature.

IV. OTHER BUSINESS

There was none.

V. ADJOURNMENT – 2:20 p.m.

NEXT REGULAR MEETING – January 17, 2018



MEMO: Local Licensing Authority
FROM: Juanita Peterson, Deputy City Clerk
DATE: December 26, 2017
SUBJECT: Application for a new Retail 3.2 % Fermented Malt Beverage Off Premises license by Target Corporation dba Target Store T-0093, 2424 Highway 6 & 50, Grand Junction, CO

Target Corporation filed an application with the Local Licensing Authority on November 14, 2017 for a new 3.2% Fermented Malt Beverage Off Premises license permitting sales of fermented malt beverages for sale in sealed containers not for consumption at the place where sold at 2424 Highway 6 & 50 under the trade name of Target Store T-0093. The application and supplementary documents were reviewed, found to be in order and accepted. A copy was sent to the State Liquor Enforcement Division for a Concurrent Review. The hearing date has been scheduled for January 3, 2018. A "Notice of Hearing" was given by posting a sign on the property on or before noon on December 20, 2017 and by publishing a display ad in the Daily Sentinel on December 15, 2017.

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 Lafayette, CO to conduct the survey. The neighborhood was defined as the area bounded on the North by G Road, on the South by River Road, on the East by 25 ½ Road, and on the West by 24 Road and includes both sides of the streets as the outer boundaries. The results of that survey are as follows:

Check the yes/no column if you support/oppose this type of license being issued because the existing outlets do/do not adequately serve the reasonable requirements of the designated area.

Business Results:	FAVOR:	45
	OPPOSE:	5

Residential Results:	FAVOR:	125
	OPPOSE:	8

There was one person disqualified under 21 years of age and one person out of the area. The results provided by Oedipus, Inc. regarding the petition/opinion poll to determine needs and desires is attached. The City of Grand Junction City Clerk's office reviewed the results from Oedipus, Inc. and agreed with their findings to include the above.

To date, no letters of opposition or counter petitions have been filed.

The Grand Junction Police Department will investigate the individuals for local criminal history. The applicant has a Master File established at the State Liquor Enforcement Division. A representative from Oedipus, Inc. posted the notice of hearing at the property and provided the City Clerk's Office with an affidavit of posting. The Grand Junction Police Department will also inspect the property to ensure the Notice of Hearing has been posted in a timely manner and verify the diagram matches the establishment. A report has also been requested from the City of Grand Junction Sales Tax Department.

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

Beer and Wine – 1 (Bamboo City)

Hotel and Restaurant – 13 (Buffalo Wild Wings, Olive Garden, Outback Steakhouse, Chuck E. Cheese, Famous Dave's Bar B Que, Red Lobster, Tequila's, Chili's Grill & Bar, Citrola's Italian Grill, Grand International Buffett, Chipotle Mexican Restaurant, Mi Mexico, Genghis Grill)

Lodging and Entertainment – 1 (X-Golf)

Tavern – 1 (Bank 8 Billiards)

Club – 1 (Loyal Order of Moose)

Retail Liquor Store – 1 (Fisher's Liquor Barn)

3.2% Beer (Off Premises) – 1 (City Market #44)

That concludes this report.

cc: Dill, Dill, Carr, Stonbraker, & Hutchings, PC on behalf of the Applicant
Oedipus, Inc.
Sam D. Starritt, Hearing Officer
John Shaver, City Attorney
Meghan Woodland, Grand Junction Police Department
File

Oedipus,™ Inc.

Empirical Data Services

3 January 2018

Local Licensing Authority
Grand Junction, Colorado

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

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

Target Corporation, dba Target Store T-0093
2424 Highway 6 & 50, Grand Junction, CO 81501
Retail 3.2% FMB License, Off Premises Consumption

• 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. employee was briefed on the application.
2. The employee 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 Friday, Saturday and Sunday, 15, 16 and 17 December 2017 of businesses and residences within the neighborhood defined as G road on the North; River Road on the South; 25½ Road on the East; and 24 Road on the West (see map). 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. Oedipus, Inc., also posted the premises on 15 December 2017 with a Public Hearing Notice provided by the City Clerk's office of Grand Junction, pursuant to local licensing requirements.
5. 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.
6. Two (2) petition packets (one packet representing businesses, one packet representing residences), together with a Summary Letter, this Report, and an Affidavit of Posting with photographs were prefled via Federal Express with the office of Ms. Juanita Peterson, MMC, Deputy City Clerk for the City of Grand Junction, to comply with prefiling deadline.

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PETITION/OPINION POLL RESULTS

1. <u>Total Doorknocks:</u>		
Not-at-Homes and/or Business Owners/Managers Not Available		145
Not Qualified to Sign		25
Preferred to Not Participate		65
Parties in Interest that Participated		184
Deleted Signatures		<u>2</u>
Total Base Figure		421
2. <u>Qualified Contacts:</u>		
A. <u>Signatures and Those Not Signing</u>		
Signatures Favoring Issuance		171
Businesses	45	
Residences	126	
Not Signing/Favoring Issuance		0
Signatures Opposing Issuance		13
Businesses	5	
Residences	8	
Not Signing/Opposing Issuance		<u>0</u>
Total Contacts		184
B. <u>Breakdown of Reasons of Signatures in Opposition:</u>		
No Need	4	
Abhorrence of Alcohol	2	
Religious Objections	0	
Usage Objections	2	
Miscellaneous Reasons	3	
No Reason Given	<u>2</u>	
Total Signatures	13	

C. Breakdown of Signatures Favoring and Opposing:

Favoring Issuance (Based on Needs/Desires)	171	=	92.93%
Signatures	171		
Not Signing	0		
Opposing Issuance (Based on Needs/Desires)	4	=	2.17%
Signatures	4		
Not Signing	0		
Abhorrence of Alcohol	2	=	1.09%
Signatures	2		
Not Signing	0		
Religious Objections	0	=	0.00%
Signatures	0		
Not Signing	0		
Usage Objections (Commercial, Traffic, Parking, Crime)	2	=	1.09%
Signatures	2		
Not Signing	0		
Other Miscellaneous Reasons	3	=	1.63%
Signatures	3		
Not Signing	0		
No Reason Given	<u>2</u>	=	<u>1.09%</u>
Signatures	2		
Not Signing	0		
Total Base Figure	184	=	100.00%

3. Needs and Desires Signatures:

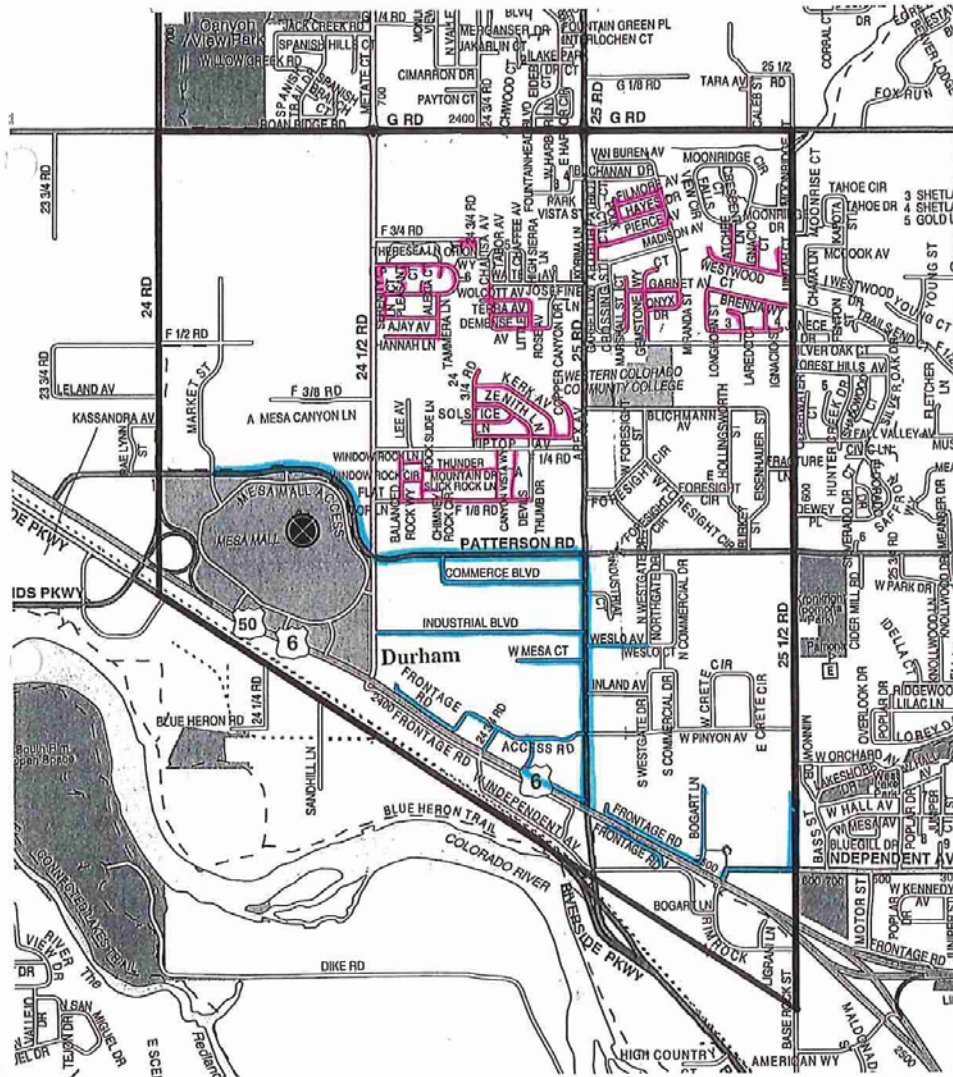
Signatures Favoring Issuance (Based on Needs/Desires)	171		
Favoring Issuance/Not Signing (Based on Needs/Desires)	0	}	171 = 97.71%
Signatures Opposing Issuance (Based on Needs/Desires)	4		
Opposing Issuance/Not Signing (Based on Needs/Desires)	0	}	<u>4</u> = <u>2.29%</u>
Total Base Figure	175	=	100.00%

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

#1 & #2 / 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: TARGET CORPORATION, dba TARGET STORE T-0093
SITE LOCATION: 2424 HIGHWAY 6 & 50, GRAND JUNCTION, CO 81501
APPLICATION FOR: RETAIL 3.2% FMB LICENSE [To sell 3.2% beer, in sealed containers as a grocery item, to be consumed OFF the licensed premises only]
PUBLIC HEARING: WEDNESDAY, 3 JANUARY 2018, 2:00 P.M., MUNICIPAL HEARING ROOM, CITY HALL, 250 NORTH 6TH STREET, GRAND JUNCTION, CO
DEFINED NEIGHBORHOOD: NORTH: G ROAD SOUTH: RIVER ROAD
 EAST: 25TH ROAD WEST: 24 ROAD
 - INCLUDES BOTH SIDES OF THE STREET -