

RESOLUTION NO. 2-85

OF DECISION ON APPLICATION FOR CHANGE OF LOCATION FOR A RETAIL LIQUOR STORE LICENSE BY FORESIGHT LIQUOR, INC., FOR FORESIGHT LIQUOR FROM 740 PITKIN AVENUE TO 1133 PATTERSON ROAD.

A public hearing having been held April 17, 1985, on the application by Foresight Liquor, Inc. for a change of location of a Retail Liquor Store License from 740 Pitkin Avenue to 1133 Patterson Road, Grand Junction, and the Local Licensing Authority having considered the evidence adduced at said hearing, FINDS:

1. That the hearing was properly held after due notice.
2. That the survey conducted by the City showed that of those residents within the neighborhood responding, 616 opposed the change of location, while 457 approved of the relocation of the license. On the additional question of the needs of the neighborhood for the license, 233 owners of the property opposed the relocation of the license with 151 favoring relocation. Of the employees in the neighborhood, 189 opposed the relocation of the license to their neighborhood, while 169 employees favored its relocation.
3. A petition from the Bookcliff Baptist Church bearing 108 signatures opposed the change of the license. Applicant submitted petitions, one from the neighborhood with about 310 signatures favoring the location change, the other with signatures obtained at the applicant's present location bearing 160 signatures also favored the change of location. Opponents presented petitions opposing the change. These bore signatures of about 653 persons, approximately 254 of whom were from the neighborhood. Several persons spoke in favor of and against the change during the hearing.
4. There is one other outlet in the neighborhood and no other within one mile.

CONCLUSIONS

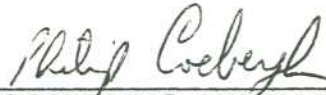
The Local Licensing Authority is charged with basing his decision on the desires of the inhabitants of the neighborhood and the needs of that neighborhood. Both sides argued that the neighborhood is greater than that surveyed by the City. The Local Licensing Authority accepts this argument. The Local Licensing Authority also accepts the argument that numbers of signers of petitions or responses is not necessarily controlling. The Authority also considered the number, type and availability of local liquor outlets within or near the neighborhood under consideration.

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

That the application of Foresight Liquor, Inc. to change the location of its Retail Liquor Store License from 740 Pitkin Avenue to 1133 Patterson Road be approved for the reasons that there is substantial support for the new license in the neighborhood indicating the needs are not being met while the evidence of the desires of the inhabitants of the neighborhood seems to indicate a close division but with a fairly strong calling for approval of the change in location. Further, there is only one similar outlet within or near the neighborhood under consideration.

PASSED and ADOPTED this 1st day of May, 1985.

Attest:



LOCAL LICENSING AUTHORITY
FOR THE CITY OF GRAND JUNCTION

Neva B. Lockhart, CMC
City Clerk