

RESOLUTION NO. 4-01

DECISION ON APPLICATION FOR A NEW RETAIL LIQUOR STORE LIQUOR LICENSE BY WALTERSCHEID INVESTMENT & CONSULTING INCORPORATED UNDER THE TRADE NAME OF ALL PRO LIQUOR TO BE LOCATED AT 2913 F ROAD #104, GRAND JUNCTION, COLORADO

Public hearings were held on February 21 and March 7, 2001, by the Local Licensing Authority for the City of Grand Junction (hereinafter "Authority"), on the application submitted by Walterscheid Investment & Consulting Incorporated, (hereinafter "Applicant") for a new Retail Liquor Store liquor license under the trade name of All Pro Liquor to be located at 2913 F Road #104, Grand Junction, Colorado. The Authority having duly considered the evidence adduced at said hearings and having reviewed the evidence and statements of legal counsel, FINDS:

1. That the hearings on February 21, 2001 and March 7, 2001, on the application were held after proper notice thereof, as required by 12-47-336 C.R.S., *et. seq.*
2. That Section 12-47-301(2)(a), C.R.S., establishes the legal basis for review of any application, and that before granting any license all licensing authorities shall consider, except where this article and article 46 of this title specifically provide otherwise, the reasonable requirements of the neighborhood, the desires of the adult inhabitants as evidenced by petitions, remonstrances or otherwise and all other reasonable restrictions that are or may be placed upon the neighborhood by the local licensing authority.
3. That the petitions, surveys, remonstrances and other evidence, including but not limited to statements of the Applicant and those in opposition, demonstrate that the Applicant has shown that the needs of the neighborhood are not already being met by existing licenses and that the adult inhabitants do desire that the license issue.
4. That Section 12-47-312(2)(a) C.R.S. requires (in relevant part) that before entering any decision approving or denying the application, the local licensing authority shall consider ... the facts and evidence adduced as a result of it's investigation, as well as any other facts (emphasis added). Other facts and evidence which the Authority considered and found in the totality of the circumstances supports issuance of the license are:
 - a) That the needs of the Neighborhood described as the area of F ½ Road on the North, Orchard Avenue on the South, 28 ½ Road on the West and 29 ½ Road on the East, including the outer boundaries of the streets, are not being met by existing outlets.
 - e) That even taking due consideration to all evidence presented in opposition to this application, the evidence supports the conclusion that the applicant made a sufficient showing as to the needs of the neighborhood and the desires of the inhabitants for this application to be approved by the Authority.

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

That the application submitted by Walterscheid Investment & Consulting Incorporated under the trade name of All Pro Liquor to be located at 2913 F Road #104, Grand Junction, Colorado, for a new Retail Liquor Store liquor license is approved.

DONE, this 7th day of March 2001.



A handwritten signature in cursive script, reading "Philip Coebergh".

Philip Coebergh, Hearing Officer
Local Licensing Authority for the
City of Grand Junction

ATTEST:

A handwritten signature in cursive script, reading "Christine English".
Christine English
Senior Administrative Assistant