

**MINUTES FOR  
LIQUOR AUTHORITY MEETING**

**CITY OF WHEAT RIDGE, COLORADO  
7500 West 29<sup>th</sup> Avenue, Municipal Building**

**December 13, 2018**

Chair Alldredge called the Liquor Authority Meeting to order at 9:00 a.m.

Liquor Authority Members present:

Robert Alldredge  
Anthony Davia  
Bruce McIntyre  
Elizabeth Nazareus  
John Miks

Absent: Carolyn Peterson, Paul Shaver, Claudia Worth  
(excused)

Also present: Deputy City Clerk Robin Eaton; Stinker Store CO Inc. Representative, Michael Bass; Safeway Attorney Brandon Sandberg; Safeway representative Pat Adams; Max Scott (Oedipus Inc.), other guests

**APPROVAL OF MINUTES OF July 26, 2018**

**Motion** by Member Davia to approve the minutes of July 26, 2018; seconded by Member Miks; Motion carried 4-1 with Member Nazareus abstaining.

**Item 1.** Introduced by Chair Alldredge – A new application for a Retail 3.2% Fermented Malt Beverage License for Stinker Stores Co Inc. dba Stinker Store #339, located at 10010 W. 27<sup>th</sup> Avenue, Wheat Ridge, Colorado

Chair Alldredge opened the public hearing

Deputy Clerk Eaton gave the initial findings for the staff report and entered Exhibits 1-6 into the record, showing the applicant has fulfilled all of the requirements to hold a fermented malt beverage liquor license. He explained that Stinker Stores Co. Inc. is a new 3.2% Fermented Malt Beverage license applicant, being currently licensed in multiple areas along the front range and is wishing to establish a location in Wheat Ridge.

He explained that the applicants had requested concurrent review with the State and that they currently hold a Master file letter with the Liquor Enforcement Division so the Wheat Ridge Police Department did not vet the corporate officers.

He described the new state rules for the 500ft and how this facility falls within the exemptions and state has notified that there were no issues with the application.

Chair Alldredge swore in Max Scott, and Michael Bass who spoke about the company and how it has over 105 locations across the country, with currently only one location in Morrison selling beer. With these locations, there have been no complaints or stings where they have failed compliance checks. They also sell age restricted tobacco so checking IDs is nothing new to them. Since taking possession of this location they have upgraded the interior by remodeling and including coolers and refrigeration.

Mr. Scott offered testimony and used model testimony from past hearings as to the methods Oedipus uses to conduct the surveys. The survey was conducted in a one-half mile radius with the applicant business at center. Both residences and businesses were surveyed in the map of the survey.

He described on page two of the survey that of the total 178 of those surveyed, 133 were in favor of issuance of new liquor license, while there was 45 that were opposed to it.

Mr. Scott and Mr. Bass of Stinker Stores Co. Inc. added that they are available to help answer any questions that the board may have.

There were no questions from the Board.

**Motion** by Member Miks to approve the issuance of a new Retail 3.2% Fermented Malt Beverage License for Stinker Stores Co Inc. dba Stinker Store #339, located at 10010 W. 27<sup>th</sup> Avenue, Wheat Ridge, Colorado on the basis of the following findings:

1. Public Notice of the hearing on the Application was published and posted on the property as required by Colorado law;
2. The applicant is qualified to obtain a liquor license pursuant to C.R.S. Section 44-3-307;
3. The premises are in a location eligible to conduct the proposed liquor licensed business pursuant to C.R.S. Section 44-3-313 and the zoning laws of the City;
4. The applicant is entitled to possession of the premises for which the application is made;
5. The neighborhood under consideration is considered to be within a one-half mile circumference around the proposed licensed premises;
6. The inhabitants of the neighborhood desire an additional establishment that serves liquor;
7. The needs of the neighborhood are not met by the existing outlets.

There was no additional discussion or further questions.

Seconded by Member Davia; motion carries 5-0

**Item 2.** Introduced by Chair Alldredge; a Modification of Premises application for Safeway Stores 45 Inc. d/b/a Safeway Store #1479, 3900 Wadsworth Blvd, Wheat Ridge, Colorado, 80033

Deputy Eaton gave the staff report: He explained that Safeway, due to the new beer laws, will be enlarging the cooler space for their beer products, including the display area and that it meets all of the requirements for issuance.

Attorney Brandon Sandburg, Pat Adams, and store director Lee Andrews-Torres were sworn in and spoke on the application items. They described the store wishing to increase business and in order to do so, is desirous to expand the current beer display and cooler area from 34 to 94 linear feet.

This expansion is due to new state liquor laws and the employees have undergone additional training; there are no underage cashiers that sell full strength beer, they have a complete camera system, and any employee who sells to a minor or intoxicated person, faces immediate termination.

Chair Alldredge asks for any questions from the Board.

Member Davia asks where the beer cooler is located in the store.

Mr. Torres described on the diagram that it is by the Starbucks area located inside the store, both in the aisle and in the cooler

**Motion** by Mr. Davia to approve the application for Modification of Premises for Safeway Stores 45 Inc. d/b/a Safeway Store #1479, 3900 Wadsworth Blvd, Wheat Ridge, Colorado, for the following reasons:

- (1) All applications and fees required by statute have been filed and paid.
- (2) The applicant is in possession of the property
- (3) The applicant is in compliance with the applicable zoning laws.
- (4) The applicant is in compliance with the distance prohibition in regard to any public or parochial school or the principal campus of any college, university, or seminary"

Seconded by Member Nazarene; motion carried 5-0

**CITY CLERK'S MATTERS**

Deputy City Clerk spoke on the following items:

- Thanking the members for their service to the City for sitting on this board.
- Upcoming CML webinar for Legislative updates from the 2018 sessions.
- The CMCA and CML will be working together on upcoming Legislation in 2019 to hopefully fix some of the acts in 2018.
- The Clerk's office is currently working on one liquor license transfer: Alta 4999, located at 4999 W. 38<sup>th</sup> Ave.

- To be heard on January 10, 2019, a new liquor application for a Hotel and Restaurant license by a franchisee of Fatshack, to be located at the old Mighty Joes location 10160 W. 50<sup>th</sup> Ave. Unit 5.
- Expecting at least two more 3.2% applications to be submitted, along with additional modifications from King Soopers.

**CITY ATTORNEY'S MATTERS – none**

**POLICE DEPARTMENT MATTERS – none**

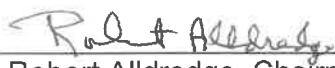
**LIQUOR AUTHORITY MEMBERS MATTERS**

**ADJOURNMENT**

Meeting adjourned at: 9:33 a.m.

  
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Robin Eaton, Deputy City Clerk

APPROVED ON January 10, 2019 BY A VOTE OF 4 TO 0 with Peterson Abstaining

  
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Robert Alldredge, Chairman