

FINDINGS AND RESOLUTION 68-23
OF THE CITY COUNCIL OF THE CITY OF FORT COLLINS
CONCERNING APPLICATION FOR CLASS A AND B LICENSE
TO SELL NON-INTOXICATING MALT LIQUOR

The application of Fort Collins, Pizza Inn, Inc for a license for the sale of non-intoxicating malt liquor in accordance with Chapter 2 of the Code of Ordinances of the City of Fort Collins, Colorado, 1958, as amended, came on for hearing on March 7, 1968, before the City Council of the City of Fort Collins and the City Council having held a hearing as required by law now makes the following findings

1 No evidence was produced by the applicant at the hearing and no attempt was made to show any need in the neighborhood or desire on the part of the inhabitants of the neighborhood for the license applied for The applicant himself did not appear before the City Council at the hearing and the only appearance made on behalf of the applicant was the appearance of the applicant's attorney who requested that the license be granted Nothing was presented on behalf of anyone opposing the license except Reverend Autry Brown who objected to the issuance of this license on the grounds that the neighborhood did not desire the license to be issued and there was no need in the neighborhood

2 The license sought by the applicant is for a location in the 1200 block of West Elizabeth Street in the existing shopping center development and the address given as the location was 1220 West Elizabeth Street Heretofore a license has been granted to John W Ogle at this location and it was explained that John W Ogle intends to surrender his existing license if the new license is granted

3 The City Council has made an independent examination of the premises and has determined that such premises are being remodeled and enlarged and the enlargement will more than double the capacity of the existing outlet The enlargement of said premises consists in taking over additional space in the existing shopping center in which the former business was located, such space having heretofore been used for another business

4 From the foregoing it is the opinion and finding of the City Council that

(a) No need was shown on behalf of the applicant for the license applied for and the only testimony relating to need in the neighborhood indicated lack of the same

(b) No testimony or other evidence was presented by the applicant relating to the desires of the inhabitants of the neighborhood and the only testimony which was presented at the hearing indicated lack of desire on the part of the inhabitants for the issuance of the license applied for

(c) The existing license is sufficient to satisfy any need in the neighborhood

(d) The enlargement of the existing premises indicates to the City Council that the applicant intends to use additional space in the shopping center heretofore devoted to other purposes for the purpose of selling 3 2 non-intoxicating malt beverages In the opinion of the City Council this enlargement of the premises is no different than a transfer of the location of a license or another license being issued in the new premises being added to the existing location Before a license can be granted for such enlarged premises a full hearing should be held before the City Council and such hearing should demonstrate a need in the neighborhood for such additional premises and a desire on the part of the inhabitants of the neighborhood that such additional premises be used for dispensing 3 2 non-intoxicating malt beverages

RESOLUTION
OF THE COUNCIL OF THE CITY OF FORT COLLINS
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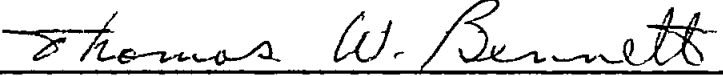
WHEREAS, the City Council of the City of Fort Collins has heard the application of Fort Collins Pizza Inn, Inc for a Class A and B license to sell non-intoxicating malt liquor, and,

WHEREAS, the City Council has made its findings upon the evidence, testimony and petitions submitted to it and upon its own knowledge of the

premises and the neighborhood, which findings precede this resolution and by reference are incorporated herein and made a part hereof

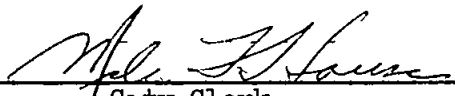
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF FORT COLLINS that the application of Fort Collins Pizza Inn, Inc for a Class A and B license to sell non-intoxicating malt liquor be and the same hereby is denied upon each of the grounds set forth in the findings of the City Council herein

Passed and adopted at a regular meeting of the City Council held this 21st day of March, A D , 1968



Mayor

ATTEST



City Clerk