



**KATHLEEN NEEL, CLERK & RECORDER**

LIQUOR LICENSING

(970) 453-3472

Summit County Government

208 East Lincoln Ave. | P.O. Box 1538

Breckenridge, CO 80424

[www.summitcountyco.gov](http://www.summitcountyco.gov)

## **LIQUOR LICENSE REVIEW**

### **APPLICANT INFORMATION:**

**Licensee Organization:** Gateway Grocery & Liquor LLC  
**Establishment Name (DBA):** Gateway Grocery & Liquor  
**Physical Address:** 23110 U.S. Highway 6 Unit #8 Keystone, CO 80435  
**Mailing Address:** 23110 U.S. Highway 6 Unit #8 Keystone, CO 80435

**Applicant Individual Name:** Joseph McIntyre

**Registered Manager Applicant:** Joseph McIntyre

**Date of Application:** August 13, 2020

**Type of License Applied For:** Liquor Store

**Type of Application:** New w/ Concurrent State Level Review

### **STAFF COMMENTS:**

**Sheriff's Office Comments:** See enclosed letter without concerns.

**Clerk & Recorder Comments:** Complete application and proper fees submitted.

### **BOCC INFORMATION:**

**Local Licensing Authority:** Summit County Board of Commissioners

**Meeting Agenda Date:** Tuesday, September 22, 2020

### **CONTENTS OF MATERIALS PACKET:**

- I. STAFF REPORT
- II. DR8404 COLORADO LIQUOR LICENSE APPLICATION
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- V. DR8404-I INDIVIDUAL HISTORY REPORTS
- VI. SUPPLEMENTAL INDIVIDUAL CRIMINAL HISTORY RESULTS & FINANCIAL DETAILS
- VII. LLC ORGANIZATIONAL INFORMATION
- VIII. NEIGHBORHOOD NEEDS & DESIRES – REMONSTRANCES OF SUPPORT



**OFFICE OF THE CLERK & RECORDER**

KATHLEEN NEEL, CLERK & RECORDER

970.453.3472

P.O. Box 1538

208 E. Lincoln Ave.

Breckenridge, Colorado 80424

liquorlicensing@summitcountyco.gov

**STAFF REPORT**

**TO:** The Board of County Commissioners  
**FROM:** Stacey Nell, Summit County Clerk & Recorder's Office  
**FOR:** Meeting on September 22, 2020  
**SUBJECT:** New Liquor License Application for Gateway Grocery & Liquor LLC dba GATEWAY GROCERY & LIQUOR; Liquor Store; Joseph McIntyre; located at 23110 U.S. Highway 6 Unit #8, Keystone, CO 80435  
**DATE:** September 16, 2020  
**APPLICANT:** Joseph McIntyre, Owner, Gateway Grocery & Liquor LLC  
**REQUEST:** Approval of New Application of Liquor Store License for Gateway Grocery & Liquor, located at 23110 U.S. Highway 6 Unit #8, Keystone, CO 80435

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**BACKGROUND:**

On August 13, 2020 Joseph McIntyre ("Applicant") submitted an application for a Liquor Store license ("Liquor License") at 23110 U.S. Highway 6 Unit #8, Keystone, Colorado ("Premises Location") to the Office of the Summit County Clerk & Recorder ("Clerk & Recorder"). Notice of a public hearing on the application was properly posted and published in the Summit County Journal on September 11, 2020. The information provided by Applicant in the subject liquor license application is complete and has been thoroughly investigated by the Clerk & Recorder. The Clerk & Recorder's findings, based upon its investigation, were provided to the Applicant and all other interested parties in writing on September 14, 2020. On September 15, 2020 a Findings Letter hard copy was mailed via USPS Certified Mail to the mailing address provided by the Applicant on the DR8404 Application Form.

**STAFF REPORT:**

Pursuant to C.R.S. 44-3-901(g) it is unlawful for any person to sell, or possess for sale, any alcoholic beverage unless licensed to do so and unless all licenses required are in full force and effect. Pursuant to C.R.S. 44-3-103(27) the Board of County Commissioners of Summit County, Colorado ("BOCC") is the Local Licensing Authority for the sale and service of alcoholic beverages in unincorporated Summit County, Colorado. For purposes of approving an application for a Liquor Store Liquor License in accordance with the Colorado Liquor Code (C.R.S.), 44-3-301 et seq., the BOCC must make the following findings:

- 1. The Applicant is entitled to legal possession of the Premises Location and the Premises.**  
The Applicant has provided the Clerk & Recorder with evidence of lawful Possession of the Premises Location in the form of a lease executed by Gateway Holdings LLC (Lessor) and Gateway Grocery & Liquor LLC (Lessee).

**2. The Premises Location is not within 500 feet from any public or parochial school or the principal campus of any college, university or seminary.**

The Clerk & Recorder has determined that the Premises Location is not within 500 feet from any public or parochial school or principal campus of any college, university or seminary.

**3. The Applicant is of good moral character and otherwise not personally prohibited from holding a Liquor Store License.**

The Clerk & Recorder has conducted a background investigation of the Applicant through fingerprint-based background checks through the Colorado Bureau of Investigation (CBI) and the Federal Bureau of Investigation (FBI), per protocol. Documentation of criminal history records for the Applicant were returned via the CBI secure portal directly to the Clerk & Recorder. Available records are included in the BOCC's materials for today's Public Hearing. Otherwise, documentation of non-retention is enclosed. Results from the background check are as follows:

Date	Arresting Agency	Charge	Disposition	Issuing Agency of Disposition
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

Pursuant to Liquor Reg. §47-310(E), when making a determination as to an Applicant's character the authority may consider the following factors, which may include but not be limited to the following:

1. Subject to 24-5-101, C.R.S., the applicant has knowingly submitted false applications, made willful misrepresentations and/or knowingly committed fraudulent acts;
2. The applicant has a criminal history of crimes of moral turpitude. By way of example, crimes of moral turpitude shall include but not be limited to, fraud, forgery, murder, burglary, robbery, arson, kidnapping, sexual assault, illegal drugs or narcotics convictions;
3. The applicant has had previous alcohol beverage licenses denied or revoked as result of violations of law, resulting in a finding of bad moral character by any licensing authority;
4. The applicant has been found to be currently delinquent in the payment of any state or local taxes, and record of such tax delinquency has been filed in a court having jurisdiction, or has been made a public record by some other lawful means;

5. The applicant has established pattern of multiple statutory violations which resulted in the revocation or denial of any other professional license.
6. The finding of a person who is not of good moral character by any licensing authority.

The BOCC may also consider evidence of rehabilitation. Such evidence may include but not be limited to, evidence of no criminal history record information, educational achievements, financial solvency, community standing, lack of additional arrest or conviction, or lack of parole or probation violations since the date of last conviction.

As indicated above, Applicant pleaded guilty to a driving under the influence in 2003, while a serious offense, it is not considered a crime of moral turpitude and when considering moral character cannot be the basis for the BOCC to deny a retail liquor store license. *Hartman v. Wadlow*, 545 P.2d 735 (Colo. App. 1975), *aff'd*, 551 P.2d 201 (Colo. 1976). Furthermore, Applicant has had no additional arrests or convictions since 2004.

**4. The reasonable requirements of the designated neighborhood establish support for the issuance of a Liquor Store Liquor License at the Premises Location.**

The Clerk & Recorder in conjunction with the Summit County Planning Department, has determined that the designated neighborhood for the proposed Premises Location of the establishment, is as drawn on the premise diagram map submitted by the applicant in the enclosed materials.

**5. The desires of the inhabitants of the designated neighborhood dictate issuance of a Liquor Store License at the Premises Location is warranted.** Applicant has provided petition signatures from within the designated neighborhood establishing the desires of the inhabitants of the designated neighborhood supporting the issuance of a Liquor Store Liquor License at the Premises Location.

**6. The number, type and availability of liquor outlets in the designated neighborhood does not result in an undue concentration of liquor outlets.**

There are two similar types of liquor outlets in the designated neighborhood. The Clerk & Recorder does not believe that approval of the subject license would result in an undue concentration of liquor store outlets in the designated neighborhood.

**7. No other reasonable restrictions, including zoning codes that have been placed on the Designated Neighborhood by the BOCC preclude issuance of a Liquor Store Liquor License for the Premises Location.**

The Clerk & Recorder has determined that no other reasonable restrictions, including zoning codes that have been placed on the designated neighborhood preclude issuance of a Liquor Store Liquor License for the Premises Location.

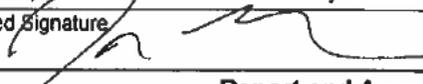
**STAFF RECOMMENDATION:**

Based on the above considerations, Staff would recommend that the Board of County Commissioners approve Joseph McIntyre's application for a retail liquor store license for sale of alcoholic beverages at Gateway Grocery & Liquor, located at 23110 U.S. Highway 6 Unit #8, Keystone, CO 80435. The State of Colorado has concurrently approved this application and is awaiting the BOCC's decision before issuing a new State of Colorado Liquor License.



Name	Type of License	Account Number		
7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>		
8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):				
a. Been denied an alcohol beverage license?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
b. Had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Had interest in another entity that had an alcohol beverage license suspended or revoked?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?		<input type="checkbox"/> <input checked="" type="checkbox"/>		
		or		
		Waiver by local ordinance? <input type="checkbox"/> <input type="checkbox"/>		
		Other: _____		
11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
13 a. For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016?		<input type="checkbox"/> <input type="checkbox"/>		
13 b. Are you a Colorado resident?		<input checked="" type="checkbox"/> <input type="checkbox"/>		
14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee.		<input checked="" type="checkbox"/> <input type="checkbox"/>		
15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership, lease or other arrangement?		<input checked="" type="checkbox"/> <input type="checkbox"/>		
<input type="checkbox"/> Ownership <input checked="" type="checkbox"/> Lease <input type="checkbox"/> Other (Explain in Detail) _____				
a. If leased, list name of landlord and tenant, and date of expiration, exactly as they appear on the lease:				
Landlord	Tenant	Expires		
Gateway Holdings Group LLC	Gateway Grocery & Liquor LLC	06/2025		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16.		<input type="checkbox"/> <input checked="" type="checkbox"/>		
c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
N/A				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.				
17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:				
Has a local ordinance or resolution authorizing optional premises been adopted?		<input type="checkbox"/> <input type="checkbox"/>		
		Number of additional Optional Premise areas requested. (See license fee chart) _____		
18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.				
19. Liquor Licensed Drugstore (LLDS) applicants, answer the following:				
a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise?				<input type="checkbox"/> <input checked="" type="checkbox"/>
If "yes" a copy of license must be attached.				

Name	Type of License	Account Number	
<b>20. Club Liquor License applicants answer the following: Attach a copy of applicable documentation</b>			
a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain?		<input type="checkbox"/> <input type="checkbox"/>	
b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain?		<input type="checkbox"/> <input type="checkbox"/>	
c. How long has the club been incorporated?		<input type="text"/>	
d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above?		<input type="checkbox"/> <input type="checkbox"/>	
<b>21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following:</b>			
a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached)		<input type="checkbox"/> <input type="checkbox"/>	
<b>22. Campus Liquor Complex applicants answer the following:</b>			
a. Is the applicant an institution of higher education?		Yes No <input type="checkbox"/> <input type="checkbox"/>	
b. Is the applicant a person who contracts with the institution of higher education to provide food services? If "yes" please provide a copy of the contract with the institution of higher education to provide food services.		<input type="checkbox"/> <input type="checkbox"/>	
<b>23. For all on-premises applicants.</b>			
a. Hotel and Restaurant, Lodging and Entertainment, Tavern License and Campus Liquor Complex, the Registered Manager must also submit an Individual History Record - DR 8404-I and fingerprint submitted to approved State Vendor through the Vendor's website. See application checklist, Section IV, for details.			
b. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit a Manager Permit Application - DR 8000 and fingerprints.			
Last Name of Manager		First Name of Manager	
<b>24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.</b>			
		<input type="checkbox"/> <input type="checkbox"/>	
<b>25. Related Facility - Campus Liquor Complex applicants answer the following:</b>			
a. Is the related facility located within the boundaries of the Campus Liquor Complex? If yes, please provide a map of the geographical location within the Campus Liquor Complex. If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex.		Yes No <input type="checkbox"/> <input type="checkbox"/>	
b. Designated Manager for Related Facility- Campus Liquor Complex			
Last Name of Manager		First Name of Manager	
<b>26. Tax Information.</b>			
a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?		Yes No <input type="checkbox"/> <input checked="" type="checkbox"/>	
b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?		<input type="checkbox"/> <input checked="" type="checkbox"/>	
<b>27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.</b>			
Name		Position	%Owned
Joseph H McIntyre		Managing Member	100
Name	Home Address, City & State	DOB	Position
			%Owned
Name	Home Address, City & State	DOB	Position
			%Owned
Name	Home Address, City & State	DOB	Position
			%Owned
Name	Home Address, City & State	DOB	Position
			%Owned
<b>** If applicant is owned 100% by a parent company, please list the designated principal officer on above.</b> <b>** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable)</b> <b>** If total ownership percentage disclosed here does not total 100%, applicant must check this box:</b> <input checked="" type="checkbox"/> Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.			

Name	Type of License	Account Number	
<b>Oath Of Applicant</b>			
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.			
Authorized Signature 	Printed Name and Title Joseph H McIntyre	Date 06/23/20	
<b>Report and Approval of Local Licensing Authority (City/County)</b>			
Date application filed with local authority	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)		
The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been:			
<input type="checkbox"/> Fingerprinted <input type="checkbox"/> Subject to background investigation, including NCIC/CCIC check for outstanding warrants			
That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license			
(Check One)			
<input type="checkbox"/> Date of inspection or anticipated date _____ <input type="checkbox"/> Will conduct inspection upon approval of state licensing authority			
<input type="checkbox"/> Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,000?	Yes	No	
<input type="checkbox"/> Is the Liquor Licensed Drugstore(LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,000?	<input type="checkbox"/>	<input type="checkbox"/>	
<b>NOTE:</b> The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.			
<input type="checkbox"/> Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?	<input type="checkbox"/>	<input type="checkbox"/>	
The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. <b>Therefore, this application is approved.</b>			
Local Licensing Authority for	Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County	
Signature	Print	Title	Date
Signature	Print	Title	Date

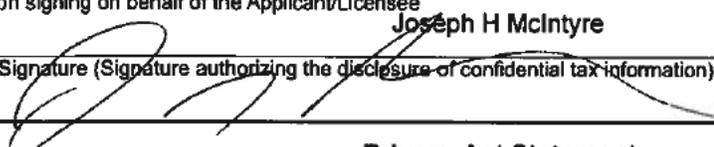
## Tax Check Authorization, Waiver, and Request to Release Information

I, Joseph H McIntyre am signing this Tax Check Authorization, Waiver and Request to Release Information (hereinafter "Waiver") on behalf of Gateway Grocery & Liquor LLC (the "Applicant/Licensee") to permit the Colorado Department of Revenue and any other state or local taxing authority to release information and documentation that may otherwise be confidential, as provided below. If I am signing this Waiver for someone other than myself, including on behalf of a business entity, I certify that I have the authority to execute this Waiver on behalf of the Applicant/Licensee.

The Executive Director of the Colorado Department of Revenue is the State Licensing Authority, and oversees the Colorado Liquor Enforcement Division as his or her agents, clerks, and employees. The information and documentation obtained pursuant to this Waiver may be used in connection with the Applicant/Licensee's liquor license application and ongoing licensure by the state and local licensing authorities. The Colorado Liquor Code, section 44-3-101. et seq. ("Liquor Code"), and the Colorado Liquor Rules, 1 CCR 203-2 ("Liquor Rules"), require compliance with certain tax obligations, and set forth the investigative, disciplinary and licensure actions the state and local licensing authorities may take for violations of the Liquor Code and Liquor Rules, including failure to meet tax reporting and payment obligations.

The Waiver is made pursuant to section 39-21-113(4), C.R.S., and any other law, regulation, resolution or ordinance concerning the confidentiality of tax information, or any document, report or return filed in connection with state or local taxes. This Waiver shall be valid until the expiration or revocation of a license, or until both the state and local licensing authorities take final action to approve or deny any application(s) for the renewal of the license, whichever is later. Applicant/Licensee agrees to execute a new waiver for each subsequent licensing period in connection with the renewal of any license, if requested.

By signing below, Applicant/Licensee requests that the Colorado Department of Revenue and any other state or local taxing authority or agency in the possession of tax documents or information, release information and documentation to the Colorado Liquor Enforcement Division, and its duly authorized employees, to act as the Applicant's/Licensee's duly authorized representative under section 39-21-113(4), C.R.S., solely to allow the state and local licensing authorities, and their duly authorized employees, to investigate compliance with the Liquor Code and Liquor Rules. Applicant/Licensee authorizes the state and local licensing authorities, their duly authorized employees, and their legal representatives, to use the information and documentation obtained using this Waiver in any administrative or judicial action regarding the application or license.

Name (Individual/Business) <b>Gateway Grocery &amp; Liquor</b>		Social Security Number/Tax Identification Number [REDACTED]	
Address <b>23110 US HWY 6 #18</b>			
City <b>Keystone</b>		State <b>CO</b>	Zip <b>80435</b>
Home Phone Number [REDACTED]		Business/Work Phone Number <b>970-688-6876</b>	
Printed name of person signing on behalf of the Applicant/Licensee <b>Joseph H McIntyre</b>			
Applicant/Licensee's Signature (Signature authorizing the disclosure of confidential tax information) 			Date signed <b>06/23/2020</b>

### Privacy Act Statement

Providing your Social Security Number is voluntary and no right, benefit or privilege provided by law will be denied as a result of refusal to disclose it. § 7 of Privacy Act, 5 USCS § 552a (note).

## Individual History Record

To be completed by the following persons, as applicable: sole proprietors; general partners regardless of percentage ownership, and limited partners owning 10% or more of the partnership; all principal officers of a corporation, all directors of a corporation, and any stockholder of a corporation owning 10% or more of the outstanding stock; managing members or officers of a limited liability company, and members owning 10% or more of the company; and any intended registered manager of Hotel and Restaurant, Tavern and Lodging and Entertainment class of retail license

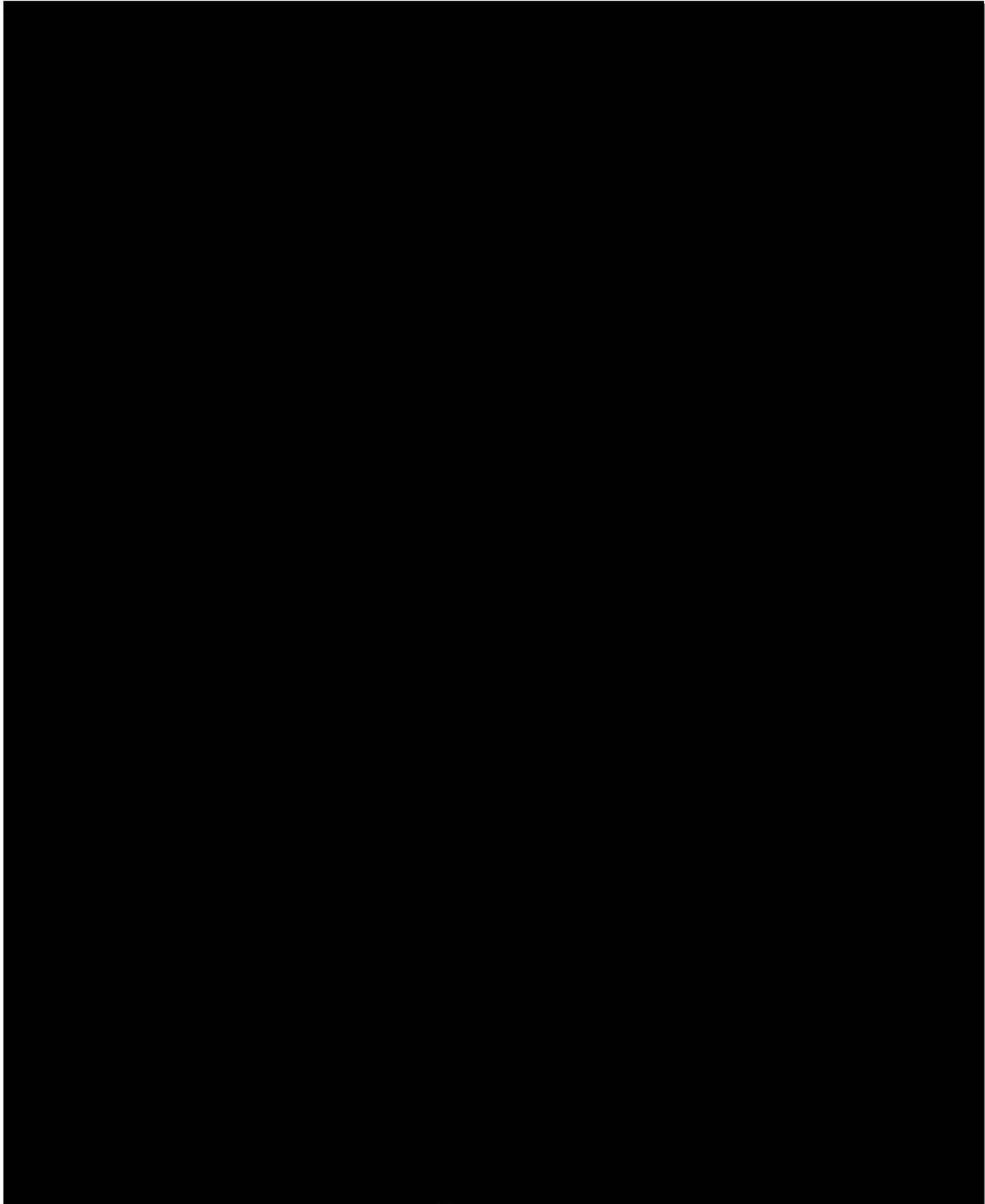
**Notice:** This individual history record requires information that is necessary for the licensing investigation or inquiry. All questions must be answered in their entirety or the license application may be delayed or denied. If a question is not applicable, please indicate so by "N/A". **Any deliberate misrepresentation or material omission may jeopardize the license application.** (Please attach a separate sheet if necessary to enable you to answer questions completely)

1. Name of Business

Gateway Grocery & Liquor LLC

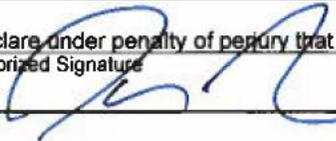
2. Your Full Name (last, first, middle)

McIntyre, Joseph



**Oath of Applicant**

I declare under penalty of perjury that this application and all attachments are true, correct, and complete to the best of my knowledge.

Authorized Signature 	Print Signature Joseph H McIntyre	Title Member	Date 06/23/20
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OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF DOCUMENT FILED**

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office, the attached document is a true and complete copy of the

Articles of Organization

with Document # 20101670359 of  
Gateway Grocery & Liquor, LLC

Colorado Limited Liability Company

(Entity ID # 20101670359 )

consisting of 3 pages.

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/19/2020 that have been posted, and by documents delivered to this office electronically through 06/22/2020@ 12:30:08.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 06/22/2020 @ 12:30:08 in accordance with applicable law. This certificate is assigned Confirmation Number 12417994



A handwritten signature in cursive script that reads "Jena Griswold".

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*  
*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."*

Document must be filed electronically.  
 Paper documents are not accepted.  
 Fees & forms are subject to change.  
 For more information or to print copies  
 of filed documents, visit [www.sos.state.co.us](http://www.sos.state.co.us).

ABOVE SPACE FOR OFFICE USE ONLY

**Articles of Reinstatement**

filed pursuant to §7-90-301, et seq. and §7-90-1003 of the Colorado Revised Statutes (C.R.S)

1. For the entity, its ID number and entity name are

ID number 20101670359  
*(Colorado Secretary of State ID number)*

Entity name Gateway Grocery & Liquor, LLC, Dissolved July 30, 2014

2. Following reinstatement the domestic entity name of the domestic entity shall comply with section 7-90-1004.

3. The domestic entity name of the entity following reinstatement is  
Gateway Grocery & Liquor, LLC

4. The registered agent name and registered agent address of the registered agent are

Name  
 (if an individual) McIntyre Joseph H  
*(Last) (First) (Middle) (Suffix)*

**OR**  
 (if an entity)

*(Caution: Do not provide both an individual and an entity name).*

The person appointed as registered agent has consented to being so appointed.

Street address 23110 US Hwy 6 #8  
*(Street name and number)*

Keystone CO 80435  
*(City) (State) (Postal/Zip Code)*

Mailing address 23110 US HWY 6 #18  
*(leave blank if same as street address) (Street name and number or Post Office Box information)*

Keystone CO 80435  
*(City) (State) (Postal/Zip Code)*  
United States  
*(Province - if applicable) (Country - if not US)*

5. The principal office address of the entity's principal office is

Street address 23110 US Hwy 6 #8  
*(Street name and number)*

Keystone CO 80435  
*(City) (State) (Postal/Zip Code)*  
United States  
*(Province - if applicable) (Country - if not US)*

Mailing address  
*(leave blank if same as street address)*

23110 US Hwy 6 #18  
*(Street name and number or Post Office Box information)*

Keystone CO 80435  
*(City) (State) (Postal/Zip Code)*  
United States  
*(Province - if applicable) (Country - if not US)*

6. The date of formation of the entity is 12/09/2010  
*(mm/dd/yyyy)*

7. The date of dissolution of the entity is (if known) 07/30/2014  
*(mm/dd/yyyy)*

8. *(If the following statement applies, adopt the statement by marking the box and including an attachment.)*  
 This document contains additional information as provided by law.

9. *(Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)*

*(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)*

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_  
*(mm/dd/yyyy hour:minute am/pm)*

10. The Colorado statute under which the entity existed immediately prior to its dissolution is  
Grocery & Liquor

11. All applicable conditions of CRS §7-90-1002 have been satisfied.

**Notice:**

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that such document is such individual's act and deed, or that such individual in good faith believes such document is the act and deed of the person on whose behalf such individual is causing such document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S. and, if applicable, the constituent documents and the organic statutes, and that such individual in good faith believes the facts stated in such document are true and such document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is identified in this document as one who has caused it to be delivered.

12. The true name and mailing address of the individual causing the document to be delivered for filing are

McIntyre Joseph H  
*(Last) (First) (Middle) (Suffix)*

23110 US HWY 6 #18  
*(Street name and number or Post Office Box information)*

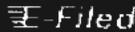
Keystone CO 80435  
*(City) (State) (Postal/Zip Code)*  
United States  
*(Province - if applicable) (Country - if not US)*

*(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

This form/cover sheet, and any related instructions, are not intended to provide legal, business or tax advice, and are furnished without representation or warranty. While this form/cover sheet is believed to satisfy minimum legal requirements as of its revision date, compliance with applicable law, as the same may be amended from time to time, remains the responsibility of the user of this form/cover sheet. Questions should be addressed to the user's legal, business or tax advisor(s).

 Filed

Colorado Secretary of State  
Date and Time: 12/09/2010 11:53 AM  
ID Number: 20101670359

Document must be filed electronically.  
Paper documents will not be accepted.

Document processing fee  
Fees & forms/cover sheets  
are subject to change.

\$50.00

Document number: 20101670359  
Amount Paid: \$50.00

To access other information or print  
copies of filed documents,  
visit [www.sos.state.co.us](http://www.sos.state.co.us) and  
select Business Center.

ABOVE SPACE FOR OFFICE USE ONLY

### Articles of Organization

filed pursuant to § 7-80-203 and § 7-80-204 of the Colorado Revised Statutes (C.R.S.)

1. The domestic entity name of the limited liability company is

**Gateway Grocery & Liquor, LLC**

*(The name of a limited liability company must contain the term or abbreviation "limited liability company", "ltd. liability company", "limited liability co.", "ltd. liability co.", "limited", "l.l.c.", "llc", or "ltd.". See §7-90-601, C.R.S.)*

*(Caution: The use of certain terms or abbreviations are restricted by law. Read instructions for more information.)*

2. The principal office address of the limited liability company's initial principal office is

Street address

**116 Carillon Market Street, #701**

*(Street number and name)*

**Carillon Beach**

*(City)*

**FL**

*(State)*

**32413**

*(ZIP/Postal Code)*

**United States**

*(Province - if applicable)*

*(Country)*

Mailing address

*(leave blank if same as street address)*

*(Street number and name or Post Office Box information)*

*(City)*

*(State)*

*(ZIP/Postal Code)*

*(Province - if applicable)*

*(Country)*

3. The registered agent name and registered agent address of the limited liability company's initial registered agent are

Name

*(if an individual)*

**Letofsky**

*(Last)*

**Steven**

*(First)*

**F**

*(Middle)*

*(Suffix)*

**OR**

*(if an entity)*

*(Caution: Do not provide both an individual and an entity name.)*

Street address

**1000 N Summit Blvd., #210**

*(Street number and name)*

**Frisco**

*(City)*

**CO**

*(State)*

**80443-0549**

*(ZIP Code)*

Mailing address  
(leave blank if same as street address)

PO Box 549

(Street number and name or Post Office Box information)

Frisco

(City)

CO

(State)

80443-0549

(ZIP Code)

(The following statement is adopted by marking the box.)

The person appointed as registered agent has consented to being so appointed.

4. The true name and mailing address of the person forming the limited liability company are

Name  
(if an individual)

Simmons

(Last)

Reid

(First)

W

(Middle)

(Suffix)

**OR**

(if an entity)

(Caution: Do not provide both an individual and an entity name.)

Mailing address

116 Carillon Market Street, #701

(Street number and name or Post Office Box information)

Carillon Beach

(City)

FL

(State)

32413

(ZIP/Postal Code)

United States

(Province - if applicable)

(Country)

(If the following statement applies, adopt the statement by marking the box and include an attachment.)

The limited liability company has one or more additional persons forming the limited liability company and the name and mailing address of each such person are stated in an attachment.

5. The management of the limited liability company is vested in

(Mark the applicable box.)

one or more managers.

**OR**

the members.

6. (The following statement is adopted by marking the box.)

There is at least one member of the limited liability company.

7. (If the following statement applies, adopt the statement by marking the box and include an attachment.)

This document contains additional information as provided by law.

8. (Caution: Leave blank if the document does not have a delayed effective date. Stating a delayed effective date has significant legal consequences. Read instructions before entering a date.)

(If the following statement applies, adopt the statement by entering a date and, if applicable, time using the required format.)

The delayed effective date and, if applicable, time of this document is/are \_\_\_\_\_

(mm/dd/yyyy hour:minute am/pm)

**Notice:**

Causing this document to be delivered to the Secretary of State for filing shall constitute the affirmation or acknowledgment of each individual causing such delivery, under penalties of perjury, that the document is the individual's act and deed, or that the individual in good faith believes the document is the act and deed of the person on whose behalf the individual is causing the document to be delivered for filing, taken in conformity with the requirements of part 3 of article 90 of title 7, C.R.S., the constituent documents, and the organic statutes, and that the individual in good faith believes the facts stated in the document are true and the document complies with the requirements of that Part, the constituent documents, and the organic statutes.

This perjury notice applies to each individual who causes this document to be delivered to the Secretary of State, whether or not such individual is named in the document as one who has caused it to be delivered.

9. The true name and mailing address of the individual causing the document to be delivered for filing are

<u>Letofsky</u>	<u>Steven</u>	<u>F</u>	
<small>(Last)</small>	<small>(First)</small>	<small>(Middle)</small>	<small>(Suffix)</small>
<u>PO Box 549</u>			
<small>(Street number and name or Post Office Box information)</small>			
<hr/>			
<u>Frisco</u>	<u>CO</u>	<u>80443-0549</u>	
<small>(City)</small>	<small>(State)</small>	<small>(ZIP/Postal Code)</small>	
<u></u>	<u>United States</u>		
<small>(Province – if applicable)</small>	<small>(Country)</small>		

*(If the following statement applies, adopt the statement by marking the box and include an attachment.)*

- This document contains the true name and mailing address of one or more additional individuals causing the document to be delivered for filing.

**Disclaimer:**

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OFFICE OF THE SECRETARY OF STATE  
OF THE STATE OF COLORADO

**CERTIFICATE OF FACT OF GOOD STANDING**

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

Gateway Grocery & Liquor, LLC

is a

Limited Liability Company

formed or registered on 12/09/2010 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20101670359 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 06/19/2020 that have been posted, and by documents delivered to this office electronically through 06/22/2020 @ 12:28:21 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 06/22/2020 @ 12:28:21 in accordance with applicable law. This certificate is assigned Confirmation Number 12417983 .

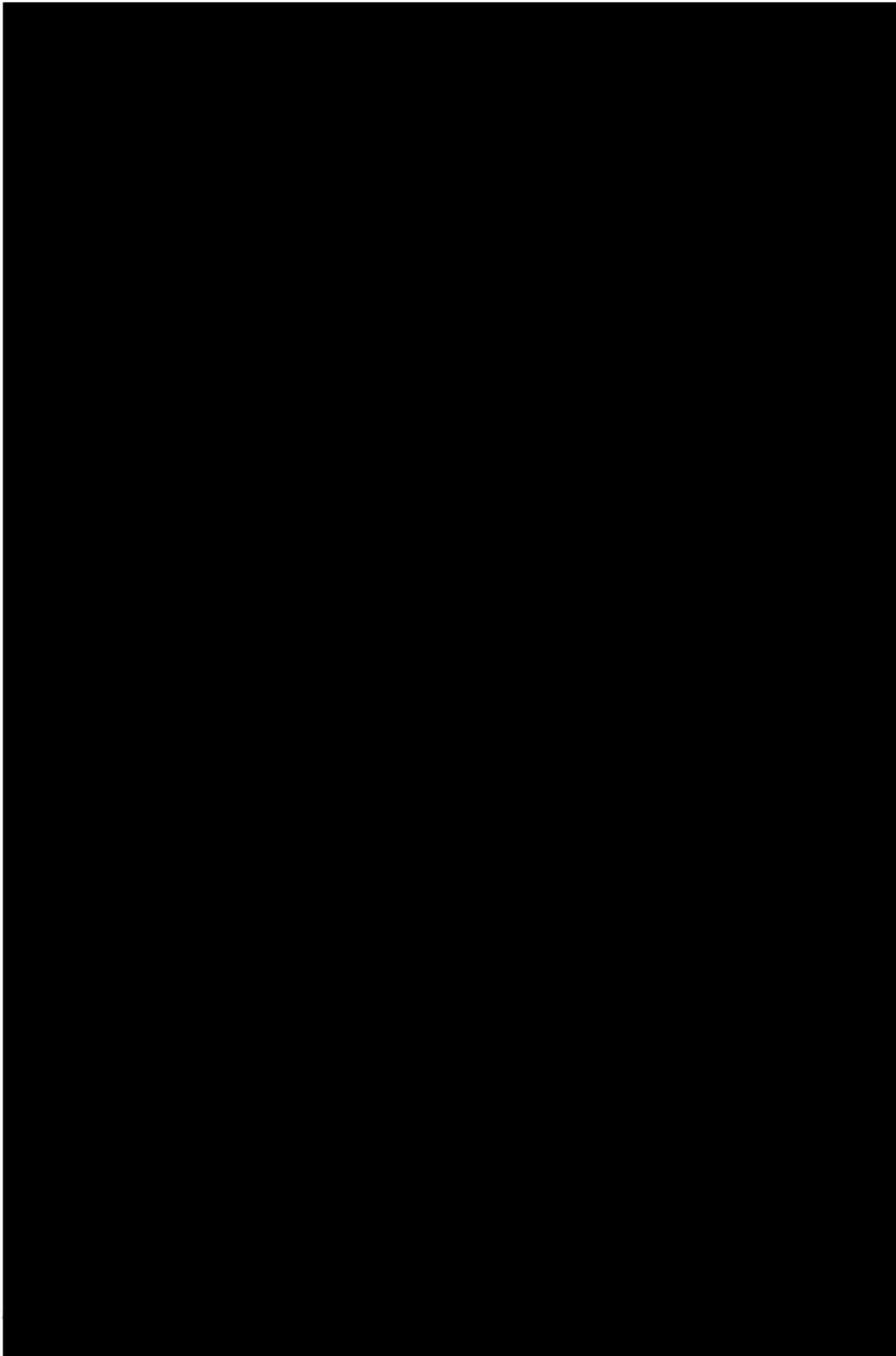


*Jena Griswold*

Secretary of State of the State of Colorado

\*\*\*\*\*End of Certificate\*\*\*\*\*

*Notice: A certificate issued electronically from the Colorado Secretary of State's Web site is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's Web site, <http://www.sos.state.co.us/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our Web site, <http://www.sos.state.co.us/> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."*





























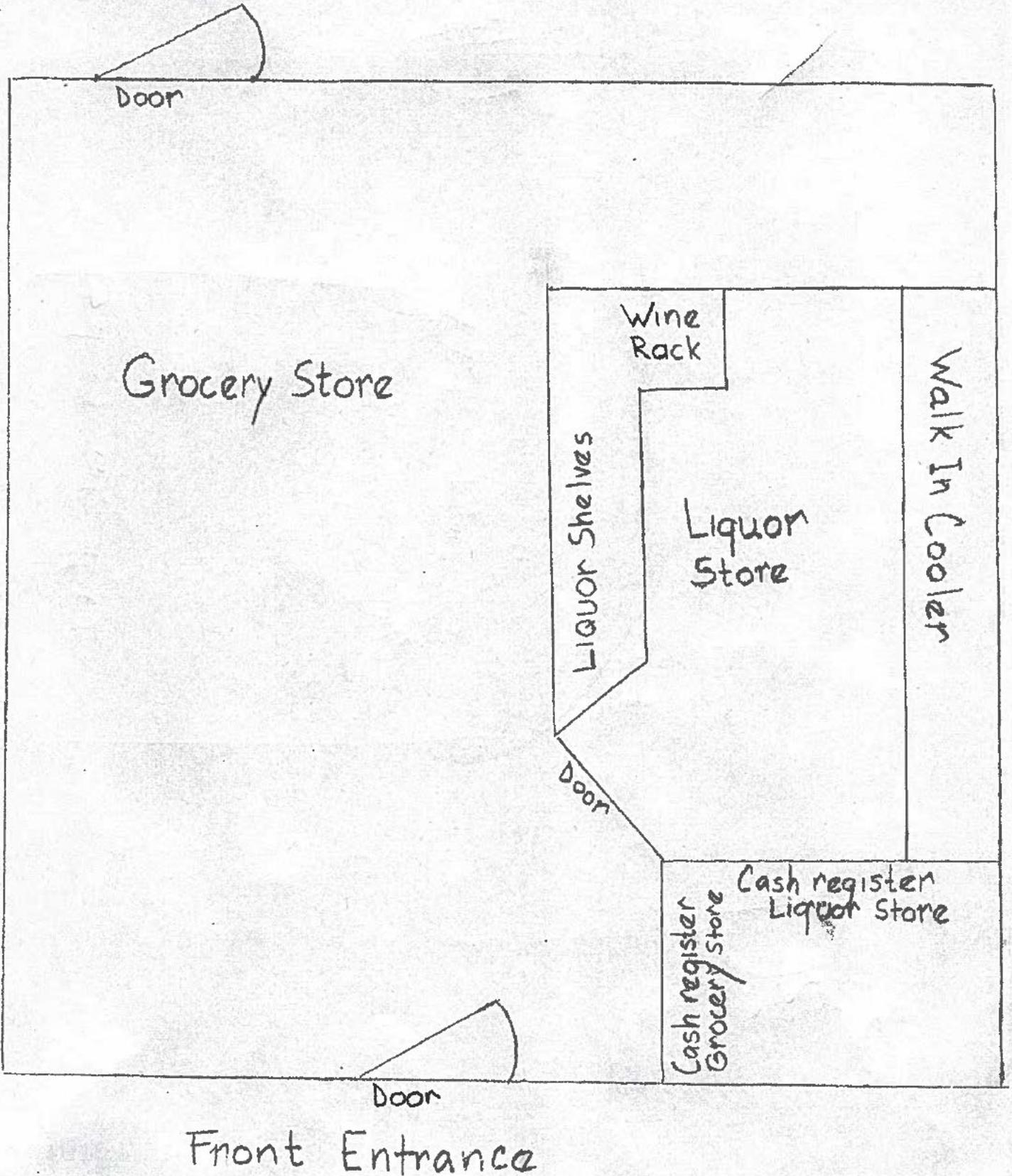








# Gateway Grocery & Liquor LLC





**AFFIDAVIT REGARDING SOURCE OF FUNDS**

I, Joseph H. McIntyre, HEREBY CERTIFY THAT I HAVE INVESTED  
[REDACTED] IN THE BUSINESS OF Gateway Grocery & Liquor LLC.  
THE SOURCE OF MY INVESTMENT IS FROM [REDACTED]

(attach a copy of any notes, loans, bank statements or personal documents to document and verify the above information.)

Signature: [Handwritten Signature]  
Date: 07/08/2020

State of Colorado )  
                                  )  
County of Summit )

Subscribed and sworn to before me this 8th day of July, 2020.  
My commission expires: Dec. 20th, 2023

KAYLA CHAVEZ  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20194047481  
MY COMMISSION EXPIRES DECEMBER 20, 2023

Kayla Chavez  
Notary Public

**BEFORE THE STATE LICENSING AUTHORITY  
DEPARTMENT OF REVENUE  
STATE OF COLORADO**

---

**AFFIDAVIT FOR SURRENDER OF STATE LIQUOR LICENSE**

---

**IN THE MATTER OF:**

LICENSEE: Skye Holdings, LLC

TRADE NAME: Gateway Grocery & Liquor

ADDRESS: 23110 US Highway 6 Box #51

CITY: Keystone STATE: CO ZIP CODE: 80435

[REDACTED] [REDACTED] [REDACTED] [REDACTED]

LICENSE NO: 42890490000

---

I, Kelly McMurray, an authorized representative of the above-named Licensee hereby voluntarily surrender the Colorado state liquor license and all related licensing privileges. Licensee hereby requests the Liquor Enforcement Division ("Division") of the Colorado Department of Revenue, on behalf of the State Liquor Licensing Authority, to immediately cancel, terminate, and void Licensee's Colorado state liquor license.

Licensee states that this surrender of Licensee's Colorado state liquor license and licensing privileges is made voluntarily by the Licensee, and that Licensee is not surrendering the aforesaid liquor license(s) and privileges as the result of any threat, promise, or coercion by the Division or any of its agents or employees.

Licensee further acknowledges:

- This surrender does not violate any requirements of a Forcible Entry and Detainer (FED) order, or Writ of Restitution requiring the licensee to dispossess the licensed premises.
- That an application to transfer this liquor license has not been filed with the local licensing authority.
- This is not an attempt to avoid prosecution of a violation of the Colorado Liquor Code and that the Division may refuse to accept this affidavit of surrender until after any pending administrative action is complete.
- The Licensee's privileges will be canceled, terminated, and voided upon the issuance of an order by the Director of the Division accepting this voluntary surrender of licenses.

I affirm under penalty of perjury, I am authorized to surrender this license on behalf of the aforementioned Licensee.

Name Kelly McMurray

Signature Kelly McMurray

Title Manager

Date 06/29/2020

Is this Affidavit for Surrender part of a Change of Class or New Issue License?  Yes  No

## Stacey Nell

---

**From:** Kelly McMurray <kellymcmurray1@gmail.com>  
**Sent:** Monday, June 29, 2020 7:46 AM  
**To:** Stacey Nell  
**Subject:** Re: Gateway Grocery & Liquor - Status Update  
**Attachments:** liquor license surrender.pdf

Here you go.  
Kelly

On Mon, Jun 29, 2020 at 7:40 AM Stacey Nell <[Stacey.Nell@summitcountyco.gov](mailto:Stacey.Nell@summitcountyco.gov)> wrote:

Thanks! It will help me out and the State too.



### Stacey Nell

Chief Deputy Clerk

[Office of the Clerk & Recorder](#)

Summit County Government

(970) 453-3472

---

**From:** Kelly McMurray <[kellymcmurray1@gmail.com](mailto:kellymcmurray1@gmail.com)>  
**Sent:** Friday, June 26, 2020 4:50 PM  
**To:** Stacey Nell <[Stacey.Nell@summitcountyco.gov](mailto:Stacey.Nell@summitcountyco.gov)>  
**Subject:** Re: Gateway Grocery & Liquor - Status Update

We are closed. I'll fill this out and email it to you.

Sent from my iPad

On Jun 26, 2020, at 12:11 PM, Stacey Nell <[Stacey.Nell@summitcountyco.gov](mailto:Stacey.Nell@summitcountyco.gov)> wrote:

Kelly,

Is Gateway still in business?

Please advise.

If not, can you please fill out an Affidavit of Surrender for your Liquor License if that's what you'd like to do?

Thanks,

<image001.png>

**Stacey Nell**

Chief Deputy Clerk

[Office of the Clerk & Recorder](#)

Summit County Government

(970) 453-3472

<Affidavit for Surrender of State Liquor License.pdf>

**From:** [Dan Hendershott](#)  
**To:** [Stacey Nell](#)  
**Subject:** RE: Public Health Review Request - New Liquor Store Application  
**Date:** Wednesday, August 26, 2020 4:35:36 PM  
**Attachments:** [image001.png](#)

---

Hi Stacey

Yes they can sell off-premise packaged container sales so long as none of those items are “perishable” foods like milk or eggs. They also of course cannot sell any unpackaged foods.

Their retail food license was cancelled earlier this year so they cannot sell those foods. Let me know if I need to clarify anything.

thanks

Dan Hendershott, REHS  
Environmental Health Manager  
Public Health Department  
Summit County, CO  
(970) 668-4073  
[dan.hendershott@summitcountyco.gov](mailto:dan.hendershott@summitcountyco.gov)  
[www.summitcountyco.gov](http://www.summitcountyco.gov)

---

**From:** Stacey Nell  
**Sent:** Wednesday, August 26, 2020 4:03 PM  
**To:** Dan Hendershott <[Dan.Hendershott@summitcountyco.gov](mailto:Dan.Hendershott@summitcountyco.gov)>  
**Subject:** Public Health Review Request - New Liquor Store Application

Dan,

The previous Licensee surrendered their license at this location on June 29, and the landlord/property owner is taking over the business.  
Same style of license, Liquor Store.

Applicant: Gateway Grocery & Liquor LLC, Joseph McIntyre  
DBA: Gateway Grocery & Liquor  
Physical Address: 23110 U.S. Highway 6 Unit #8 in Keystone

Please notify me if the location is approved for off-premise packaged container sales as a part of a Liquor Store license and I will pass the information along to the BOCC at the Public Hearing.

Thanks,

  
SUMMIT COUNTY  
COLORADO  
Stacey Nell



Thu 9/3/2020 4:25 PM

Sid Rivers

RE: Zoning Review Request - New Liquor License Application in Keystone

To Stacey Nell

 You replied to this message on 9/3/2020 6:55 PM.

Hi Stacey,

Sorry, in the planning world, no news is good news.

The Planning Department does not have any concerns or comments with the new license request as the subject location has previously held a valid liquor license. Thank you for the opportunity to comment. Please let me know if you need anything additional for this license hearing.

Thanks,

*Sid Rivers, AICP*

970-668-4215



SUMMIT COUNTY PUBLIC NOTICE

PURSUANT TO THE LIQUOR AND BEER LAWS OF THE  
STATE OF COLORADO

THE APPLICANT IS:

***GATEWAY GROCERY & LIQUOR LLC, for  
Gateway Grocery & Liquor***

**HAS REQUESTED THE LIQUOR AUTHORITY OF THE COUNTY  
OF SUMMIT, STATE OF COLORADO TO GRANT A  
LIQUOR STORE LIQUOR LICENSE TO SELL  
*MALT, VINOUS & SPIRITUOUS LIQUOR at  
230110 U.S. Highway 6 Unit #18, Keystone, CO 80435***

**PUBLIC HEARING ON THIS APPLICATION WILL BE HELD  
BEFORE THE SUMMIT COUNTY BOARD OF COMMISSIONERS  
ON *September 22,, 2020, at 1:30PM* AT THE SUMMIT COUNTY  
COURTHOUSE, BRECKENRIDGE, COLORADO. \*THE PUBLIC IS  
HIGHLY ENCOURAGED TO DIAL-IN REMOTELY TO ATTEND –  
INFORMATION AVAILABLE AT [SUMMITCOUNTYCO.GOV](http://SUMMITCOUNTYCO.GOV)\***

**AT SAID TIME AND PLACE, ANY INTERESTED PERSONS MAY  
APPEAR TO BE HEARD FOR OR AGAINST THE GRANTING OF  
SAID LICENSE.**

**DATE OF APPLICATION:** *August 13, 2020*

**PUBLISHED:** *September 11, 2020*



---

**KATHLEEN NEEL  
COUNTY CLERK & RECORDER**

Ad #: 000611513-01

Customer: SUMMIT COUNTY CLERK AND RECORDER

Your account number is: 1001281

**PROOF OF PUBLICATION  
SUMMIT COUNTY JOURNAL  
STATE OF COLORADO  
COUNTY OF SUMMIT**

I, Meg Boyer, do solemnly swear that I am Publisher of the SUMMIT COUNTY JOURNAL, that the same weekly newspaper printed, in whole or in part and published in the County of Summit, State of Colorado, and has a general circulation therein; that said newspaper has been published continuously and uninterrupted in said County of Summit for a period of more than fifty-two consecutive weeks next prior to the first publication of the annexed legal notice or advertisement; that said newspaper has been admitted to the United States mails as a periodical under the provisions of the Act of March 3, 1879, or any amendments thereof, and that said newspaper is a weekly newspaper duly qualified for publishing legal notices and advertisements within the meaning of the laws of the State of Colorado.

That the annexed legal notice or advertisement was published in the regular and entire issue of every number of said weekly newspaper for the period of 1 insertion; and that the first publication of said notice was in the issue of said newspaper dated 9/11/2020 and that the last publication of said notice was dated 9/11/2020 in the issue of said newspaper.

In witness whereof, I have here unto set my hand this day, 9/14/2020.



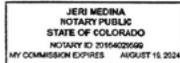
Meg Boyer, Publisher

Subscribed and sworn to before me, a notary public in and for the County of Summit, State of Colorado this day 9/14/2020.



Jeri Medina, Notary Public

My Commission Expires: August 19, 2024



SUMMIT COUNTY PUBLIC NOTICE  
PURSUANT TO THE LIQUOR AND BEER LAWS  
OF THE STATE OF COLORADO

THE APPLICANT IS:

GATEWAY GROCERY & LIQUOR LLC, br  
Gateway Grocery & Liquor

HAS REQUESTED THE LIQUOR AUTHORITY OF  
THE COUNTY OF SUMMIT, STATE OF  
COLORADO TO GRANT A  
LIQUOR STORE LIQUOR LICENSE TO SELL  
MALT, VINOUS & SPIRITUOUS LIQUOR at  
250110 U.S. Highway 6 Unit #18, Keystone,  
CO 80435

PUBLIC HEARING ON THIS APPLICATION WILL  
BE HELD BEFORE THE SUMMIT COUNTY  
BOARD OF COMMISSIONERS ON September 22,  
2020, at 1:30PM AT THE SUMMIT COUNTY  
COURTHOUSE, BRECKENRIDGE, COLORADO  
THE PUBLIC IS HIGHLY ENCOURAGED TO DIAL  
IN REMOTELY TO ATTEND - INFORMATION  
AVAILABLE AT SUMMITCOUNTYCO.GOV\*

AT SAID TIME AND PLACE, ANY INTERESTED  
PERSONS MAY APPEAR TO BE HEARD FOR OR  
AGAINST THE GRANTING OF SAID LICENSE.

DATE OF APPLICATION: August 13, 2020

PUBLISHED: September 11, 2020

KATHLEEN NEEL  
COUNTY CLERK & RECORDER

Published in the Summit County Journal on Sep-  
tember 11, 2020. 090611513

118

DALE'S PALE ALE

Gateway

REAG LIFELINE TALEN

FAT TIRE ASSOCIATION

SHOP SMALL

Under 18 No Tobacco We Gard

VISA

MasterCard

THIS IS OUR WATCH

210-280

BACKCOUNTRY BREWERY

Make Extra Cash! Earn Up To \$3,280 for

Sea Censista

Complete Security ALLIED SECURITY 970-453-7714

**NOTICE**

PURSUANT TO THE LIQUOR LAWS OF COLORADO

Gateway Grocery & Liquor LLC  
Joseph McIntyre, Owner

HAS REQUESTED THE LICENSING OFFICIALS OF SUMMIT COUNTY TO HOLD A HEARING IN CONSIDERATION OF A NEW APPLICATION AND REQUEST FOR FORMAL HEARING

**APPLICANT:**

Gateway Grocery & Liquor LLC  
DBA: Gateway Grocery & Liquor  
LOCATED AT: 23110 U.S. Highway 6 Unit #18  
Keystone, CO 80435

**VIRTUAL HEARING TO BE HELD:**  
Tuesday, September 22, 2020 at 1:30 PM

Dial-In Information:  
[www.SummitCountyCO.gov](http://www.SummitCountyCO.gov)

BY ORDER OF: KATHLEEN NEEL, CLERK & RECORDER  
[liquorlicensing@summitcountyco.gov](mailto:liquorlicensing@summitcountyco.gov)  
APPLICATION DATE: AUGUST 13, 2020

**WARNING**

IT IS ILLEGAL TO SELL WHISKEY, WINE, OR BEER TO ANY PERSON UNDER TWENTY-ONE YEARS OF AGE AND IT IS ILLEGAL FOR ANY PERSON UNDER TWENTY-ONE YEARS OF AGE TO POSSESS OR TO ATTEMPT TO PURCHASE THE SAME.  
IDENTIFICATION CARDS WHICH APPEAR TO BE FRAUDULENT WHEN PRESENTED BY PURCHASERS MAY BE CONFISCATED BY THE ESTABLISHMENT AND TURNED OVER TO A LAW ENFORCEMENT AGENCY.  
IT IS ILLEGAL IF YOU ARE TWENTY-ONE YEARS OF AGE OR OLDER FOR YOU TO PURCHASE WHISKEY, WINE, OR BEER FOR A PERSON UNDER TWENTY-ONE YEARS OF AGE.  
FINES AND IMPRISONMENT MAY BE IMPOSED BY THE COURTS FOR VIOLATION OF THESE PROVISIONS.

# GROCERY • LIQUOR



118

Gateway

**NOTICE**  
Pursuant to the LICENSES and  
OF COLORADO  
Gateway Grocery & Liquor LLC  
Joseph Mistry, Owner  
HAS REQUESTED THE LICENSING OFFICIALS OF  
SUMMIT COUNTY TO HOLD A HEARING  
IN CONSIDERATION OF A NEW APPLICATION  
AND REQUEST FOR FORMAL HEARING  
APPLICANT  
Gateway Grocery & Liquor LLC  
D&L Gateway Grocery & Liquor  
LOCATED AT 2733 S. Highway 6 East P.O.  
Box 10000, CO 80502  
VIRTUAL HEARING TO BE HELD  
Tuesday, September 22, 2020 at 4:30 PM  
Date in Informational  
www.summitcountyCO.gov  
BY ORDER OF KATHLEEN NEEL, CLERK & RECORDER  
Department@summitcountyCO.gov  
APPLICATION DATE: AUGUST 13, 2020

Commercial  
Parking Only  
30 Minute Limit  
Violators  
Will Be Booted and Fined  
970-409-9443



# NOTICE

PURSUANT TO THE LIQUOR LAWS  
OF COLORADO

\*\*\*  
Gateway Grocery & Liquor LLC  
Joseph McIntyre, Owner

\*\*\*  
HAS REQUESTED THE LICENSING OFFICIALS OF  
SUMMIT COUNTY TO HOLD A HEARING  
IN CONSIDERATION OF A NEW APPLICATION  
AND REQUEST FOR FORMAL HEARING

\*\*\*  
APPLICANT:

Gateway Grocery & Liquor LLC  
DBA: Gateway Grocery & Liquor

LOCATED AT: 23110 U.S. Highway 6 Unit #18  
Keystone, CO 80435

\*\*\*  
VIRTUAL HEARING TO BE HELD:

Tuesday, September 22, 2020 at 1:30 PM

Dial-In Information:

[www.SummitCountyCO.gov](http://www.SummitCountyCO.gov)

BY ORDER OF: KATHLEEN NEEL, CLERK & RECORDER

[liquorlicensing@summitcountyco.gov](mailto:liquorlicensing@summitcountyco.gov)

APPLICATION DATE: AUGUST 13, 2020



## WARNING

State of Colorado  
Department of Revenue  
1981 Platte Street  
Lafayette, Colorado 80025  
303.867.0800  
TO COMPLY WITH 44-3-201 C.R.S.

IT IS ILLEGAL TO SELL WHISKEY, WINE  
OR BEER TO ANY PERSON UNDER  
TWENTY-ONE YEARS OF AGE AND IT  
IS ILLEGAL FOR ANY PERSON UNDER  
TWENTY-ONE YEARS OF AGE TO  
POSSESS OR TO ATTEMPT TO PURCHASE  
THE SAME.

IDENTIFICATION CARDS WHICH  
APPEAR TO BE FRAUDULENT WHEN  
PRESENTED BY PURCHASERS MAY  
BE CONFISCATED BY THE ESTABLISHMENT AND TURNED OVER TO  
A LAW ENFORCEMENT AGENCY.

IT IS ILLEGAL IF YOU ARE TWENTY-  
ONE YEARS OF AGE OR OLDER FOR  
YOU TO PURCHASE WHISKEY, WINE,  
OR BEER FOR A PERSON UNDER  
TWENTY-ONE YEARS OF AGE.

FINES AND IMPRISONMENT MAY BE  
IMPOSED BY THE COURTS FOR VIOLATION  
OF THESE PROVISIONS.



**KATHLEEN NEEL, CLERK & RECORDER**

LIQUOR LICENSING

P | 970.453.3472

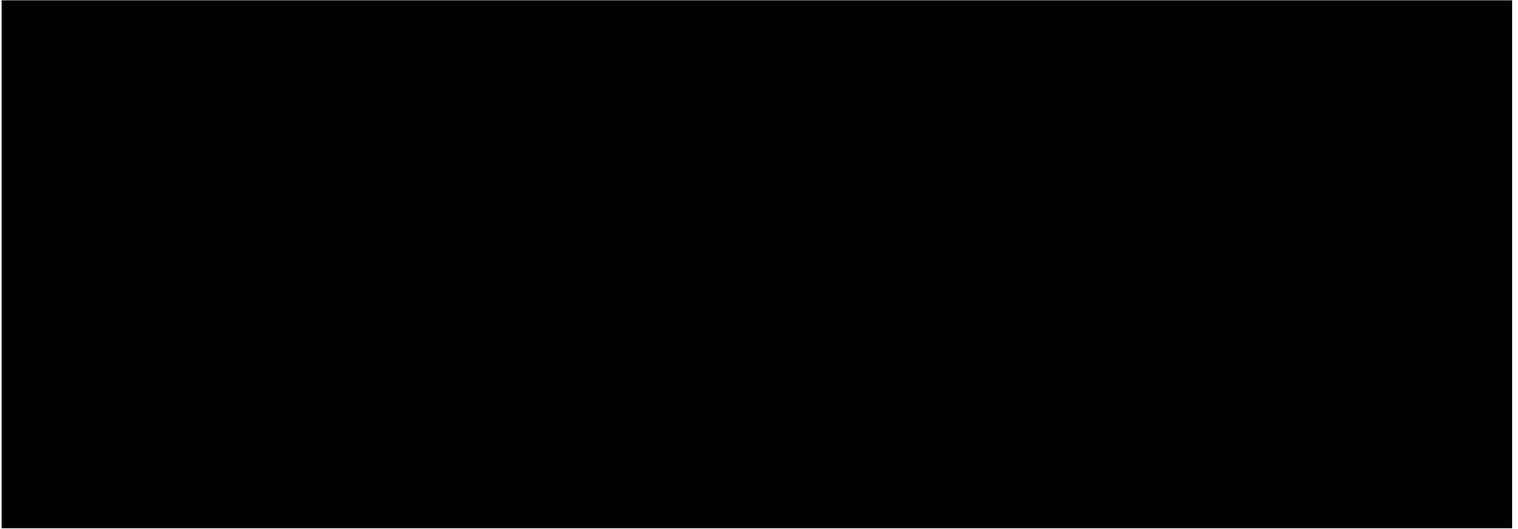
[liquorlicensing@summitcountyco.gov](mailto:liquorlicensing@summitcountyco.gov)

208 E. LINCOLN AVE.

P.O. BOX 1538

BRECKENRIDGE, CO 80424

**CHRONOLOGICAL CRIMINAL HISTORY RESULT DOCUMENTATION  
IN THIS ORDER:**





Kathleen Neel, Clerk & Recorder  
LIQUOR LICENSING

208 East Lincoln Ave. | PO Box 1538  
Breckenridge, CO 80424

**AUTHORIZATION TO RELEASE INFORMATION**

As an applicant for a Liquor License in Summit County, Colorado, I am required to furnish information regarding my background and general character. In this regard, I hereby authorize the Summit County Colorado Board of County Commissioners or their representatives to make appropriate inquires of the Summit County Sheriff's Office, pursuant to C.R.S. 44-3-307 regarding my "good moral character" and specifically, my criminal justice history (if any) in their records. I also authorize the Sheriff's Office to release to the County representative any and all information that they may have concerning me, including information of a confidential or privileged nature, in connection with my liquor license application. I hereby release Summit County, its officers and employees from any liability or damage which may result from obtaining and/or furnishing this information in connection with my liquor license application. I declare, under penalty of perjury in the second degree, that the attached Liquor License application and all attachments are true, correct, and complete to the best of my knowledge.

  
**Applicant Signature**

Joseph H. McIntyre  
**Applicant Printed Name**

07/07/2020  
**Date**



Kathleen Neel, Clerk & Recorder

LIQUOR LICENSING  
Summit County Government  
208 East Lincoln Ave. | P.O. Box 1538  
Breckenridge, CO 80424  
970.453.3472  
liquorlicensing@summitcountyco.gov

## LIQUOR LICENSING AUTHORITY FINDINGS REPORT

Applicant: Joseph McIntyre, Owner, Gateway Grocery & Liquor LLC (dba Gateway Grocery & Liquor)  
Type of License: Liquor Store (County)

### TO THE APPLICANT ABOVE AND OTHER INTERESTED PARTIES:

Pursuant to C.R.S. 44-3-312(1), the applicant is hereby advised that with regard to the application for a Liquor Store Liquor License, an investigation had been made, and based on the results thereof, the following has been determined:

1. The application was filed by the above listed Applicants and deemed complete on August 13, 2020 by the Summit County Clerk & Recorder. A public hearing was scheduled for Tuesday, September 22, 2020 at 1:30pm.
2. The Notice of Public Hearing on this matter was posted on the premises by the Applicant on September 12, 2020, and that Public Notice was published in the Summit County Journal, legal publication of record, on September 11, 2020.
3. From the evidence submitted in the form of a fully executed Lease Agreement, by Joseph McIntyre (Applicant) on behalf of Gateway Grocery & Liquor LLC (Tenant) is entitled to possession of the premises by Gateway Holdings Group LLC (Landlord) beginning July 1, 2020 for 3 years.
4. Pursuant to C.R.S. 44-3-313(1)(III)(c), selling liquor in the manner currently proposed in the application is not in violation of the zoning codes. Documentation of Clerk & Recorder's communication with the Summit County Planning, Environmental Health & Building Inspection Departments will be included in Board of County Commissioner materials for the Public Hearing.
5. Pursuant to C.R.S. 44-3-313(1)(d) "Restrictions for applications for new license", the building where the applicant proposes to exercise the privilege of selling liquor does not appear to be within 500 feet from any public or parochial school or the principal campus of any college, university or seminary.
6. The public hearing on this application will be held remotely due to COVID-19, on Tuesday, September 22, 2020 at 1:30pm. At said hearing, the applicant and members of the public in attendance by dialing in or logging in shall have an opportunity to be heard regarding all matters related to the application, including all matters set forth herein.
7. At the public hearing, pursuant to C.R.S. 44-3-307 "Persons prohibited as licensees", the applicant has the burden of proving it is qualified to hold the license applied for and that its character, record, and reputation are satisfactory, and that neighborhood needs this license and that the residents of the neighborhood desire that this license be granted.

The applicant is advised to obtain and read a copy of the State of Colorado Liquor Codes and Regulations.

Dated this 14th day of September, 2020, on behalf of the Summit County Liquor Licensing Authority.

**Stacey Nell**

*Chief Deputy Clerk*

Office of the Clerk & Recorder | Summit County Government



























































































































**From:** [Lenore Smutka-Susman - DOR](#)  
**To:** [Stacey Nell; Liquor Licensing](#)  
**Cc:** [Lenore Smutka-Susman - DOR](#)  
**Subject:** Gateway Grocery & Liquor - License# 03-13750 - Concurrent Review  
**Date:** Thursday, August 27, 2020 2:07:50 PM

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Hi Summit County,

We have reviewed this concurrent application, and everything looks good. So, we are just waiting on your approval for this one.

I see the hearing is scheduled for 09/22/2020, please let me know if anything changes.

Thank you,  
Lenore

--

Lenore Smutka-Susman  
Licensing Specialist - Liquor Enforcement  
Colorado Department of Revenue  
1697 Cole Blvd, Suite 200, Lakewood, CO 80401  
office: 303-205-2300 | fax: 303-866-2428  
email: [lenore.smutka-susman@state.co](mailto:lenore.smutka-susman@state.co)



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General Liquor Enforcement inquiries:  
[DOR\\_LiqLicensing@state.co.us](mailto:DOR_LiqLicensing@state.co.us) | 303-205-2300  
[www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor)



Clerk & Recorder

## AFFIDAVIT OF CIRCULATOR

I, Joseph McIntyre, do hereby certify that I was the Circulator of the attached petition(s) and further, that I personally witnessed each signature appearing on the petition(s). To the best of my knowledge, each signature thereon is the signature of the person whose name it purports to be, each address given opposite each name is the true address of the person that signed, that each person who signed the petition had the opportunity to read, or have read to them, the petition, in its' entirety and understands its meaning. I also hereby affirm that no promises threats, or inducements were employed, whatsoever, in connection with the presentation of this petition and that every signature appearing hereon was completely freely and voluntarily given.

Joseph McIntyre  
Circulator - Printed Name

[Signature]  
Circulator - Signature

9/13/2020  
Date

# LIQUOR LICENSE PETITION

## TO THE SUMMIT COUNTY LIQUOR LICENSING AUTHORITY

I, the undersigned, am aware that an application for a Liquor Store type of Liquor License has been filed with Summit County Government by:

**Applicant's LLC/Corporation/Partnership Business Name:** Gateway Grocery & Liquor LLC

**Doing Business As - Applicant's Establishment Name:** Gateway Grocery & Liquor

I, the undersigned, am aware that the applicant's liquor licensed business is proposed to be located at:

**Physical Address:** 23110 U.S. Highway 6 Unit #8 Keystone, CO 80435

I, the undersigned, am at least 21 years of age and am a resident or owner or manager of a business located within the defined neighborhood boundaries of the proposed liquor establishment. I have indicated below whether I consider the granting of the above-mentioned liquor license to be desirable and necessary for the reasonable requirements of the neighborhood (within the approved boundaries approved by the BOCC on August 25, 2020).

Date	Signature	Printed Name	Physical Address	Age	For Against
9-9-20		Justin Slezak	[REDACTED ADDRESS]		X
9-9-20		Marshall Shaw			X
9-9-20		NATALIE FOWERS			X
9-9-20		BEN PHILLIPS			X
9-9-20		Nick Mardock			X
9/9/20		Dan Lazzaro			X
9/9/20		Cassie Kalie			X
9/9/20		Mandy Musyja			X
9/9/20		Chad Huffman			X

# LIQUOR LICENSE PETITION

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Date	Signature	Printed Name	Physical Address	Age	For Against
09/09/2020		M.J. Herynk	[REDACTED ADDRESS]		✓
9/9/20		Ben Byles			✓
9-9-20		Gary Moore			✓
9/9/20		Serena Calder			✓
9/9/2020		Tyson Hoener			✓
09-09-20		Amy Kottus			✓
9/10/2020		Sarah McFarlane			✓
7/14/20		Janice Scherer			✓