

RESOLUTION NO. 2023-56

**BOARD OF COUNTY COMMISSIONERS
OF THE
COUNTY OF SUMMIT
STATE OF COLORADO**

**APPROVING APPLICATION FOR HOTEL & RESTAURANT LIQUOR LICENSE FOR
BLACK DIAMOND GOURMET LLC dba BLACK DIAMOND GRILLE AT 172 COPPER
CIRCLE UNIT C1, COPPER MOUNTAIN, CO 80443**

WHEREAS, pursuant to C.R.S. § 44-3-901(b)(I) 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; and

WHEREAS, 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; and

WHEREAS, on April 24, 2023, Black Diamond Gourmet LLC (“Applicant”) submitted an application for a Hotel & Restaurant liquor license at 172 Copper Circle Unit C1, Copper Mountain, Colorado 80443 (“Premises Location”) to the Office of the Summit County Clerk & Recorder (“Clerk & Recorder”); and

WHEREAS, the applicant requested approval of a Hotel & Restaurant liquor license related solely to patrons on the premises; and

WHEREAS, notice of a public hearing on the application was properly posted and published and a public hearing on the application was held on June 13, 2023; and

WHEREAS, the information provided by Applicant in the subject liquor license application has been thoroughly investigated by the Clerk & Recorder and notice of the Clerk & Recorder’s findings, based upon its investigation, were provided to the Applicant and all other interested parties in writing on June 6, 2023; and

WHEREAS, at the public hearing, held on June 13, 2023, the BOCC received and considered evidence on the subject application from the Clerk & Recorder and parties in interest; and

WHEREAS, the BOCC, acting as the local liquor licensing authority for unincorporated Summit County, Colorado, has considered the evidence presented at the public hearing held on June 13, 2023, and based on the evidence presented finds that:

1. The Applicant is entitled to possession of the Premises Location and the Premises Location may be licensed for the sale of alcoholic beverages pursuant to a Hotel & Restaurant liquor license;
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;
3. The Applicant presented evidence of good moral character and otherwise not personally prohibited from holding a Hotel & Restaurant liquor license;
4. The reasonable requirements of the designated neighborhood establish a need for issuance of a Hotel & Restaurant liquor license at the Premises Location;

5. The desires of the inhabitants of the designated neighborhood dictate issuance of a Hotel & Restaurant liquor license at the Premises Location is warranted;
6. The number, type and availability of liquor outlets in the designated neighborhood does not result in an undue concentration of liquor outlets, and;
7. No other reasonable restrictions, including zoning codes, have been placed on the designated neighborhood by the BOCC preclude issuance of a Hotel & Restaurant liquor license for the Premises Location.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF THE COUNTY OF SUMMIT, STATE OF COLORADO ACTING IN ITS CAPACITY AS THE LOCAL LIQUOR LICENSING AUTHORITY FOR UNINCORPORATED SUMMIT COUNTY, COLORADO that: Black Diamond Gourmet LLC for Black Diamond Grille's application for a Hotel & Restaurant liquor license for sale of alcoholic beverages at 172 Copper Circle Unit #C1 Copper Mountain, CO 80443 is hereby approved.

ADOPTED THIS 13TH DAY OF JUNE 2023.



**COUNTY OF SUMMIT
STATE OF COLORADO
BY AND THROUGH ITS
BOARD OF COUNTY COMMISSIONERS**

Joshua Blanchard
Joshua Blanchard, Chair

ATTEST:

Taryn Power
Taryn Power, Clerk & Recorder