



SUMMARY MINUTES OF THE ARVADA LIQUOR LICENSING AUTHORITY
REGULAR MEETING HELD SEPTEMBER 28, 2017

1. CALL TO ORDER – By Chairman Pro Tem Daly at 5:30 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS

Those present were: Kevin Bonich, David Caulder, Daniel Daly and Sheryl Williams

Also present were: Emily Grogg, Assistant City Attorney; and Teri Colvin, Deputy City Clerk; and Liquor Investigator Catalina Colon.

Chairman Pro Tem Daly made a motion to excuse Ronnie Kaiser.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Williams
The motion carried.

4. APPROVAL OF MINUTES

Chairman Pro Tem Daly accepted the Summary of Minutes of the regular meeting of September 14, 2017, with no changes.

5. OLD BUSINESS – none
6. NEW BUSINESS

- A. Application for the Lodging and Entertainment License of Gallery 1874, LLC d/b/a Gallery 1874, located at 5665 Olde Wadsworth Boulevard

Chairman Pro Tem Daly moved that the Application for the Lodging and Entertainment License of Gallery 1874, LLC d/b/a Gallery 1874, located at 5665 Olde Wadsworth Boulevard, be Accepted and Scheduled for a Public Hearing on Thursday, October 26, 2017, at 5:30 p.m., in the Council Chambers of the Arvada Municipal Complex, 8101 Ralston Road, and the Boundary Delineation be described as that property surrounded by the following:

On the North by the centerline of West 64th Avenue and extensions thereof
On the East by the centerline of Lamar Street and extensions thereof
On the South by the centerline of West 52nd Avenue and extensions thereof
On the West by the centerline of Carr Street and extensions thereof

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Williams

Those absent: Kaiser

The motion carried.

7. PUBLIC HEARING

- A. Application for the Beer and Wine License of Arvada Wing Company, LLC d/b/a Wingstop of West Arvada, located at 9515 Ralston Road

The public hearing was opened.

Sworn Testimony:

Aaron Zipp, Owner

Carol Johnson, Esquire Petitioning Services

The Applicant presented three exhibits:

Exhibit 1 Posting Log and Posting Affidavit

Exhibits 2-3 Petition packets numbers two through two

The City presented three exhibits:

Exhibit A Licensing Investigator's Clearance Memo

Exhibit B Publisher's Affidavit

Exhibit C Pictures of posted signs

Chairman Pro Tem Daly accepted the exhibits into the record.

Ms. Johnson, a representative from Esquire Petitioning Services, provided an overview of the petitioning process and shared the results of the petitioning process.

Owner, Aaron Zipp, answered questions from the Authority about his company policies and how he plans to train his employees. Mr. Zipp also answered questions from the Authority regarding a previous violation at one of his businesses earlier in the year.

No one was present wishing to speak against the application.

The public hearing closed.

Liquor Authority members stated that they felt the petition results proved that the needs and desires of the neighborhood are not being met by the existing beer and wine licenses in the area and that the applicant is of good moral character. Also that the owner seemed to be able to use technology in a way to help out his employees.

A public hearing on the Application for the Beer and Wine License of Arvada Wing Company, LLC d/b/a Wingstop of West Arvada, located at 9515 Ralston Road, was held on Thursday, September 28, 2017, before the City of Arvada Liquor Licensing Authority (hereinafter "Authority"). After considering all of the evidence presented at said public hearing, reviewing the exhibits, petitions, remonstrances, and considering all of the facts presented, the Authority adopts the following Findings of Fact:

1. The neighborhood to be served by the requested license is that area surrounded by the following:

On the North by the centerline of West 64th Avenue and extensions thereof
On the East by the centerline of Carr Street and extensions thereof
On the South by the centerline of West 52nd Avenue and extensions thereof
On the West by the centerline of Kipling Street and extensions thereof

2. The City Clerk's Results of Investigation dated September 21, 2017, is incorporated herein and made a part hereof.
3. The applicant testified as to the character and reputation of the individuals involved in the application and plans for operation of the proposed outlet.
4. The Authority finds there are no similarly licensed outlets presently existing within the applicant's delineated boundary.
5. The applicant submitted petitions containing the signatures of approximately 175 persons, none of which were deleted. Of the petition signers, 174 support the issuance of the proposed license and one opposed it. Petition signers, according to the testimony of the circulators, support the issuance of the proposed liquor license.
6. No person, other than representatives of the applicant, testified in support of the proposed license regarding the needs and desires of the neighborhood.
7. The Authority finds the applicant's file is complete.

8. City Zoning permits the use of the subject property for the proposed outlet.
9. No petitions in opposition were received and no one spoke in opposition. The Authority finds there has been an adequate showing the present outlets in and near the neighborhood are not meeting the reasonable requirements thereof.
10. As authorized by C.R.S. 12-47-313 (III), Section 6-97 of the Code of the City of Arvada allows for the issuance of a Liquor License within 500 feet of any public or parochial school or the principal campus of any college, university or seminary. Therefore, the Licensing Authority does not need to determine whether the proposed outlet is located within 500 feet of any public or parochial school or the principal campus of any college, university or seminary.
11. The Authority has considered all of the evidence coming before the Authority at the public hearing and finds the evidence does establish conclusively:
 - A. The reasonable requirements of the neighborhood are not presently being met.
 - B. The desires of the inhabitants of the neighborhood are consistent with these Findings and the granting of the application.
 - C. The character, record and reputation of the individuals involved in the application are satisfactory.

Chairman Pro Tem Daly moved that the Application for the the Beer and Wine License of Arvada Wing Company, LLC d/b/a Wingstop of West Arvada, located at 9515 Ralston Road, be Approved.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Williams

Those absent: Kaiser

The motion carried.

- B. Application for the Hotel and Restaurant License of Front Range Fast Casual Arvada, LLC d/b/a Newk's Eatry, located at 7450 W. 52nd Avenue, #304

The public hearing opened.

Chairman Pro Tem Daly made a motion to continue the hearing to October 12, 2017.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Williams

Those absent: Kaiser

The motion carried.

- C. Application for Change of Location for the Retail Liquor Store License of Arvada Liquor Mart, Inc d/b/a Arvada Liquor Mart, from 9489 Ralston Road to 8528 W 58th Place, Suite 100

The public hearing opened.

Sworn Testimony: Frank Choi, owner

Johnny Choi, son of the owner and interpreter

Chairman Pro Tem Daly swore in Johnny Choi as an interpreter for Frank Choi.

The Applicant presented one exhibit:

Exhibit I Posting Log and Posting Affidavit

The city presented two exhibits:

Exhibit A Publisher's Affidavit

Exhibit B Pictures of posted signs

Chairman Pro Tem Daly accepted the exhibits into the record.

Mr. Choi answered questions from the Authority.

No one else was present wishing to speak for or against the application.

The public hearing closed.

Liquor Authority Member Williams discussed the needs and desires and how they have not changed since the original license was issued.

Chairman Pro Tem Daly stated that a public hearing on the Application for the Change of Location for the Retail Liquor Store License of Arvada Liquor Mart, Inc d/b/a Arvada Liquor Mart, from 9489 Ralston Road to 8528 W 58th Place, Suite 100, was held on September 28, 2017, before the City of Arvada Liquor Licensing Authority (hereinafter "Authority"). After considering all of the evidence presented at said public hearing and considering all of the facts presented, the Authority adopts the

following Findings of Fact:

1. The neighborhood served by the existing license has not changed since the original liquor license was issued in 1995.
2. The City Clerk's Memo, dated September 27, 2017, is incorporated herein and made a part hereof.
3. The Authority acknowledges that with the original application in 1995, the applicant submitted petitions containing the signatures of approximately 306 persons, none of which were deleted. Of the petition signers, 174 supported the issuance of the proposed license and 132 opposed it. Petition signers from the defined neighborhood, according to the testimony of the circulators, supported the issuance of the proposed liquor license.
4. No persons testified in support of the proposed license regarding the needs and desires of the neighborhood.
5. The Authority finds the applicant's file is complete.
6. City Zoning permits the use of the subject property for the proposed outlet.
7. No petition in opposition was received and no person spoke in opposition. The Authority finds there was an adequate showing to detail that the present outlets in and near the neighborhood were not meeting the reasonable requirements thereof and those have not changed since the issuance of the original license.
8. As authorized by C.R.S. 12-47-313 (III), Section 6-97 of the Code of the City of Arvada allows for the issuance of a Liquor License within 500 feet of any public or parochial school or the principal campus of any college, university or seminary. Therefore, the Licensing Authority does not need to determine whether the proposed outlet is located within 500 feet of any public or parochial school or the principal campus of any college, university or seminary.
9. The Authority has considered all of the evidence coming before the Authority at the public hearing and finds the evidence does establish conclusively:
 - A. The reasonable requirements of the neighborhood have not changed since the original license was granted and changing the location of this license will not have any effect on the

reasonable requirements of the neighborhood.

- B. The desires of the adult inhabitants of the neighborhood were consistent with the Findings and the granting of the application originally and have not changed.

Chairman Pro Tem Daly moved that the foregoing Findings of Fact be adopted and the Application for Change of Location for the the Retail Liquor Store License of Arvada Liquor Mart, Inc, d/b/a Arvada Liquor Mart, from 9489 Ralston Road to 8528 W 58th Place, Suite 100, be approved.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Williams

Those absent: Kaiser

The motion carried.

- D. Application for Change of Location for the Hotel and Restaurant Liquor License of Granillo Monterey House, Inc., d/b/a Monterey House, from 9809 W 60th Avenue to 9848, 9868 W 60th Avenue (Postponed from July 13, 2017 originally)

The public hearing opened.

Sworn Testimony: Alfredo Granillo, owner.

The Applicant presented one exhibit:

Exhibit 1 Posting Log and Posting Affidavit

The city presented two exhibits:

Exhibit A Publisher's Affidavit

Exhibit B Pictures of posted signs

Chairman Pro Tem Daly accepted the exhibits into the record.

Mr. Granillo answered questions from the Authority.

No one else was present wishing to speak for or against the application.

The public hearing closed.

Chairman Pro Tem Daly stated that a public hearing on the Application for the Change of Location for the Hotel and Restaurant Liquor License of Granillo Monterey

House, Inc., d/b/a Monterey House, from 9809 W 60th Avenue to 9848, 9868 W 60th Avenue, was held on September 28, 2017, before the City of Arvada Liquor Licensing Authority (hereinafter "Authority"). After considering all of the evidence presented at said public hearing and considering all of the facts presented, Authority adopts the following Findings of Fact:

1. The neighborhood served by the existing license has not changed since the original liquor license was issued in 2009.
2. The City Clerk's Memo, dated August 23, 2017, is incorporated herein and made a part hereof.
3. The Authority acknowledges that with the original application, the applicant submitted petitions containing the signatures of approximately 155 persons, 20 of which were deleted. Of the petition signers, 135 supported the issuance of the proposed license and none opposed it. Petition signers from the defined neighborhood, according to the testimony of the circulators, supported the issuance of the proposed liquor license.
4. No persons testified in support of the proposed license regarding the needs and desires of the neighborhood.
5. The Authority finds the applicant's file is complete.
6. City Zoning permits the use of the subject property for the proposed outlet.
7. No petition in opposition was received and no person spoke in opposition. The Authority finds there was an adequate showing to detail that the present outlets in and near the neighborhood were not meeting the reasonable requirements thereof and those have not changed since the issuance of the original license.
8. As authorized by C.R.S. 12-47-313 (III), Section 6-97 of the Code of the City of Arvada allows for the issuance of a Liquor License within 500 feet of any public or parochial school or the principal campus of any college, university or seminary. Therefore, the Licensing Authority does not need to determine whether the proposed outlet is located within 500 feet of any public or parochial school or the principal campus of any college, university or seminary.
9. The Authority has considered all of the evidence coming before the Authority at the public hearing and finds the evidence does establish conclusively:

- B. The reasonable requirements of the neighborhood have not changed since the original license was granted and changing the location of this license will not have any effect on the reasonable requirements of the neighborhood.

- B. The desires of the adult inhabitants of the neighborhood were consistent with the Findings and the granting of the application originally and have not changed.

Chairman Pro Tem Daly moved that the foregoing Findings of Fact be adopted and for the Hotel and Restaurant Liquor License of Granillo Monterey House, Inc., d/b/a Monterey House, from 9809 W 60th Avenue to 9848, 9868 W 60th Avenue, be approved.

The following votes were cast on the motion:


Those voting Yes: Bonich, Caulder, Daly and Williams

Those absent: Kaiser

The motion carried.

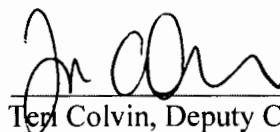
- 8. OTHER AUTHORITY ITEMS – none
- 9. STUDY SESSION – none
- 10. REPORT FROM CITY ATTORNEY’S OFFICE – none
- 11. REPORT FROM CITY CLERK’S OFFICE – none
- 12. REPORT FROM POLICE DEPARTMENT – none
- 13. ADJOURNMENT – 6:10 p.m.





Daniel Daly, Chairman Pro Tem

ATTEST:



Terri Colvin, Deputy City Clerk