



SUMMARY MINUTES OF THE ARVADA LIQUOR LICENSING AUTHORITY
REGULAR MEETING HELD
DECEMBER 14, 2017

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

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

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

4. APPROVAL OF MINUTES

Chairman Kaiser accepted the Summary Minutes of the regular meeting of November 9, 2017.

5. OLD BUSINESS – none

6. NEW BUSINESS

- A. Application to Change, Alter or Modify the licensed Premises of the Hotel and Restaurant Liquor License of City of Arvada d/b/a The Restaurant at West Woods, located at 6655 Quaker Street

Restaurant Manager Adam Cooper was present and answered questions from the Authority.

Chairman Kaiser moved that the Application to Change, Alter or Modify the licensed Premises of the Hotel and Restaurant Liquor License of City of Arvada d/b/a The Restaurant at West Woods, located at 6655 Quaker Street, be approved.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly, Kaiser and Williams

The motion carried.

- B. Application for Change of Location for the Hotel and Restaurant license of Treasure Pot Restaurant, Inc. d/b/a Treasure Pot, from 9405 Ralston Road to 6375 Simms Street

Chairman Kaiser moved that the Application for Change of Location for the Hotel and Restaurant license of Treasure Pot Restaurant, Inc. d/b/a Treasure Pot, from 9405 Ralston Road to 6375 Simms Street, be Accepted and Scheduled for a Public Hearing on January 25, 2018, 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 72nd Avenue and extensions thereof
On the East by the centerline of Oak Street and extensions thereof
On the South by the centerline of West 58th Avenue and extensions thereof
On the West by the centerline of Eldridge Street and extensions thereof

The following votes were cast on the motion:

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

- C. Application for the Lodging and Entertainment Liquor License of Harkins Arvada, LLC d/b/a Harkins Theatres, located at 5550 Olde Wadsworth Boulevard

Chairman Kaiser moved that the Application for the Lodging and Entertainment Liquor License of Harkins Arvada, LLC d/b/a Harkins Theatres, located at 5550 Olde Wadsworth Boulevard, be Accepted and Scheduled for a Public Hearing on February 8, 2018, 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, Kaiser and Williams
The motion carried.

- D. Application for the Retail Liquor Store Liquor License of Sarasamar Inc. d/b/a Oberon Liquor, located at 6601 Oberon Road, Unit B

Chairman Kaiser moved that the Application for the Retail Liquor Store Liquor License of Sarasamar Inc. d/b/a Oberon Liquor, located at 6601 Oberon Road, Unit B, be Accepted and Scheduled for a Public Hearing on February 8, 2018, 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 72nd Avenue and extensions thereof
On the East by the centerline of Oak Street and extensions thereof
On the South by the centerline of West 58th 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, Kaiser and Williams
The motion carried.

- E. Application for the Retail Liquor Store Liquor License of United Liquors, LLC d/b/a United Liquors, located at 5490 Wadsworth Bypass

Chairman Kaiser moved that the Application for the Retail Liquor Store Liquor License of United Liquors, LLC d/b/a United Liquors, located at 5490 Wadsworth Bypass, be Accepted and Scheduled for a Public Hearing on February 8, 2018, 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, Kaiser and Williams
The motion carried.

7. PUBLIC HEARING

- A. Application for the Beer and Wine License of Tokyo, Inc d/b/a Tokyo Joe's, located at 9585 Ralston Road, Suite 300

The public hearing was opened.

Attorney William Wildberger provided a brief company overview for the Authority.

The Applicant presented three exhibits:

- Exhibit 1 Posting Log and Posting Affidavit
- Exhibits 2-3 Petition packets numbers two through three

The City presented three exhibits:

- Exhibit A Licensing Investigator's Clearance Memo
- Exhibit B Publisher's Affidavit
- Exhibit C Pictures of posted signs

Chairman Kaiser accepted the exhibits into the record.

Sworn Testimony: Attorney William Wildberger
Tokyo Joe's Representative Bradley Eaton
Petition Service Representative Carol Johnson

Ms. Johnson, a representative from Esquire Petitioning, provided an overview of the petitioning process and shared the results. Ms. Johnson presented that the petition results showed that the needs and the desires of the adult inhabitants in the neighborhood are not currently being met by the existing outlets.

Mr. Eaton and Mr. Wildberger answered questions from the Authority about company policies and how they plan to train employees as it relates to alcohol service. Mr. Wildberger asked the Authority to consider approving the liquor license application.

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 Liquor Investigators memo showed that the applicant is of good moral character.

A public hearing on the Application for the Beer and Wine License of Tokyo, Inc., d/b/a Tokyo Joe's, located at 9585 Ralston Road, Suite 300, was held on Thursday, December 14, 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 December 4, 2017, are incorporated herein and made a part hereof.
3. Representatives of 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 is one similarly licensed outlets presently existing within the applicant's delineated boundary.
5. The applicant submitted petitions containing the signatures of approximately 160 persons, two of which were deleted. Based on the needs and desires of the petition signers, 158 support the issuance of the proposed license and none oppose it. Petition signers, according to the testimony of the circulators, support the issuance of the proposed liquor license.
6. No persons, 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 persons 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 Kaiser moved that the Findings of Fact be adopted and that the Application for the Beer and Wine License of Tokyo, Inc., d/b/a Tokyo Joe's, located at 9585 Ralston Road, Suite 300, be Approved.

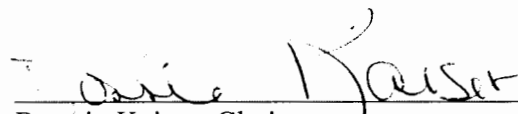
The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly, Kaiser and Williams

The motion carried.

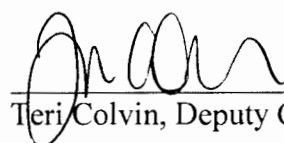
8. OTHER AUTHORITY ITEMS – none
9. STUDY SESSION – none
10. REPORT FROM CITY ATTORNEY'S OFFICE – none
11. REPORT FROM CITY CLERK'S OFFICE – none
12. REPORT FROM POLICE DEPARTMENT – none
13. ADJOURNMENT – 6:06 p.m.





Ronjie Kaiser, Chairman

ATTEST:



Teri Colvin, Deputy City Clerk