



SUMMARY MINUTES OF THE ARVADA LIQUOR LICENSING AUTHORITY
REGULAR MEETING HELD
FEBRUARY 8, 2018

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: Aaron Jacks, Assistant City Attorney; 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 January 22, 2018.

5. OLD BUSINESS – none
6. NEW BUSINESS – none
7. PUBLIC HEARING

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

The public hearing was opened.

The Applicant presented three exhibits:

- Exhibit 1 Posting Log and Posting Affidavit
- Exhibits 2-10 Petition packets

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.

Sworn Testimony: Attorney Brian Proffitt
Registered Manager Alex Verkuijsse
Petition Company Representative Eva Garretson

Ms. Garretson, a representative from Liquor Licensing Professionals, LLC, provided an overview of the petitioning process and shared the results.

Mr. Proffitt and Mr. Verkuijsse provided an overview of the facility and the applicants plans for serving alcohol and answered questions from the Authority about company policies and how they plan to train employees as it relates to alcohol service.

No one was present wishing to speak against the application.

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 lodging and entertainment licenses in the area and that Liquor Investigators memo showed that the applicant is of good moral character.

The public hearing closed.

A public hearing on the Application for the Lodging and Entertainment Liquor License of Harkins Arvada, LLC d/b/a Harkins Theatres, located at 5550 Olde Wadsworth Boulevard, was held on Thursday, February 8, 2018, 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 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

2. The City Clerk's Results of Investigation dated January 30, 2018, 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 are two similarly licensed outlets presently existing within the applicant's delineated boundary.
5. A representative of the applicant submitted petitions containing the signatures of approximately 160 persons, none of which were deleted. Based on the needs and desires of the petition signers, 141 supported the issuance of the proposed license, 8 opposed it and 11 reported that they were neutral. 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 Lodging and Entertainment Liquor License of Harkins Arvada, LLC d/b/a Harkins Theatres, located at 5550 Olde Wadsworth Boulevard, 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 the Retail Liquor Store Liquor License of Sarasamar Inc. d/b/a Oberon Liquor, located at 6601 Oberon Road, Unit B

The public hearing was opened.

The Applicant presented three exhibits:

Exhibit 1 Posting Log and Posting Affidavit
Exhibits 2-3 Petition packets

The City presented three exhibits:

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

Authority Member Bonich accepted the exhibits into the record.

Sworn Testimony: Attorney Kris Hoeltgen
 Oberon Liquor Owner Kabita Parajuli
 Petition Service Representative Carol Johnson

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

Ms. Hoeltgen and Ms. Parajuli answered questions from the Authority about company policies and how they plan to train employees as it relates to alcohol service.

Chairman Kaiser read a letter of support into the record.

Attorney Ms. Hoeltgen provided the Authority with copy of the licensees written policy related to liquor sales, which was further discussed.

No one was present wishing to speak against the application.

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 retail liquor store licenses in the area and that Liquor Investigators memo showed that the applicant is of good moral character.

The public hearing closed.

A public hearing on the Application for the Retail Liquor Store Liquor License of

Sarasamar Inc. d/b/a Oberon Liquor, located at 6601 Oberon Road, Unit B, was held on February 8, 2018, 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 72nd Avenue and extensions thereof
On the West by the centerline of Oak Street and extensions thereof
On the South by the centerline of West 58th Avenue and extensions thereof
On the East by the centerline of Carr Street and extensions thereof

2. The City Clerk's Results of Investigation dated January 30, 2018, is 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 are three similarly licensed outlets presently existing within the applicant's delineated boundary.
5. A representative of the applicant submitted petitions containing the signatures of approximately 149 persons, none of which were deleted. Based on the needs and desires of the petition signers, 141 supported the issuance of the proposed license and 8 opposed 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, except for the letter that was submitted, 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 Application for the Retail Liquor Store Liquor License of Sarasamar Inc. d/b/a Oberon Liquor, located at 6601 Oberon Road, Unit B, be Approved.

The following votes were cast on the motion:

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

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

The public hearing was opened.

Chairman Kaiser made a motion to continue the public hearing to February 22, 2018.

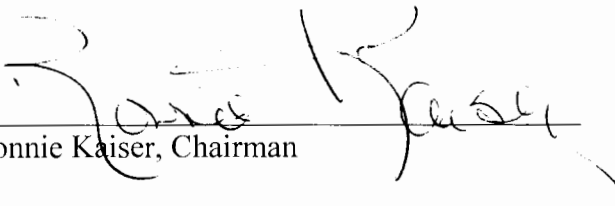
The following votes were cast on the motion:

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

The public hearing was closed.

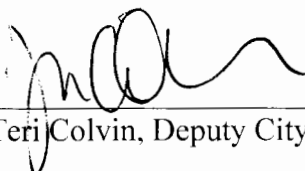
8. OTHER AUTHORITY ITEMS – none
9. STUDY SESSION – none
10. REPORT FROM CITY ATTORNEY’S OFFICE – none

11. REPORT FROM CITY CLERK'S OFFICE – none
12. REPORT FROM POLICE DEPARTMENT – none
13. ADJOURNMENT – 6:46 p.m.



Ronnie Kaiser, Chairman

ATTEST:



Teri Colvin, Deputy City Clerk

