



SUMMARY MINUTES OF THE ARVADA LIQUOR LICENSING AUTHORITY
REGULAR MEETING HELD
JULY 26, 2018

1. CALL TO ORDER – By Chairman 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 Ronnie Kaiser

Also present were: Aaron Jacks, Assistant City Attorney; Teri Colvin, Deputy City Clerk; Catalina Colon, Liquor Investigator; and Jim Dixon, Sergeant.

Chairman Daly made a motion to excuse Sheryl Williams.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Kaiser

Those absent: Williams

The motion carried.

4. APPROVAL OF MINUTES

Chairman Daly accepted the Summary Minutes of the regular meeting of July 12, 2018.

5. OLD BUSINESS – none
6. NEW BUSINESS

- A. Application for Transfer of Ownership of the Hotel and Restaurant Liquor License of Restaurant Properties Management, Inc. d/b/a The Eggshell - Arvada to Flying Pig Bacon Inc d/b/a Flying Pig Bacon CO, at 5777 Olde Wadsworth Blvd.

Chairman Daly moved that the Application for Transfer of Ownership of the Hotel and Restaurant Liquor License of Restaurant Properties Management, Inc. d/b/a The Eggshell - Arvada to Flying Pig Bacon Inc d/b/a Flying Pig Bacon CO, at 5777 Olde Wadsworth Blvd., be postponed until August 23, 2018.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Kaiser

Those absent: Williams

The motion carried.

- B. Application for the Beer and Wine Liquor License of Best Pizza, LLC d/b/a Mod Pizza, located at 9515 Ralston Road, Suite 100

Chairman Daly moved that the Application for the Beer and Wine Liquor License of Best Pizza, LLC d/b/a Mod Pizza, located at 9515 Ralston Road, Suite 100, be accepted and scheduled for a Public Hearing on Thursday, August 23, 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 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

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Kaiser

Those absent: Williams

The motion carried.

7. PUBLIC HEARING

- A. Application for the Retail 3.2% Beer Off-Premises License of Suncor Energy Sales Inc. d/b/a Shell #339, located at 5350 Wadsworth Bypass

The public hearing was opened.

The Applicant presented nine exhibits:

Exhibit 1 Posting Log and Posting Affidavit

Exhibits 2-9 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

Sworn Testimony: Attorney Steven Lee
District Manager Christopher Grauer
Petition Company Representative Eva Garretson

Chairman Daly accepted the exhibits into the record.

Ms. Garretson, representative from LiquorPros, provided an overview of the petitioning process and shared the results.

Attorney Lee and the company representatives provided an overview of the facility and the applicant's 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 hotel and restaurant licenses in the area and felt that the applicant was of good moral character.

A public hearing on the Application for the Retail 3.2% Beer Off-Premises License of Suncor Energy Sales Inc. d/b/a Shell #339, located at 5350 Wadsworth Bypass, was held on July 26, 2018, 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 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 July 13, 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 12 similarly licensed outlets presently existing within the applicant's delineated boundary.
5. A representative of the applicant submitted petitions containing the signatures of approximately 147 persons, none of which were deleted. Based on the needs and desires of the petition signers, 138 support the issuance of the proposed license and 9 oppose it. Petition signers, according to the testimony of the circulators, support the issuance of the proposed liquor license.
6. No persons 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 petition in opposition was received and no person spoke in opposition. The Authority finds there was an adequate showing to detail that the outlets in and near the neighborhood were not meeting the needs and desires of the adult inhabitants at the time of the issuance of the original license.
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 Daly moved that the Application for the Retail 3.2% Beer Off-Premises License of Suncor Energy Sales Inc. d/b/a Shell #339, located at 5350 Wadsworth Bypass, be approved.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Kaiser

Those absent: Williams

The motion carried.

The public hearing was closed.

- B. Application for the Retail 3.2% Beer Off-Premises License of Dillon Companies LLC d/b/a King Soopers #137, located at 14967 Candelas Parkway

The Applicant presented four exhibits:

Exhibit 1 Posting Log and Posting Affidavit
Exhibits 2-4 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

Sworn Testimony: Attorney Jon Stonebraker
Adult Beverage Category Manager Greg Junk
Store Manager Paul Mauser
Petition Company Representative Max Scott

Chairman Daly accepted the exhibits into the record.

Mr. Scott, representative from Oedipus, Inc., provided an overview of the petitioning process and shared the results.

Attorney Stonebraker and the company representatives provided an overview of the facility and the applicant's 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.

Member Kaiser asked about past company violations, all related to sale to minors, and what the company is doing to conquer that problem. Mr. Junk answered the questions. Discussion followed.

Member Bonich asked if all employees attend alcohol awareness training prior to being able to sell alcohol.

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 hotel and restaurant licenses in the area and felt that the applicant was of good moral character.

A public hearing on the Application for the Retail 3.2% Beer Off-Premises License of Dillon Companies LLC d/b/a King Soopers #137, located at 14967 Candelas Parkway, was held on July 26, 2018, 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 to be served by the requested license is that area surrounded by the following:

On the North by the centerline of West 96th Avenue and extensions thereof
On the East by the centerline of Alkire Street and extensions thereof
On the South by the centerline of West 80th Avenue and extensions thereof
On the West by the centerline of Quaker Street and extensions thereof
2. The City Clerk's Results of Investigation dated July 13, 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 12 similarly licensed outlets presently existing within the applicant's delineated boundary.
5. A representative of the applicant submitted petitions containing the signatures of approximately 154 persons, none of which were deleted. Based on the needs and desires of the petition signers, 154 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 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 petition in opposition was received and no person spoke in opposition. The Authority finds there was an adequate showing to detail that the outlets in and near the neighborhood were not meeting the needs and desires of the adult inhabitants at the time of the issuance of the original license.
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 Daly moved that the Application for the Retail 3.2% Beer Off-Premises License of Dillon Companies LLC d/b/a King Soopers #137, located at 14967 Candelas Parkway, be approved.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Kaiser

Those absent: Williams

The motion carried.

The public hearing was closed.

- C. Application for the Retail 3.2% Beer Off-Premises License of Supriya Corporation d/b/a All In One Store, located at 6725 Wadsworth Blvd.

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

Sworn Testimony: Attorney Carl Ream
Company President Anil Gautam
Petition Company Representative Carol Johnson

Chairman Daly accepted the exhibits into the record.

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

Attorney Ream and Mr. Gautam provided an overview of the facility and the applicant's 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 hotel and restaurant licenses in the area and felt that the applicant was of good moral character.

A public hearing on the Application for the Retail 3.2% Beer Off-Premises License of Supriya Corporation d/b/a All In One Store, located at 6725 Wadsworth Blvd., was held on July 26, 2018, 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 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 East by the centerline of Lamar Street and extensions thereof
On the South by the centerline of West 64th 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 July 13, 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 12 similarly licensed outlets presently existing within the applicant's delineated boundary.
5. A representative of the applicant submitted petitions containing the signatures of approximately 131 persons, none of which were deleted. Based on the needs and desires of the petition signers, 126 support the issuance of the proposed license and 5 oppose it. Petition signers, according to the testimony of the circulators, support the issuance of the proposed liquor license.

6. No persons 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 petition in opposition was received and no person spoke in opposition. The Authority finds there was an adequate showing to detail that the outlets in and near the neighborhood were not meeting the needs and desires of the adult inhabitants at the time of the issuance of the original license.
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 Daly moved that the Application for the Retail 3.2% Beer Off-Premises License of Supriya Corporation d/b/a All In One Store, located at 6725 Wadsworth Blvd., be approved.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Kaiser

Those absent: Williams

The motion carried.

The public hearing was closed.

D. Application for the Hotel and Restaurant License of Santeramo's Pizza LLC d/b/a Santeramo's Pizza, located at 8410 Wadsworth Blvd., Units D & E

The public hearing was opened.

The Applicant presented five exhibits:

Exhibit 1 Posting Log and Posting Affidavit
Exhibits 2-5 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

Sworn Testimony: Owner Ebrahim Mohammadi
 Customer Shari Harness
 Customer Brenda Chauveau

Chairman Daly accepted the exhibits into the record.

Mr. Mohammadi provided an overview of the petitioning process, provided an overview of the facility, his plans for serving alcohol and answered questions from the Authority about company policies and he trains his employees as it relates to alcohol service.

Shari Harness and Brenda Chauveau spoke in favor of Santeramo's obtaining a liquor license to be able to serve wine.

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 hotel and restaurant licenses in the area and felt that the applicant was of good moral character.

A public hearing on the Application for the Hotel and Restaurant License of Santeramo's Pizza LLC d/b/a Santeramo's Pizza, located at 8410 Wadsworth Blvd., Units D & E, was held on July 26, 2018, 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 to be served by the requested license is that area surrounded by the following:

On the North by the centerline of West 92nd Avenue and extensions thereof
On the East by the centerline of Lamar Street and extensions thereof
On the South by the centerline of West 80th 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 July 13, 2018, is incorporated herein and made a part hereof.
3. Representatives of the applicant and two other people 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 12 similarly licensed outlets presently existing within the applicant's delineated boundary.
5. The applicant submitted petitions containing the signatures of approximately 89 persons, 59 of which were deleted. Based on the needs and desires of the petition signers, 30 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 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 petition in opposition was received and no person spoke in opposition. The Authority finds there was an adequate showing to detail that the outlets in and near the neighborhood were not meeting the needs and desires of the adult inhabitants at the time of the issuance of the original license.
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 Daly moved that the Application for the Hotel and Restaurant License of Santeramo's Pizza LLC d/b/a Santeramo's Pizza, located at 8410 Wadsworth Blvd., Units D & E, be approved with the following condition:

- Applicant will surrender their existing On/Off Premise Consumption 3.2% Fermented Malt Beverage License prior to the issuance of the new Hotel and Restaurant Liquor License.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly and Kaiser

Those absent: 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 – 6:48 p.m.



Daniel Daly, Chairman

ATTEST:

Teri Colvin, Deputy City Clerk