



SUMMARY MINUTES OF THE ARVADA LIQUOR LICENSING AUTHORITY
REGULAR MEETING HELD
AUGUST 9, 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, Ronnie Kaiser and Sheryl Williams

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

4. APPROVAL OF MINUTES

Chairman Daly accepted the Summary Minutes of the regular meeting of July 26, 2018.

5. OLD BUSINESS – none
6. NEW BUSINESS – none

- A. Application for Transfer of Ownership of the Hotel and Restaurant Liquor License of Ophelia's Restaurant, Inc. d/b/a Ophelia's to So Radish Arvada, LLC d/b/a So Radish, at 5711 Olde Wadsworth Blvd.

Applicant Scott Spears was present, explained how he plans to train his employees and answered questions from the Liquor Authority.

Members of the Authority stated that the Liquor Investigators report satisfied the requirement to prove the applicant is of good moral character.

Authority Member Williams moved that the Application for Transfer of Ownership of the Hotel and Restaurant Liquor License of Ophelia's Restaurant, Inc. d/b/a Ophelia's to So Radish Arvada, LLC d/b/a So Radish, at 5711 Olde Wadsworth Blvd., 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 Hotel and Restaurant Liquor License of Sticky Fingers House of Smoke, LLC d/b/a Sticky Fingers House of Smoke, located at 5495 Marshall Street (set public hearing)

Authority Member Williams moved that the Application for the Hotel and Restaurant Liquor License of Sticky Fingers House of Smoke, LLC d/b/a Sticky Fingers House of Smoke, located at 5495 Marshall Street, be accepted and scheduled for a Public Hearing on Thursday, September 13, 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 Ralston Road and extensions thereof
On the East by the centerline of Sheridan Boulevard and extensions thereof
On the South by the centerline of West 52nd Avenue and extensions thereof
On the West by the centerline of Wadsworth Boulevard 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 Additional Liquor-Licensed Drugstore (LLDS) License of Dillon Companies Inc. d/b/a King Soopers #137, located at 14967 Candelas Parkway

The public hearing opened.

The Applicant presented the following exhibits:

Exhibit 1 Posting Log and Posting Affidavit
Exhibits 2-4 Petition packets

The City presented the following exhibits:

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

Sworn Testimony: Attorney Adam Stapen
Adult Beverage Category Manager Greg Junk

Chairman Daly accepted the exhibits into the record.

Mr. Stapen and Mr. Junk provided an overview of the facility and the applicant's plans for selling alcohol and answered questions from the Authority about company policies and how they plan to train employees as it relates to alcohol service.

Additionally, Mr. Stapen provided an overview of the petitioning process and shared the overall results.

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 Dillon Companies LLC d/b/a King Soopers #137, located at 14967 Candelas Parkway, was held on August 9, 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 April 20, 2018, is incorporated herein and made a part hereof.
3. A representative of the applicant submitted petitions containing the signatures of approximately 159 persons, none of which were deleted. Based on the needs and desires of the petition signers, 146 support the issuance of the proposed license and 13 oppose it. Petition signers, according to the testimony of the circulators, support 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 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.

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 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.

Chair Pro Tem Daly Additional Liquor-Licensed Drugstore (LLDS) License of Dillon Companies Inc. d/b/a King Soopers #137, located at 14967 Candelas Parkway, be approved, with the following conditions:

- Applicant will provide proof of selling 20% or more of food products for the last 12 months to comply with C.R.S. Section 12-47-408(1)(b)(IV)(A)
- Applicant will submit closing documents showing the completed purchase of both Lake Arbor Liquor and Hidden Lake Liquor
- Applicant will submit *Affidavit for Surrender of State Liquor License* forms for both Lake Arbor Liquor and Hidden Lake Liquor
- Applicant will submit an *Affidavit for Surrender of State Liquor License* form for their existing Retail 3.2% Beer Off-Premises License prior to the issuance of the new Liquor Licensed Drug Store Liquor License

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.

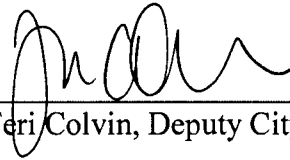
8. OTHER AUTHORITY ITEMS – none
9. STUDY SESSION – none
10. REPORT FROM CITY ATTORNEY’S OFFICE – none

11. REPORT FROM CITY CLERK'S OFFICE – none
12. REPORT FROM POLICE DEPARTMENT – none
13. ADJOURNMENT – 5:57 p.m.



Daniel Daly, Chairman

ATTEST:



Teri Colvin, Deputy City Clerk

