



**SUMMARY MINUTES OF THE ARVADA LIQUOR LICENSING AUTHORITY**  
**REGULAR MEETING HELD**  
**AUGUST 8, 2019**

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 Sheryl Williams

Chairman 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

Also present were: Aaron Jacks, Assistant City Attorney; Teri Colvin, Deputy City Clerk; and Susan Gaetano, Interim Liquor Investigator.

4. APPROVAL OF MINUTES

Chair Daniel Daly accepted the Summary Minutes of the regular meeting of July 25, 2019, as presented.

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

- A. Application for the Hotel and Restaurant Liquor License of TA2D, Inc. d/b/a Lloyd's Tasty Sandwiches, 7512 Grandview Avenue

The public hearing was opened.

The Applicant presented the following exhibits:

- |              |                                   |
|--------------|-----------------------------------|
| Exhibit 1    | Posting Log and Posting Affidavit |
| Exhibits 2-8 | 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                |

Chairman Daly accepted the exhibits into the record.

Sworn Testimony: Owner Martin Hester

Owner Martin Hester provided an overview of the petitioning process and shared the results. Additionally, Mr. Hester provided an overview of the facility and their 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 Hotel and Restaurant Liquor License of TA2D, Inc. d/b/a Lloyd's Tasty Sandwiches, 7512 Grandview Avenue, was held on Thursday, August 8, 2019, 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 64<sup>th</sup> Avenue and extensions thereof  
On the East by the centerline of Lamar Street and extensions thereof  
On the South by the centerline of West 52<sup>nd</sup> 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 31, 2019, are 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 27 similarly licensed outlets presently existing within the applicant's delineated boundary.

5. A representative of the applicant submitted petitions containing the signatures of approximately 138 persons, 32 of which were deleted. Based on the needs and desires of the petition signers, 106 supported the issuance of the proposed license and none opposed it. Petition signers, according to the testimony of the circulators, support the issuance of the proposed liquor license.
6. No one, other than 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 that the present outlets in and near the neighborhood are not meeting the reasonable requirements thereof.
10. As authorized by C.R.S. 44-3-313 (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 Findings of Fact be adopted and the Application for the Hotel and Restaurant Liquor License of TA2D, Inc. d/b/a Lloyd's Tasty Sandwiches, 7512 Grandview 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.

The public hearing was closed.

8. OTHER AUTHORITY ITEMS

- A. Consider Show Cause Order for 5280 Beer Company, LLC d/b/a Elevated Seltzer, 5610 Yukon Street

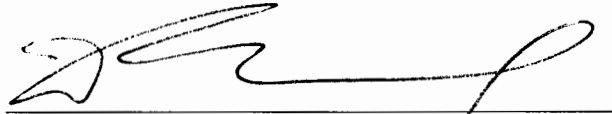
Interim Liquor Investigator Susan Gaetano reviewed the details of the complaint, initiated by the City of Arvada Liquor Investigator, for the Authority and answered questions.

Chairman Daly moved that there is probable cause based on Arvada Police Department report 2019013843 to believe 5280 Beer Company, LLC d/b/a Elevated Seltzer, 5610 Yukon Street, that the Licensee is in violation of 44-3-301(3)(a) C.R.S., 44-3-901(1)(h) C.R.S., 44-3-901(6)(f) C.R.S., 1 C.C.R. 203-2, Regulation 47-424, 1 C.C.R. 203-2, and Regulation 47-914 covering its privilege to hold the issued Brew Pub liquor license number 16237, further a Notice and Order to Show Cause be issued to the Licensee to appear before the Liquor Licensing Authority of the City of Arvada, in the Municipal Building Council Chambers, 8101 Ralston Road, on Thursday, September 12, 2019, at 5:30 p.m., for a violation hearing to be conducted in accordance with the law to show cause why the aforesaid license should not be suspended or revoked as by law provided, at which time the Liquor Authority will determine the truth of the aforesaid charges.

The following votes were cast on the motion:  
Those voting Yes: Bonich, Caulder, Daly and Williams  
Those absent: Kaiser  
The motion carried.

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 – 5:51 p.m.



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Daniel Daly, Chairman

ATTEST:



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Teri Colvin, Deputy City Clerk

