



SUMMARY MINUTES OF THE ARVADA LIQUOR LICENSING AUTHORITY
REGULAR MEETING HELD
NOVEMBER 14, 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, Ronnie Kaiser and Sheryl Williams

Also present were: Catalina Colon, Liquor Investigator; Julie Richards, Senior Assistant City Attorney; Kristen Rush, City Clerk; and Sarah Walters, Deputy City Clerk.

4. APPROVAL OF MINUTES – Chair Pro Tem Williams accepted the Summary Minutes of the regular meeting of October 10, 2019, as presented
5. OLD BUSINESS – None
6. NEW BUSINESS –

- A. Application for Transfer of Ownership of the Retail Liquor Store License of United Liquors, LLC d/b/a United Liquors to Stosto Liquor LLC d/b/a Arvada Discount Liquor, located at 5490 Wadsworth Bypass

Applicant/owner Alon Mor and attorney Kevin Coates were present 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 made a motion that the Application for Transfer of Ownership of the Retail Liquor Store License of United Liquors, LLC d/b/a United Liquors to Stosto Liquor LLC d/b/a Arvada Discount Liquor, located at 5490 Wadsworth Bypass, be approved.

The following votes were cast on the motion:

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

Those absent: None

The motion carried.

- B. Application to Change, Alter or Modify the licensed Premises of the Retail Liquor Store License of Stosto Liquor, LLC d/b/a Arvada Discount Liquor, located at 5490 Wadsworth Bypass

Chair Daly made a motion to approve the Application to Change, Alter or Modify the licensed Premises of the Tavern Liquor License of Stosto Liquor, LLC d/b/a Arvada Discount Liquor, located at 5490 Wadsworth Bypass

The following votes were cast on the motion:

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

Those absent: None

The motion carried.

7. PUBLIC HEARING –

- A. Application for the Lodging and Entertainment Liquor License of Archery Games Denver, LLC d/b/a Archery Games Denver, located at 5405 W 56th Ave Unit D

The public hearing was opened.

The Applicant presented the following exhibits:

Exhibit 1 Posting Log and Posting Affidavit

Exhibits 2-6 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 Jesse Warlick

Owner Jesse Warlick provided an overview of the petitioning process and shared the results. Additionally, Mr. Warlick 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 lodging and entertainment licenses in the area and felt that the applicant was of good moral character.

A public hearing on the Application for Lodging and Entertainment Liquor License of Archery Games Denver, LLC d/b/a Archery Games Denver, located at 5405 W 56th Ave Unit D, was held on Thursday, November 14, 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 64th Avenue and extensions thereof
On the East by the centerline of Tennyson Street and extensions thereof
On the South by the centerline of West 52nd Avenue and extensions hereof
On the West by the centerline of Lamar Street and extensions thereof

2. The City Clerk's Results of Investigation dated November 8, 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 zero similarly licensed outlets presently existing within the applicant's delineated boundary.
5. A representative of the applicant submitted petitions containing the signatures of approximately 90 persons, none of which were deleted. Based on the needs and desires of the petition signers, 90 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 Lodging and Entertainment Liquor License of Archery Games Denver, LLC d/b/a Archery Games Denver, located at 5405 W 56th Ave Unit D, be approved.

The following votes were cast on the motion:

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

Those absent: None

The motion carried.

The public hearing was closed.

- B. Application for the Hotel and Restaurant License of First Watch Restaurants, Inc. d/b/a First Watch Restaurants #200, located at 7450 B West 52nd Avenue Suite 200

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

Sworn Testimony: Manager Andrew Whitt
 Attorney Adam Stapen
 LiquorPros Representative Eva Garretson

Chairman Daly accepted the exhibits into the record.

Attorney Stapen and Mr. Pendery provided an overview of the petitioning process and shared the results. Discussion followed regarding the applicant's plans for serving alcohol. The applicant answered questions from the Authority about company policies and how he plans 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 Hotel and Restaurant License of First Watch Restaurants, Inc. d/b/a First Watch Restaurants #200, located at 7450 B West 52nd Avenue Suite 200, was held on Thursday, November 14, 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 W. 58th Avenue and extensions thereof
 On the East by the centerline of Pierce Street and extensions thereof
 On the South by the centerline of I-70 and extensions thereof
 On the West by the centerline of Carr Street and extensions thereof
2. The City Clerk's Results of Investigation dated November 8, 2019, 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 31 similarly licensed outlets presently existing within the applicant's delineated boundary.
5. A representative of the applicant submitted petitions containing the

signatures of approximately 150 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 4 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 First Watch Restaurants, Inc. d/b/a First Watch Restaurants #200, located at 7450 B West 52nd Avenue Suite 200, be approved.

The following votes were cast on the motion:

Those voting Yes: Bonich, Caulder, Daly, Kaiser and Williams
Those absent: None
The motion carried.

The public hearing was closed.

- C. Application for the Hotel and Restaurant Liquor License of First Watch Restaurants, Inc. d/b/a First Watch Restaurants #428, located at 12325 West 64th 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

Sworn Testimony: Manager Jonah Wesley Houser
 Attorney Adam Stapen
 LiquorPros Representative Eva Garretson

Chairman Daly accepted the exhibits into the record.

Attorney Stapen and Mr. Houser provided an overview of the petitioning process and shared the results. Discussion followed regarding the applicant's plans for serving alcohol. The applicant answered questions from the Authority about company policies and how he plans 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 Hotel and Restaurant License of First Watch Restaurants, Inc. d/b/a First Watch Restaurants #428, located at 12325 West 64th Avenue, was held on Thursday, November 14, 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 W. 72nd Avenue and extensions thereof

On the East by the centerline of Oak Street and extensions thereof

On the South by the centerline of 58th and extensions thereof

On the West by the centerline of Eldridge Street and extensions thereof

2. The City Clerk's Results of Investigation dated November 8, 2019, 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 8 similarly licensed outlets presently existing within the applicant's delineated boundary.
5. A representative of the applicant submitted petitions containing the signatures of approximately 156 persons, none of which were deleted. Based on the needs and desires of the petition signers, 149 support the issuance of the proposed license and 7 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 First Watch Restaurants, Inc. d/b/a First Watch Restaurants #428, located at 12325 West 64th Avenue, be approved.

The following votes were cast on the motion:

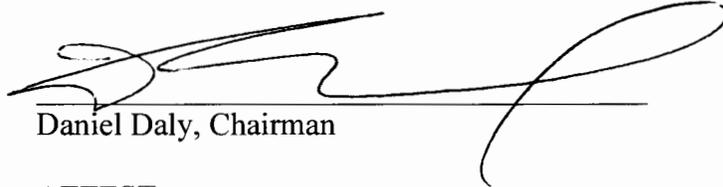
Those voting Yes: Bonich, Caulder, Daly, Kaiser and Williams

Those absent: None

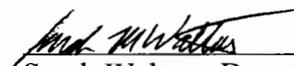
The motion carried.

The public hearing was closed.

- 8. OTHER AUTHORITY ITEMS - None
- 9. STUDY SESSION – None
- 10. REPORT FROM CITY ATTORNEY’S OFFICE
- 11. REPORT FROM CITY CLERK’S OFFICE - Next meeting Dec. 12
- 12. REPORT FROM POLICE DEPARTMENT - State completed compliance checks and visited seven Arvada liquor establishments and found one violation out of the seven.
- 13. ADJOURNMENT – 6:35 p.m.


Daniel Daly, Chairman

ATTEST:


Sarah Walters, Deputy City Clerk

