



City of Colorado Springs

City Hall
107 N. Nevada Avenue
Colorado Springs, CO
80903

Meeting Minutes - Draft Liquor and Beer Licensing Board

Friday, February 6, 2015

9:00 AM

City Council Chambers

1. Call to Order

Chairman Kouba called the meeting to order at 9:01 A.M., opened the meeting as a regular session, and stated that a quorum was present with Board Members Davis, Flesher, and Gorman being absent. Mr. Davis and Mr. Gorman arrived during the meeting.

Present 4 - Dianne Holmes, Gregory Howard, Randall Kouba, and Charles J. Stephens

Absent 3 - Logan Davis, Ian Flesher, and Joseph Gorman

2. Minutes

- 2.A. M2015-01-16** Approval of the Minutes of the Liquor Board meeting of January 16, 2015.

Attachments: [2015-01-16 Liquor Board Meeting Minutes](#)

Motion by Stephens, seconded by Holmes, that the Minutes of the Liquor Board meeting of January 16, 2015 be approved as written. The motion passed by a vote of:

Aye: 4 - Holmes, Howard, Kouba, and Stephens

Absent: 3 - Davis, Flesher, and Gorman

3. Communications

The City Clerk's Office reported that there is a request to hear Item No. 6D immediately after Item No. 4 for a potential postponement.

The City Clerk's Office announced that there will be no application hearings on the regularly scheduled Liquor Board meeting of February 20, 2015, and that session will instead be a work/training session at 9:00 A.M. to be located in the Pikes Peak Room in City Hall, 107 N. Nevada Avenue.

4. Neighborhood Boundary Consent Calendar

- 4.A. B-28850** Iron Bird Brewing Co. d/b/a Iron Bird Brewing for a new Brew Pub Liquor License at 402 & 404 S. Nevada Avenue.

Attachments: [B-28850 - Iron Bird Brewing - Liquor Survey Boundary](#)

Approval of the Neighborhood Boundary Consent Calendar

Motion by Holmes, seconded by Stephens, that the Nighborhood Boundary Consent Calendar be approved. The motion passed by a vote of:

Aye: 4 - Holmes, Howard, Kouba, and Stephens

Absent: 3 - Davis, Flesher, and Gorman

New Application Hearings

- 6.D. N-28762** Application of Ragain Sports, LLC d/b/a Colorado Springs Switchbacks FC for a new Hotel and Restaurant Liquor License at 6303 Barnes Road.

Attachments: [N-28762 - Colorado Springs Switchbacks FC](#)

Chairman Kouba called this item out of order.

Attorney Vince Linden entered his appearance on behalf of the applicant, and requested a postponement of this item to the March 6, 2015 Liquor Board meeting.

Motion by Holmes, seconded by Howard, that this item be postponed to the Liquor Board meeting of March 6, 2015. The motion passed by a vote of:

Aye: 4 - Holmes, Howard, Kouba, and Stephens

Absent: 3 - Davis, Flesher, and Gorman

5. Transfer Application Hearings

- 5.A. T-722370** Application of IHP OPS, LLC & Island Hospitality Management V, Inc. d/b/a Homewood Suites Colorado Springs North to transfer the Hotel and Restaurant Liquor License currently issued to Homewood Suites Management, LLC d/b/a Homewood Suites Colorado Springs North at 9130 Explorer Drive.

Attachments: [T-722370 - Homewood Suites Colorado Springs North](#)

Attorney Brian Proffitt entered his appearance on behalf of the applicant.

Shannon Arwood-Dionese was sworn and stated that she is the General Manager for both the Homewood Suites location as well as the Hilton Garden Inn application on Briargate Parkway. Ms. Arwood-Dionese testified to the elements required for a transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Kathryn Nicoli, proposed Registered Manager for the Homewood Suites application on Explorer Drive, was sworn, but did not testify.

Motion by Stephens, seconded by Holmes, that the application of IHP OPS, LLC & Island Hospitality Management V, Inc. d/b/a Homewood Suites Colorado Springs North to transfer the Hotel and Restaurant Liquor License currently issued to Homewood Suites Management, LLC d/b/a Homewood Suites

Colorado Springs North at 9130 Explorer Drive be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 5 - Davis, Holmes, Howard, Kouba, and Stephens

Absent: 2 - Flesher, and Gorman

- 5.B. T-722371** Application of IHP OPS, LLC & Island Hospitality Management V, Inc. d/b/a Hilton Garden Inn Colorado Springs to transfer the Hotel and Restaurant Liquor License currently issued to IA Urban Hotels Colorado Springs TRS, LLC d/b/a Hilton Garden Inn Colorado Springs at 1810 Briargate Parkway.

Attachments: [T-722371 - Hilton Garden Inn Colorado Springs](#)

Attorney Brian Proffitt entered his appearance on behalf of the applicant.

Shannon Arwood-Dionese was sworn and stated that she is the General Manager for both the Homewood Suites location as well as the Hilton Garden Inn application on Briargate Parkway. Ms. Arwood-Dionese testified to the elements required for a transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Kathryn Nicoli, proposed Registered Manager for the Homewood Suites application on Explorer Drive, was sworn, but did not testify.

Motion by Stephens, seconded by Howard, that the application of IHP OPS, LLC & Island Hospitality Management V, Inc. d/b/a Hilton Garden Inn Colorado Springs to transfer the Hotel and Restaurant Liquor License currently issued to IA Urban Hotels Colorado Springs TRS, LLC d/b/a Hilton Garden Inn Colorado Springs at 1810 Briargate Parkway be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 5 - Davis, Holmes, Howard, Kouba, and Stephens

Absent: 2 - Flesher, and Gorman

- 5.C. T-722425** Application of Travis A. and Jessalyn M. Lawley d/b/a The Front to transfer the Hotel and Restaurant Liquor License currently issued to Bella Vita Software Solutions, Inc. d/b/a The Front at 1670 E. Cheyenne Mountain Boulevard, #E.

Attachments: [T-722425 - The Front](#)

Attorney Vince Linden entered his appearance on behalf of the applicant.

Travis Lawley was sworn and stated that he is the 50% partner and Registered Manager for the business. Mr. Lawley testified to the elements required for the transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Motion by Holmes, seconded by Stephens, that the Application of Travis A. and Jessalyn M. Lawley d/b/a The Front to transfer the Hotel and Restaurant Liquor License currently issued to Bella Vita Software Solutions, Inc. d/b/a The Front at 1670 E. Cheyenne Mountain Boulevard, #E be approved, as it appears all criteria

have been met. The motion passed by a vote of:

Aye: 5 - Davis, Holmes, Howard, Kouba, and Stephens

Absent: 2 - Flesher, and Gorman

6. New Application Hearings

- 6.A. N-28695** Application of Valodi, Inc. d/b/a El Super Taco for a new Hotel and Restaurant Liquor License at 2890 S. Academy Boulevard.

Attachments: [N-28695 - El Super Taco](#)

Attorney Vince Linden entered his appearance on behalf of the applicant.

Gloria Vargas was sworn and stated that she is the 100% owner and President of the company. Ms. Vargas testified to the elements required for a new Hotel and Restaurant Liquor License, and answered questions from the Board.

Susan Duffy Schwall of Liquor Licensing Professionals was sworn and stated that her company conducted a petition survey of the defined neighborhood which resulted in 138 favoring, 11 opposing, and 5 no opinion signatures.

The City Clerk's Office presented its audit of the petition survey, which resulted in no variance to the signatures submitted.

Motion by Davis, seconded by Stephens, that the application of Valodi, Inc. d/b/a El Super Taco for a new Hotel and Restaurant Liquor License at 2890 S. Academy Boulevard be approved, is it appears all criteria have been met. The motion passed by a vote of:

Aye: 5 - Davis, Holmes, Howard, Kouba, and Stephens

Absent: 2 - Flesher, and Gorman

- 6.B. N-28703** Application of Dunbar, Inc. d/b/a Veterans Social Club for a new Tavern Liquor License at 2525 Airport Road.

Attachments: [N-28703 - Veterans Social Club](#)

David Dunbar was sworn and stated that he is the 100% owner, President, and Registered Manager of the company. Mr. Dunbar testified to the elements required for a Tavern Liquor License, and answered questions from the Board. Mr. Dunbar stated that he conducted a petition survey of the defined neighborhood boundary which resulted in 73 favoring, 2 opposing, and 1 no opinion signatures.

The City Clerk's Office presented its audit of the petition survey, which resulted in the deletion of 8 incomplete signature entries.

Motion by Holmes, seconded by Howard, that the application of Dunbar, Inc. d/b/a Veterans Social Club for a new Tavern Liquor License at 2525 Airport Road be approved as it appears all criteria have been met. The motion passed by a vote of:

Aye: 5 - Davis, Holmes, Howard, Kouba, and Stephens

Absent: 2 - Flesher, and Gorman

- 6.C. N-28761** Application of U-Like Co, Inc. d/b/a U-Like Sushi. Grill. Buffet for a new Hotel and Restaurant Liquor License at 3680 Citadel Drive North.

Attachments: [N-28761 - U-Like Sushi. Grill. Buffet](#)

Attorney Erika Kaiser entered her appearance on behalf of the applicant.

Jean Young was qualified and sworn as a Mandarin Chinese interpreter.

ZongJie Zheng was sworn and stated that he is the 100% owner and President of the Company. Mr. Zheng testified to the elements required for a new Hotel and Restaurant Liquor License, and answered questions from the Board.

Susan Duffy Schwall of Liquor Licensing Professionals was sworn and stated that her company conducted a petition survey of the defined neighborhood which resulted in 124 favoring, 7 opposing, and 3 no opinion signatures.

The City Clerk's Office presented its audit of the petition survey, which resulted in no variance to the signatures submitted.

Motion by Davis, seconded by Stephens, that the application of U-Like Co, Inc. d/b/a U-Like Sushi. Grill. Buffet for a new Hotel and Restaurant Liquor License at 3680 Citadel Drive North be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 6 - Davis, Gorman, Holmes, Howard, Kouba, and Stephens

Absent: 1 - Flesher

7. Suspension/Revocation Hearings

- 7.A. S-712827** Suspension/Revocation hearing regarding the Hotel and Restaurant Liquor License issued to Crab Addison, Inc. d/b/a Joes Crab Shack at 805 Citadel Drive.

Attachments: [S-712827 - Joes Crab Shack](#)

Attorney Brain Stewart entered his appearance on behalf of the City, and stated that a stipulated agreement has been reached for the admission of violation as outlined in the Order to Show Cause and Notice of Hearing, and suspension of the Hotel and Restaurant Liquor License, with the license being suspended for a total of twenty (20) days, with seventeen (17) days held in abeyance for one year on the condition of no further violations within that time period, three (3) days of active suspension to be served within the next eight (8) days with the active days to be set by the Board, and that the licensee provide proof of certified training to the City Clerk's Office within sixty (60) days.

Attorney Brian Proffitt entered his appearance on behalf of the licensee,

confirmed the stipulated agreement and admission of violation, and detailed the events surrounding the violations and the steps taken by the licensee to take corrective action. Mr. Proffitt proposed that the active suspension days begin on Monday, February 9, 2015.

Guy Carney was sworn and stated that he is the regional Director of Operations for the licensee, which includes this location, and answered questions from the Board.

Mr. Carney outlined the actions taken by the business since the violation, and stated that all alcohol will be removed during time of active suspension.

Motion by Gorman, seconded by Stephens, that the Board approve the Stipulated Agreement and Admission of Violation. The motion passed by a vote of:

Aye: 5 - Gorman, Holmes, Howard, Kouba, and Stephens

No: 1 - Davis

Absent: 1 - Flesher

Motion by Stephens, seconded by Gorman, that the Board adopt the Findings of Fact, and suspend the Liquor License for twenty (20) days, with seventeen (17) days held in abeyance for one year, and three (3) consecutive days of active suspension to be served beginning Friday, February 6, 2015 at 1:00 P.M. The motion passed by a vote of:

Aye: 5 - Gorman, Holmes, Howard, Kouba, and Stephens

No: 1 - Davis

Absent: 1 - Flesher

8. Adjourn.

At 11:37 A.M., there being no further business, the Board Adjourned.

Lee McRae, License Enforcement Officer.