City of Colorado Springs

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

Meeting Minutes - Final
Liquor and Beer Licensing Board

Friday, March 3, 2017 | **9:00 AM** | **City Council Chambers**

1. Call to Order

Vice Chairman Gorman called the meeting to order at 9:00 A.M., opened the meeting as a regular session, and stated that a quorum was present with Chairman Lee being absent. In the absence of Chairman Lee, Vice Chairman Gorman presided.

Present 6 - Murray Arenson, Mark Clauss, Sean Fitzgerald, Joseph Gorman, Jaswinder Grewal, and Dennis Moore

Absent 1 - Ian Lee

2. Minutes

2.A. M2017-02-03 Approval of the Minutes of the Liquor and Beer Licensing Board meeting of February 3, 2017.

Attachments: 2017-02-03 Liquor Board Meeting Minutes

Motion by Arenson, seconded by Moore, that the Minutes of the Liquor and Beer Licensing Board meeting of February 3, 2017 be approved as written. The motion passed by a vote of:

Aye: 6 - Arenson, Clauss, Fitzgerald, Gorman, Grewal, and Moore

Absent: 1 - Lee

3. Communications

There was no action on this item.

4. Transfer Application Hearings

4.A. T-725361 Application of Schulte Catering HH CO Springs, LLC d/b/a Hyatt House Colorado Springs to transfer the Tavern Liquor License currently issued to Sage Eleven Portfolio Manager, LLC d/b/a Hyatt House Colorado Springs, with conversion to a Lodging and Entertainment Liquor License at 5805 Delmonico Drive.

Attachments: T-725361 - Hyatt House Colorado Springs

This item includes a subsequent conversion from a Tavern Liquor License to a Lodging and Entertainment Liquor License.

Attorney Adam Stapen entered his appearance on behalf of the applicant.

Nicole Taylor was sworn and stated that she is the Registered Manager of the business. Ms. Taylor testified to the elements required for a transfer of the Tavern Liquor License, and answered questions from the Board.

Lisa Smolar was sworn and stated that she is the area Task Force Manager and training manager for the company. Ms. Smolar testified to the elements required for a transfer of the Tavern Liquor License, and answered questions from the Board.

Motion by Clauss, seconded by Moore, that the application of Schulte Catering HH CO Springs, LLC d/b/a Hyatt House Colorado Springs to transfer the Tavern Liquor License currently issued to Sage Eleven Portfolio Manager, LLC d/b/a Hyatt House Colorado Springs, with conversion to a Lodging and Entertainment Liquor License at 5805 Delmonico Drive be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 6 - Arenson, Clauss, Fitzgerald, Gorman, Grewal, and Moore

Absent: 1 - Lee

4.B. T-725388 Application of Fun Eats and Drinks, LLC d/b/a Fox & Hound #65092 to transfer the Hotel and Restaurant Liquor License currently issued to Last Call Operating Co I, Inc. d/b/a Fox & Hound Pub & Grille at 3101 New Center Point.

Attachments: T-725388 - Fox & Hound #65092

This item was postponed from the Liquor and Beer Licensing Board meeting of February 3, 2017, Item No. 4C.

Board Member Fitzgerald recused himself from this item.

Attorney Kelly Pietrs entered her appearance on behalf of the applicant.

Jonathan Butroin was sworn and stated that he is the District Manager of the company. Mr. Butroin testified to the elements required for a transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Motion by Clauss, seconded by Arenson, that the application of Fun Eats and Drinks, LLC d/b/a Fox & Hound #65092 to transfer the Hotel and Restaurant Liquor License currently issued to Last Call Operating Co I, Inc. d/b/a Fox & Hound Pub & Grille at 3101 New Center Point be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 5 - Arenson, Clauss, Gorman, Grewal, and Moore

Absent: 2 - Fitzgerald, and Lee

4.C. T-725405 Application of Johnnie's Liquor, LLC d/b/a Johnnie's Liquor to transfer the Retail Liquor Store License currently issued to Neelesh S. Patel d/b/a Johnnie's Liquor Store at 1725 S. Nevada Avenue.

Attachments: T-725405 - Johnnie's Liquor

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

Arun Amin was sworn and stated that he is the sole owner of the business. Mr. Amin testified to the elements required for a transfer of the Retail Liquor Store License, and answered questions from the Board.

Motion by Arenson, seconded by Grewal, that the application of Johnnie's Liquor, LLC d/b/a Johnnie's Liquor to transfer the Retail Liquor Store License currently issued to Neelesh S. Patel d/b/a Johnnie's Liquor Store at 1725 S. Nevada Avenue be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 6 - Arenson, Clauss, Fitzgerald, Gorman, Grewal, and Moore

Absent: 1 - Lee

5. New Application Hearings

5.A. N-31643 Application of Buffalo Lodge Bicycle Resort, LLC d/b/a Buffalo Lodge Bicycle Resort for a new Lodging and Entertainment Liquor License at 2 El Paso Boulevard.

Attachments: N-31643 - Buffalo Lodge Bicycle Resort

Vice Chairman Gorman disclosed a personal knowledge of one of the owners of the applicant. There was no objection to Mr. Gorman hearing the item.

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

Torie Giffin was sworn and stated that she is a 60% owner and Registered Manager of the business. Ms. Giffin testified to the elements required for a new Lodging and Entertainment Liquor License, and answered questions from the Board.

Eva Garretson of Liquor Licensing Professionals was sworn and stated that the company conducted a petition survey of the defined neighborhood which resulted in 125 favoring, 18 opposing, and 9 no opinion signatures.

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

Cindy Hooton was sworn and stated that she is an owner of a business in the defined neighborhood, and spoke in favor of the application.

Nathan Giffin was sworn, but did not testify.

Motion by Clauss, seconded by Arenson, that the application of Buffalo Lodge Bicycle Resort, LLC d/b/a Buffalo Lodge Bicycle Resort for a new Lodging and Entertainment Liquor License at 2 El Paso Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 6 - Arenson, Clauss, Fitzgerald, Gorman, Grewal, and Moore

Absent: 1 - Lee

5.B. N-31802 Application of El Super Taco Mariscos, LLC d/b/a El Super Taco Mariscos for a new Hotel and Restaurant Liquor License at 6502 S. Academy Boulevard.

Attachments: N-31802 - El Super Taco Mariscos

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

Diana Diaz was sworn and stated that she is a 50% owner of the business. Ms. Diaz testified to the elements required for a new Hotel and Restaurant Liquor License, and answered questions from the Board.

Eva Garretson of Liquor Licensing Professionals was sworn and stated that the company conducted a petition survey of the defined neighborhood which resulted in 126 favoring, 12 opposing, and 10 no opinion signatures.

The City Clerk's Office presented its audit of the petition which resulted in the deletion of one favoring signature.

Motion by Clauss, seconded by Grewal, that the application of El Super Taco Mariscos, LLC d/b/a El Super Taco Mariscos for a new Hotel and Restaurant Liquor License at 6502 S. Academy Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 6 - Arenson, Clauss, Fitzgerald, Gorman, Grewal, and Moore

Absent: 1 - Lee

5.C. N-31848 Application of Davis & Martinkoewitz, LLC d/b/a The Potato House for a new Hotel and Restaurant Liquor License at 2220 Academy Place.

Attachments: N-31848 - The Potato House

Appearing pro se, Jessica Martinkoewitz was sworn and stated that she is a 50% owner of the business. Ms. Martinkoewitz testified to the elements required for a new Hotel and Restaurant Liquor License, and answered questions from the Board.

Ms. Martinkoewitz stated that the business conducted a petition survey of the defined neighborhood which resulted in 100 favoring, 0 opposing, and 3 no opinion signatures.

The City Clerk's Office presented its audit of the petition which resulted in the deletion of four favoring signatures.

Motion by Clauss, seconded by Grewal, that the application of Davis & Martinkoewitz, LLC d/b/a The Potato House for a new Hotel and Restaurant

Liquor License at 2220 Academy Place be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 6 - Arenson, Clauss, Fitzgerald, Gorman, Grewal, and Moore

Absent: 1 - Lee

6. Adjourn.

At 10:44 A.M., there being no further business, the Board Adjourned.

Lee McRae, License Enforcement Officer