



City of Colorado Springs

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

Meeting Minutes - Final Liquor and Beer Licensing Board

Friday, December 5, 2014

9:00 AM

City Council Chambers

1. Call to Order

Chairman Kouba called the meeting to order at 9:02 A.M., opened the meeting as a regular session, and stated that a quorum was present with Board Members Davis and Gorman being absent. Mr. Davis and Mr. Gorman arrived during the meeting.

Present 5 - Mark Clauss, Dianne Holmes, Gregory Howard, Randall Kouba, and Charles J. Stephens
Absent 2 - Logan Davis, and Joseph Gorman

2. Minutes

2.A. [M2014-11-21](#) Approval of the Minutes of the Liquor Board meeting of November 21, 2014.

Attachments: [2014-11-21 Liquor Board Meeting Minutes](#)

Motion by Stephens, seconded by Clauss, that the Minutes of the Liquor Board meeting of November 21, 2014 be approved as written. The motion passed by a vote of:

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

Absent: 2 - Davis, and Gorman

3. Communications

There was no action on this item.

4. Neighborhood Boundary Consent Calendar

4.A. [B-28594](#) Springs In My Kilt, LLC d/b/a Tilted Kilt Pub & Eatery, for a Modification of Premises of the Hotel and Restaurant Liquor License at 7061 Commerce Center Drive.

Attachments: [B-28594 - Tilted Kilt Pub & Eatery - Liquor Survey Boundary](#)

4.B. [B-28676](#) JTI Plus, LLC d/b/a The Hub Carwash Diner, for a new Hotel and Restaurant Liquor License at 4460 Forest Hill Road.

Attachments: [B-28676 - The Hub Carwash Diner - Liquor Survey Boundary](#)

- 4.C. [B-24562](#) CWS Liquor, LLC d/b/a Frontier Liquor, for a Change of Location of the Retail Liquor Store License to 1705 S. Academy Boulevard.

Attachments: [B-24562 - Frontier Liquor - Liquor Survey Boundary](#)

Approval of the Neighborhood Boundary Consent Calendar

Motion by Holmes, seconded by Clauss, that all matters on the Consent Calendar be approved. The motion passed by a vote of:

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

Absent: 2 - Davis, and Gorman

5. Transfer Application Hearings

- 5.A. [T-722240](#) Application of MDD Bassi, Inc. d/b/a United Wine and Liquor to transfer the Retail Liquor Store License currently issued to United Wine and Liquor, LLC d/b/a United Wine and Liquor at 5752 N. Academy Boulevard.

Attachments: [T-722240 - United Wine and Liquor](#)

Attorney Vince Linden entered his appearance on behalf of the applicant. Mr. Linden related the difficulty experienced in finding a qualified interpreter for this applicant, and requested that this item be postponed to the Liquor Board meeting of December 19, 2014, in order to secure a foreign language interpreter.

Motion by Stephens, seconded by Howard, that this item be postponed to the Liquor Board meeting of December 19, 2014. The motion passed by a vote of:

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

Absent: 1 - Davis

- 5.B. [T-722303](#) Application of Linwin, Inc. d/b/a Sushi Rakkyo to transfer the Hotel and Restaurant Liquor License currently issued to Hong & YP, Inc. d/b/a Sushi Rakkyo at 9205 N. Union Boulevard, #2-100.

Attachments: [T-722303 - Sushi Rakkyo](#)

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

Zhen Chun Liu was sworn and stated that he is 100% owner and President of the company. Mr. Liu testified to the elements required for a transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Motion by Stephens, seconded by Howard, that the application of Linwin, Inc. d/b/a Sushi Rakkyo to transfer the Hotel and Restaurant Liquor License currently issued to Hong & YP, Inc. d/b/a Sushi Rakkyo at 9205 N. Union Boulevard, #2-100 be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Clauss, Davis, Gorman, Holmes, Howard, Kouba, and Stephens

- 5.C.** [T-722305](#) Application of SAS Properties, LLC d/b/a Mother Muff's to transfer the Hotel and Restaurant Liquor License currently issued to Sabers, Anchors, & Valkyries, LLC d/b/a Meadow Muffins at 2432 W. Colorado Avenue.

Attachments: [T-722305 - Mother Muff's](#)

Board member Howard recused himself from this item.

Attorney Michael Obernesser entered his appearance on behalf of the applicant.

Susan Hirt was sworn and stated that she is 33% owner and managing member of the company. Ms. Hirt testified to the elements required for a transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Motion by Holmes, seconded by Gorman, that the application of SAS Properties, LLC d/b/a Mother Muff's to transfer the Hotel and Restaurant Liquor License currently issued to Sabers, Anchors, & Valkyries, LLC d/b/a Meadow Muffins at 2432 W. Colorado Avenue be approved, as it appears all criteria have been met. The motion passed by a vote of:

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

Recused: 1 - Howard

- 5.D.** [T-722267](#) Application of MCK Wild Company d/b/a Wild Stein Liquors to transfer the Retail Liquor Store License currently issued to MC Squared, Inc. d/b/a Betcha Liquors at 5406 N. Academy Boulevard.

Attachments: [T-722267 - Wild Stein Liquors](#)

Kenneth Wildenstein was sworn and stated that he is 99% owner and President of the company. Mr. Wildenstein testified to the elements required for a transfer of the Retail Liquor Store License, and answered questions from the Board.

Crystal Wildenstein was sworn and stated that she is the 1% owner and Vice-President of the company. Ms. Wildenstein testified to the elements required for a transfer of the Retail Liquor Store License, and answered questions from the Board.

Motion by Clauss, seconded by Davis, that the application of MCK Wild Company d/b/a Wild Stein Liquors to transfer the Retail Liquor Store License currently issued to MC Squared, Inc. d/b/a Betcha Liquors at 5406 N. Academy Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Clauss, Davis, Gorman, Holmes, Howard, Kouba, and Stephens

- 5.E.** [T-722297](#) Application of Springs In My Kilt, LLC d/b/a Tilted Kilt Pub & Eatery

to transfer the Hotel and Restaurant Liquor License currently issued to TGI Friday's of the Rockies, Inc. d/b/a TGI Friday's at 7061 Commerce Center Drive.

Attachments: [T-722297 - Tilted Kilt Pub & Eatery](#)

Attorney Kevin Coates entered his appearance on behalf of the applicant.

Michael Garrison was sworn and stated that he is the Managing Member of the company. Mr. Garrison testified to the elements required for a transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Kristi Mott and Cindy Garrison were sworn but did not testify.

Motion by Clauss, seconded by Davis, that the application of Springs In My Kilt, LLC d/b/a Tilted Kilt Pub & Eatery to transfer the Hotel and Restaurant Liquor License currently issued to TGI Friday's of the Rockies, Inc. d/b/a TGI Friday's at 7061 Commerce Center Drive be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Clauss, Davis, Gorman, Holmes, Howard, Kouba, and Stephens

6. Modification of the Premises

- 6.A.** [M-722297](#) Application of Springs In My Kilt, LLC d/b/a Tilted Kilt Pub & Eatery to modify the premises of the Hotel and Restaurant Liquor License at 7061 Commerce Center Drive.

Attachments: [M-722297 - Tilted Kilt Pub & Eatery \(MOD\)](#)

Attorney Kevin Coates entered his appearance on behalf of the applicant.

Michael Garrison was sworn and stated that he is the Managing Member of the company. Mr. Garrison testified to the elements required for a modification of premises of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Mr. Garrison outlined the changes to the building that were made to the premises by the prior licensee that was not filed or approved by the Board, but was discovered in the transfer application process, and requested approval for the existing layout.

Mr. Coates entered a letter into evidence from the General Manager of the Fairfield Inn by Marriot in support of the modification.

Mallory Cullen was sworn and stated that she is the owner and manager of the neighboring Outback Steakhouse, and spoke in favor of the modification.

Motion by Clauss, seconded by Holmes, that the application of Springs In My Kilt, LLC d/b/a Tilted Kilt Pub & Eatery to modify the premises of the Hotel and Restaurant Liquor License at 7061 Commerce Center Drive be approved, as it appears that all criteria have been met. The motion passed by a vote of:

Aye: 7 - Clauss, Davis, Gorman, Holmes, Howard, Kouba, and Stephens

- 6.B. [M-721440](#) Application of Sage Eleven Portfolio, LLC d/b/a Hyatt House Colorado Springs to modify the premises of the Tavern Liquor License at 5805 Delmonico Drive.

Attachments: [M-721440 - Hyatt House Colorado Springs](#)

Nick Kelley was sworn and stated that he is the General Manager for this location. Mr. Kelley testified to the elements required for a modification of premises for the Tavern Liquor License, and answered questions from the Board.

Susan Duffy Schwall of Liquor License Professionals was sworn and stated that her company conducted a petition survey of the defined neighborhood which resulted in 62 favoring, 7 opposing, and 4 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 Stephens, seconded by Gorman, that the application of Sage Eleven Portfolio, LLC d/b/a Hyatt House Colorado Springs to modify the premises of the Tavern Liquor License at 5805 Delmonico Drive be approved, as it appears that all criteria have been met. The motion passed by a vote of:

Aye: 7 - Clauss, Davis, Gorman, Holmes, Howard, Kouba, and Stephens

7. New Application Hearings

- 7.A. [N-28589](#) Application of Circle K Stores, Inc. d/b/a Circle K Store #2703293 for a new 3.2% Beer Off-Premises License at 5995 Dublin Boulevard.

Attachments: [N-28589 - Circle K Store #2703293](#)

Attorney Kevin Coates entered his appearance on behalf of the applicant.

Susan Duffy Scwhall of Liquor License Professionals was sworn and stated that her company conducted a petition survey of the defined neighborhood which resulted in 119 favoring, 25 opposing, and 15 no opinion signatures.

The City Clerk's Office presented its audit of the petition survey which resulted in a corrected number of 24 opposing signatures with no other variances found.

Steve Maeda was sworn and stated that he is the Operations Director for 66 stores in Colorado. Mr. Maeda testified to the elements required for a new 3.2% Beer License, and answered questions from the Board.

Kelley Johnson and Jason Fritz were sworn but did not testify.

Motion by Clauss, seconded by Howard, that the application of Circle K Stores, Inc. d/b/a Circle K Store #2703293 for a new 3.2% Beer Off-Premises License at 5995 Dublin Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Clauss, Davis, Gorman, Holmes, Howard, Kouba, and Stephens

8. Adjourn.

At 10:22 A.M., there being no further business, the Board Adjourned.

Lee McRae, License Enforcement Officer.