



City of Colorado Springs

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

Meeting Minutes - Draft Liquor and Beer Licensing Board

Friday, November 7, 2014

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 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. M2014-10-17** Approval of the Minutes of the Liquor Board meeting of October, 17, 2014.

Attachments: [2014-10-17 Liquor Board Meeting Minutes](#)

Motion by Howard, seconded by Clauss, that the Minutes of the Liquor Board meeting of October 17, 2014 be approved as written. The motion passed by a vote of:

- Yes:** 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-28565** American Spirit Liquor, LLC d/b/a American Spirit Liquor, for a new Retail Liquor Store License at 3842 N. Nevada Avenue.

Attachments: [B-28565 - American Spirit Liquor - Liquor Survey Boundary](#)

- 4.B. B-28589** 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: [B-28589 - Circle K Store #2703293 - Liquor Survey Boundary](#)

- 4.C. B-28608** Who Would Imagine, Inc. d/b/a Pals Pizza and Italian Beef, for a new Hotel and Restaurant Liquor License at 1919 E. Boulder Street.

Attachments: [B-28608 - Pals Pizza and Italian Beef - Liquor Survey Boundary](#)

- 4.D. B-27685** Sage Eleven Portfolio Manager, LLC d/b/a Hyatt House Colorado Springs, for a Modification of the Premises of the Tavern Liquor License at 5805 Delmonico Drive.

Attachments: [B-27685 - Hyatt House Colorado Springs - Liquor Survey Boundary](#)

Approval of the Neighborhood Boundary Consent Calendar

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

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

Absent: 2 - Davis, and Gorman

5. Transfer Application Hearings

- 5.A. T-722272** Application of CM EBAR, LLC d/b/a Elephant Bar Restaurant to transfer the Hotel and Restaurant Liquor License currently issued to S. B. Restaurant Co d/b/a Elephant Restaurant at 7585 N. Academy Boulevard.

Attachments: [T-722272 - Elephant Bar Restaurant](#)

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

Michael Tuttle was sworn and stated that he is the Registered Manager for the applicant. Mr. Tuttle testified to the elements required for the transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Motion by Stephens, seconded by Clauss, that the application of CM EBAR, LLC d/b/a Elephant Bar Restaurant to transfer the Hotel and Restaurant Liquor License currently issued to S. B. Restaurant Co d/b/a Elephant Restaurant at 7585 N. Academy Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:

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

- 5.B. T-722189** Application of Joscono Company d/b/a Payless Liquors to transfer the Retail Liquor Store License currently issued to BLW, Ltd d/b/a Payless Liquors at 3472 Research Parkway.

Attachments: [T-722189 - Payless Liquors](#)

Scott Novak was sworn and stated that he is the President and 82% owner of the company. Mr. Novak 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 Holmes, that the application of Joscono Company d/b/a Payless Liquors to transfer the Retail Liquor Store License currently issued to BLW, Ltd d/b/a Payless Liquors at 3472 Research Parkway be approved, as it appears all criteria have been met. The motion passed by a

vote of:

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

6. New Application Hearings

6.A. N-28437 Application of Knee Bar, LLC d/b/a Knee Bar for a new Beer and Wine License at 21 N. Nevada Avenue.

Attachments: [N-28437 - Knee Bar](#)

Board Member Howard recused himself from this item.

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

Joseph Grosjean was sworn and stated that he is the 50% owner and Managing Member of the company. Mr. Grosjean testified to the elements required for a new Beer and Wine License, and answered questions from the Board.

Sue Duffy Schwall of Liquor Licensing Professionals was sworn and stated that the company conducted a survey petition of the defined neighborhood which resulted in 139 favoring, 1 opposing, and 2 no opinion signatures.

The City Clerk's Office presented its audit of the survey petition which resulted in the deletion of one signature for being out of the boundary area.

Mr. Grosjean stated that an amended diagram and sub-lease will be submitted to reflect the discussed changes to the premises.

Motion by Stephens, seconded by Clauss, that the application of Knee Bar, LLC d/b/a Knee Bar for a new Beer and Wine License at 21 N. Nevada Avenue be approved with the submission of an amended diagram and sub-lease, as it appears all criteria have been met. The motion passed by a vote of:

Yes: 5 - Clauss, Gorman, Holmes, Kouba, and Stephens

No: 1 - Davis

Absent: 1 - Howard

7. Adjourn.

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

Lee McRae, License Enforcement Officer.