



# City of Colorado Springs

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

## Meeting Minutes - Draft Liquor and Beer Licensing Board

---

Friday, April 17, 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 and Holmes being absent.*

**Present** 5 - Joseph Gorman, Gregory Howard, Randall Kouba, Ian Lee, and Dennis Moore

**Absent** 2 - Logan Davis, and Dianne Holmes

### 2. Minutes

2.A. [M2015-04-03](#) Approval of the Minutes of the Liquor Board meeting of April 3, 2015.

**Attachments:** [2015-04-03 - Liquor Board Meeting Minutes](#)

**Motion by Howard, seconded by Gorman, that the Minutes of the Liquor Board meeting of April 3, 2015 be approved as written. The motion passed by a vote of:**

**Aye:** 5 - Gorman, Howard, Kouba, Lee, and Moore

**Absent:** 2 - Davis, and Holmes

### 3. Communications

*There was no action on this item.*

### 4. Neighborhood Boundary Consent Calendar

4.A. [B-29059](#) Triple S Brewing, LLC d/b/a Triple S Brewing for a new Brew Pub Liquor License at 318 E. Colorado Avenue.

**Attachments:** [B-25059 - Triple S Brewing - Liquor Survey Boundary](#)

4.B. [B-29066](#) LZJ, Inc. d/b/a Makino Asian Bistro for a new Hotel and Restaurant Liquor License at 5760 N. Academy Boulevard.

**Attachments:** [B-29066 - Makino Asian Bistro - Liquor Survey Boundary](#)

## Approval of the Neighborhood Boundary Consent Calendar

**Motion by Howard, seconded by Moore, that the Neighborhood Boundary Consent Calendar be approved. The motion passed by a vote of:**

**Aye:** 5 - Gorman, Howard, Kouba, Lee, and Moore

**Absent:** 2 - Davis, and Holmes

### 5. Transfer Application Hearings

- 5.A.** [T-722569](#) Application of Mount View, LLC d/b/a Acme Bar & Grill to transfer the Hotel and Restaurant Liquor License currently issued to Mormar, Inc. d/b/a Estela's Mexican Restuarant at 925 S. 8th Street.

**Attachments:** [T-722569 - Acme Bar & Grill](#)

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

*Ashley Deroche was sworn and stated that she is the 100% owner and Managing Member of the business. Ms. Deroche testified to the elements required for the transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.*

**Motion by Moore, seconded by Howard, that the application of Mount View, LLC d/b/a Acme Bar & Grill to transfer the Hotel and Restaurant Liquor License currently issued to Mormar, Inc. d/b/a Estela's Mexican Restuarant at 925 S. 8th Street be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 5 - Gorman, Howard, Kouba, Lee, and Moore

**Absent:** 2 - Davis, and Holmes

### 7. Suspension/Revocation Hearings

- 7.A.** [S-1213](#) Suspension/Revocation hearing concerning the Retail Liquor Store License issued to Quality Liquors, LLC d/b/a Quality Liquors, LLC at 2871 N. Murray Boulevard.

**Attachments:** [S-1213 - Quality Liquors](#)

*Chairman Kouba Called this item out of order.*

*City Prosecution Attorney Michael Curran entered his appearance of behalf of the City.*

*Attorney William Holtz entered his appearance on behalf of the licensee.*

*Mr. Curran stated that the City and the Licensee have reached a stipulated agreement. Mr. Curran submitted the signed stipulated agreement reflecting*

*an admission of violation as outlined in the Order to Show Cause for sales to a minor, and submitted a proposed Findings, Conclusion and Order that mirrors the stipulated violations and penalty.*

*Mr. Holtz confirmed the licensee's understanding and conditions of the stipulated agreement, and answered questions from the Board.*

**Motion by Howard, seconded by Lee, that the Board accept the Stipulation and Admission of Violation for a Sale to Minor on February 5, 2015. The motion passed by a vote of:**

**Aye:** 5 - Gorman, Howard, Kouba, Lee, and Moore

**Absent:** 2 - Davis, and Holmes

**Motion by Howard, seconded by Lee, that the Retail Liquor Store License issued to Quality Liquors, LLC d/b/a Quality Liquors, LLC at 2871 N. Murray Boulevard be suspended for 10 days, with 5 days being held in abeyance for one year, and 5 active days to be served beginning Friday, April 17, 2015 at 12:00 P.M. and ending on Wednesday, April 22, 2015 at 12:00 P.M., and that the premises be posted in accordance with Regulation 47-600(F). The motion passed by a vote of:**

**Aye:** 5 - Gorman, Howard, Kouba, Lee, and Moore

**Absent:** 2 - Davis, and Holmes

### **Transfer Application Hearings - Continued**

- 5.B.** [T-722599](#) Application of Quick-Way Retail Associates II, Ltd. d/b/a Valero Diamond Shamrock to transfer the 3.2% Beer Off Premises License currently issued to CST Metro, LLC d/b/a Diamond Shamrock Corner Store #0673 at 712 E. Fillmore Street.

**Attachments:** [T-722599 - Valero Diamond Shamrock \(Fillmore\)](#)

*Attorney Kelley Elefant entered her appearance on behalf of the applicant.*

*Robert Zipperstein was sworn and stated that he is the District Manager for the company. Mr. Zipperstein testified to elements required for the transfer of the 3.2% Beer Off-Premises License, and answered questions from the Board.*

**Motion by Gorman, seconded by Howard, that the application of Quick-Way Retail Associates II, Ltd. d/b/a Valero Diamond Shamrock to transfer the 3.2% Beer Off Premises License currently issued to CST Metro, LLC d/b/a Diamond Shamrock Corner Store #0673 at 712 E. Fillmore Street be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 5 - Gorman, Howard, Kouba, Lee, and Moore

**Absent:** 2 - Davis, and Holmes

- 5.C.** [T-722600](#) Application of Quick-Way Retail Associates II, Ltd. d/b/a Valero Diamond Shamrock to transfer the 3.2% Beer Off Premises License currently issued to CST Metro, LLC d/b/a Diamond Shamrock Corner Store #4071 at 5790 Carefree Circle.

**Attachments:** [T-722600 - Valero Diamond Shamrock \(Carefree\)](#)

*Attorney Kelley Elefant entered her appearance on behalf of the applicant.*

*Robert Zipperstein was sworn and stated that he is the District Manager for the company. Mr. Zipperstein testified to elements required for the transfer of the 3.2% Beer Off-Premises License, and answered questions from the Board.*

**Motion by Gorman, seconded by Moore, that the application of Quick-Way Retail Associates II, Ltd. d/b/a Valero Diamond Shamrock to transfer the 3.2% Beer Off Premises License currently issued to CST Metro, LLC d/b/a Diamond Shamrock Corner Store #4071 at 5790 Carefree Circle be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 5 - Gorman, Howard, Kouba, Lee, and Moore

**Absent:** 2 - Davis, and Holmes

## **6. New Application Hearings**

- 6.A.** [N-28946](#) Application of Quick-Way Retail Associates II, Ltd. d/b/a Valero Diamond Shamrock for a new 3.2% Beer Off Premises License at 3808 E. La Salle Street.

**Attachments:** [N-28946 - Valero Diamond Shamrock \(La Salle\)](#)

*Attorney Kelley Elefant entered her appearance on behalf of the applicant.*

*Max Scott of Oedipus, Inc. was sworn and stated that his company conducted a petition survey of the defined neighborhood boundary which resulted in 155 favoring, 25 opposing, and 7 no opinion signatures.*

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

*Robert Zipperstein was sworn and stated that he is the District Manager for the company. Mr. Zipperstein testified to elements required for the transfer of the 3.2% Beer Off-Premises License, and answered questions from the Board.*

**Motion by Gorman, seconded by Howard, that the application of Quick-Way Retail Associates II, Ltd. d/b/a Valero Diamond Shamrock for a new 3.2% Beer Off Premises License at 3808 E. La Salle Street be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 5 - Gorman, Howard, Kouba, Lee, and Moore

**Absent:** 2 - Davis, and Holmes

## **8. Adjourn.**

**At 9:43 A.M., there being no further business, the Board Adjourned.**

**Lee McRae, License Enforcement Officer**