



City of Colorado Springs

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

Meeting Minutes - Final Liquor and Beer Licensing Board

Friday, August 19, 2016

9:00 AM

City Council Chambers

1. Call to Order

Chairman Kouba called the meeting to order at 9:04 A.M., opened the meeting as a regular session, and stated that a quorum was present with no Board Members being absent.

Present 7 - Murray Arenson, Mark Clauss, Joseph Gorman, Jaswinder Grewal, Randall Kouba, Ian Lee, and Dennis Moore

2. Minutes

- 2.A. [M2016-08-05](#) Approval of the Minutes of the Liquor and Beer Licensing Board meeting of August 5, 2016.

Attachments: [2016-08-05 Liquor Board Meeting Minutes](#)

Motion by Gorman, seconded by Moore, that the Minutes of the Liquor and Beer Licensing Board meeting of August 5, 2016 be approved as written. The motion passed by a vote of:

Aye: 7 - Arenson, Clauss, Gorman, Grewal, Kouba, Lee, and Moore

3. Communications

The City Clerk's Office reported requests to hear item numbers 7A and 7B out of order for potential stipulated agreements.

7. Suspension/Revocation Hearings

- 7.A. [S-718184](#) Suspension/Revocation hearing regarding the Retail Liquor Store License issued to CWS Liquor, LLC d/b/a Academy Liquor Mart at 1705 S. Academy Boulevard.

Attachments: [S-718184 - Academy Liquor Mart](#)

Chairman Kouba called this item out of order.

Chief Prosecution attorney Michael Curran entered his appearance on behalf of the City.

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

Mr. Curran stated that the City and the Licensee have reached a stipulated agreement reflecting an admission of violation as outlined in the Order to Show

Cause for Sale to Minor, and submitted a proposed Finding Conclusion and Order that mirrors the stipulated violation and penalty. The proposed order contemplates a 30 day suspension with 15 days to be held in abeyance for one year, and 15 active days to be served at the Board's discretion.

Mr. Linden confirmed the Licensee's understanding and conditions of the stipulated agreement and answered questions from the Board.

Motion by Gorman, seconded by Grewal, to accept the Stipulated Agreement and adopt the Findings, Conclusion and Order suspending the Retail Liquor Store License issued to CWS Liquor, LLC d/b/a Academy Liquor Mart at 1705 S. Academy Boulevard for 30 days, with 15 days to be held in abeyance for one year, and 15 active days to be served beginning August 19, 2016 at 12:00 P.M. and ending September 3, 2016 at 12:00 P.M. The motion passed by a vote of:

Aye: 7 - Arenson, Clauss, Gorman, Grewal, Kouba, Lee, and Moore

- 7.B. [S-710585](#)** Suspension/Revocation hearing regarding the Retail Liquor Store License issued to Academy Discount Liquor, Inc. d/b/a Academy Discount Liquor at 1210 N. Academy Boulevard.

Attachments: [S-710585 - Academy Discount Liquor](#)

Chairman Kouba called this item out of order.

Chief Prosecution attorney Michael Curran entered his appearance on behalf of the City.

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

Mr. Curran stated that the City and the Licensee have reached a stipulated agreement reflecting an admission of violation as outlined in the Order to Show Cause for Sale to Minor, and submitted a proposed Finding Conclusion and Order that mirrors the stipulated violation and penalty. The proposed order contemplates a 10 day suspension with 9 days to be held in abeyance for one year, and 1 active day to be served at the Board's discretion.

Mr. Linden confirmed the Licensee's understanding and conditions of the stipulated agreement and answered questions from the Board.

Motion by Gorman, seconded by Moore, to accept the Stipulated Agreement and adopt the Findings, Conclusion and Order suspending the Retail Liquor Store License issued to Academy Discount Liquor, Inc. d/b/a Academy Discount Liquor at 1210 N. Academy Boulevard for 10 days, with 9 days to be held in abeyance for one year, and 1 active day to be served beginning August 19, 2016 at 3:00 P.M. and ending August 20, 2016 at 3:00 P.M. The motion passed by a vote of:

Aye: 7 - Arenson, Clauss, Gorman, Grewal, Kouba, Lee, and Moore

4. Transfer Application Hearings

- 4.A. [T-724482](#)** Application of J. J. Sushi, LLC d/b/a J. Sushi & Bar to transfer the Hotel and Restaurant Liquor License currently issued to Mobo, LLC

d/b/a Mobo Sushi at 5975 N. Academy Boulevard, #209.

Attachments: [T-724482 - J Sushi & Bar](#)

Attorney Carl Ream entered his appearance on behalf of the applicant.

Jae Hyon Park was sworn and stated that he is the 100% owner and manager of the business. Mr. Park 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 J. J. Sushi, LLC d/b/a J. Sushi & Bar to transfer the Hotel and Restaurant Liquor License currently issued to Mobo, LLC d/b/a Mobo Sushi at 5975 N. Academy Boulevard, #209 be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Arenson, Clauss, Gorman, Grewal, Kouba, Lee, and Moore

- 4.B. [T-724609](#)** Application of Organic Operations, LLC d/b/a Extreme Pizza to transfer the Hotel and Restaurant Liquor License currently issued to Five Smooth Stones, LLC d/b/a Extreme Pizza at 7340 N. Academy Boulevard.

Attachments: [T-724609 - Extreme Pizza](#)

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

Paul Neufeld was sworn and stated that he is a 37.5% owner of the business. Mr. Neufeld testified to the elements required for a transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Kristin Agrimson was sworn and stated that she is a 12.5% owner and manager of the business. Ms. Agrimson testified to the elements required for a transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.

Michael Neufeld, Kimberly Neufeld, and Nathan Agrimson, were sworn, but did not testify.

Motion by Arenson, seconded by Lee, that the application of Organic Operations, LLC d/b/a Extreme Pizza to transfer the Hotel and Restaurant Liquor License currently issued to Five Smooth Stones, LLC d/b/a Extreme Pizza at 7340 N. Academy Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Arenson, Clauss, Gorman, Grewal, Kouba, Lee, and Moore

5. Modification of the Premises

- 5.A. [M-709491](#)** Application of Service America Corporation d/b/a Pikes Peak Center for a Modification of Premises of the Tavern Liquor License at 190 S. Cascade Avenue.

Attachments: [M-709491 - Pikes Peak Center](#)

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

Kyle Kovalik was sworn and stated that he is the General Manager of the licensee for the Colorado Springs locations. Mr. Kovalik testified to the elements required for a Modification of Premises of the Tavern 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 boundary which resulted in 84 favoring, 1 opposing, and 1 no opinion signatures.

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

Motion by Clauss, seconded by Grewal, that the application of Service America Corporation d/b/a Pikes Peak Center for a Modification of Premises of the Tavern Liquor License at 190 S. Cascade Avenue be approved as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Arenson, Clauss, Gorman, Grewal, Kouba, Lee, and Moore

6. New Application Hearings

- 6.A.** [N-30677](#) Application of Narmada, Inc. d/b/a Shri Ganesh for a new Beer and Wine License at 11550 Ridgeline Drive, #126-130.

Attachments: [N-30677 - Shri Ganesh](#)

This item was postponed from the Liquor and Beer Licensing Board meetings of July 15, 2016, Item No. 4B, and August 5, 2016, Item No. 5A.

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

Keshav Raj Adhikari was sworn and stated that he is the President and manager of the business. Mr. Adhikari testified to the elements required for a new Beer and Wine 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 boundary which resulted in 140 favoring, 6 opposing, and 12 no opinion signatures.

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

Motion by Clauss, seconded by Lee, that the application of Narmada, Inc. d/b/a Shri Ganesh for a new Beer and Wine License at 11550 Ridgeline Drive, #126-130 be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Arenson, Clauss, Gorman, Grewal, Kouba, Lee, and Moore

- 6.B.** [N-30955](#) Application of Tacos El Guero, LLC d/b/a Tacos El Guero for a new

Hotel and Restaurant Liquor License at 1853 S. Academy Boulevard.

Attachments: [N-30955 - Tacos El Guero](#)

Appearing pro se, Juan Lerma was sworn and stated that he is the 100% owner and manager of the business. Mr. Lerma testified to the elements required for a new Hotel and Restaurant Liquor License, and answered questions from the Board.

Mr. Lerma testified that a petition survey was conducted of the defined neighborhood boundary which resulted in 53 favoring, 0 opposing, and 0 no opinion signatures.

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

Motion by Gorman, seconded by Lee, that the application of Tacos El Guero, LLC d/b/a Tacos El Guero for a new Hotel and Restaurant Liquor License at 1853 S. Academy Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Arenson, Clauss, Gorman, Grewal, Kouba, Lee, and Moore

- 6.C.** [N-31036](#) Application of Great Wolf Lodge of Colorado, LLC d/b/a Great Wolf Lodge for a new Hotel and Restaurant Liquor License at 9494 Federal Boulevard.

Attachments: [N-31036 - Great Wolf Lodge](#)

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

James Anderson was sworn and stated that he is the General Manager of the business. Mr. Anderson 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 boundary which resulted in 14 favoring, 2 opposing, and 1 no opinion signatures.

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

Motion by Lee, seconded by Clauss, that the application of Great Wolf Lodge of Colorado, LLC d/b/a Great Wolf Lodge for a new Hotel and Restaurant Liquor License at 9494 Federal Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:

Aye: 7 - Arenson, Clauss, Gorman, Grewal, Kouba, Lee, and Moore

8. Adjourn.

At 10:50 A.M., there being no further business, the Board Adjourned.

Lee McRae, License Enforcement Officer