



# City of Colorado Springs

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

## Meeting Minutes - Final Liquor and Beer Licensing Board

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Friday, April 21, 2017

9:00 AM

City Council Chambers

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### 1. Call to Order

*Chairman Lee called the meeting to order at 9:06 A.M., opened the meeting as a regular session, and stated that a quorum was present with Board Members Clauss and Gorman being Absent.*

**Present** 5 - Murray Arenson, Sean Fitzgerald, Jaswinder Grewal, Chairperson Ian Lee, and Dennis Moore

**Absent** 2 - Mark Clauss, and Vice Chair Joseph Gorman

### 2. Minutes

- 2.A. [M2017-03-17](#) Approval of the Minutes of the Liquor and Beer Licensing Board meeting of March 17, 2017.

**Attachments:** [2017-03-17 Liquor Board Meeting Minutes](#)

**Motion by Moore, seconded by Arenson, that the Minutes of the Liquor and Beer Licensing Board meeting of March 17, 2017 be approved as written. The motion passed by a vote of:**

**Aye:** 5 - Arenson, Fitzgerald, Grewal, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

### 3. Communications

*The City Clerk's Office reported a request to take Item No. 7C out of order for a potential postponement.*

- 7.C. [N-32027](#) Application of Soda Pops CO, LLC d/b/a JP Fizzy's for a new Hotel and Restaurant Liquor License at 808 W. Garden of the Gods Road.

**Attachments:** [N-32027 - JP Fizzy's](#)

*Chairman Lee called this item out of order.*

*Attorney Vince Linden entered his appearance on behalf of the applicant and requested a postponement of this item to the Liquor Board meeting of May 5, 2017.*

**Motion by Arenson, seconded by Moore, to postpone the item to the Liquor and Beer Licensing Board meeting of May 5, 2017. The motion passed by a vote of:**

**Aye:** 5 - Arenson, Fitzgerald, Grewal, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

#### **4. Transfer Application Hearings**

- 4.A.**     [T-725441](#)     Application of Silver Star Investments, LLC d/b/a Marigold's to transfer the Hotel and Restaurant Liquor License currently issued to Chavanon Restaurants, LLC d/b/a Marigold Café & Bakery at 4605 Centennial Boulevard, #C.

**Attachments:**   [T-725441 - Marigold's](#)

*This item was postponed from the Liquor and Beer Licensing Board meeting of March 17, 2017, Item No. 4C.*

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

*Ghassan Nehme was sworn and stated that he is the 100% owner and manager of the business. Mr. Nehme testified to the elements required for a transfer of the Hotel and Restaurant Liquor License, and answered questions from the Board.*

**Motion by Grewal, seconded by Arenson, that the application of Silver Star Investments, LLC d/b/a Marigold's to transfer the Hotel and Restaurant Liquor License currently issued to Chavanon Restaurants, LLC d/b/a Marigold Café & Bakery at 4605 Centennial Boulevard, #C be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 5 - Arenson, Fitzgerald, Grewal, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

- 4.B.**     [T-725605](#)     Application of Salute Bar and Grill, LLC d/b/a Salute Bar and Grill to transfer the Hotel and Restaurant Liquor License currently issued to Clear View Investment Corporation d/b/a Harry's Bar & Grill at 4767 N. Carefree Circle.

**Attachments:**   [T-725605 - Salute Bar and Grill](#)

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

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

**Motion by Arenson, seconded by Grewal, that the application of Salute Bar and Grill, LLC d/b/a Salute Bar and Grill to transfer the Hotel and Restaurant Liquor License currently issued to Clear View Investment Corporation d/b/a Harry's Bar & Grill at 4767 N. Carefree Circle be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 5 - Arenson, Fitzgerald, Grewal, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

- 4.C.**     [T-725687](#)     Application of 7-Eleven, Inc. d/b/a 7-Eleven Store 26788K to transfer the 3.2% Beer Off Premises License currently issued to TB & C, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store 26788C at 503 S. Nevada Avenue.

**Attachments:**   [T-725687 - 7-Eleven Store #26788K](#)

*Board Member Grewal recused himself from this item.*

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

*Steven Brown was sworn and stated that he is a field consultant for the company. Mr. Brown testified to the elements required for a transfer of the 3.2 % Beer Off Premises License, and answered questions from the Board.*

**Motion by Arenson, seconded by Moore, that the application of 7-Eleven, Inc. d/b/a 7-Eleven Store 26788K to transfer the 3.2% Beer Off Premises License currently issued to TB & C, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store 26788C at 503 S. Nevada Avenue be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 4 - Arenson, Fitzgerald, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

**Recused:** 1 - Grewal

- 4.D.**     [T-725667](#)     Application of 7-Eleven, Inc. d/b/a 7-Eleven Store 22059J to transfer the 3.2% Beer Off Premises License currently issued to TB & C2, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store 22059A at 525 N. Union Boulevard.

**Attachments:**   [T-725667 - 7-Eleven Store #22059J](#)

*Board Member Grewal recused himself from this item.*

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

*Steven Brown was sworn and stated that he is a field consultant for the company. Mr. Brown testified to the elements required for a transfer of the 3.2 % Beer Off Premises License, and answered questions from the Board.*

**Motion by Arenson, seconded by Fitzgerald, that the application of 7-Eleven, Inc. d/b/a 7-Eleven Store 22059J to transfer the 3.2% Beer Off Premises License currently issued to TB & C2, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store 22059A at 525 N. Union Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 4 - Arenson, Fitzgerald, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

**Recused:** 1 - Grewal

- 4.E.**    [T-725689](#)    Application of Noor, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store 22613B to transfer the 3.2% Beer Off Premises License currently issued to Satamann, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store 22613A at 3004 W. Colorado Avenue.

**Attachments:**    [T-725689 - 7-Eleven Store #22613B](#)

*Board Member Grewal recused himself from this item.*

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

*Manjinder Singh was sworn and stated that he is the 100% owner and franchisee for this store location. Mr. Singh testified to the elements required for a transfer of the 3.2 % Beer Off Premises License, and answered questions from the Board.*

**Motion by Arenson, seconded by Fitzgerald, that the application of Noor, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store 22613B to transfer the 3.2% Beer Off Premises License currently issued to Satamann, Inc. and 7-Eleven, Inc. d/b/a 7-Eleven Store 22613A at 3004 W. Colorado Avenue be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 4 - Arenson, Fitzgerald, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

**Recused:** 1 - Grewal

## **5. Change of Location**

- 5.A.**    [C-721751](#)    Application of DLUcks Enterprise, LLC d/b/a Brother Luck Street Eats to Change the Location of the existing Hotel and Restaurant Liquor License from 1005 W. Colorado Avenue to 321 N. Tejon Street, #101, 102, & 321 d/b/a Four by Brother Luck.

**Attachments:**    [C-721751 - Four by Brother Luck](#)

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

*Brother Luck was sworn and stated that he is the 100% owner and manager of the business. Mr. Luck testified to the elements required for a Change of Location of the existing 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 118 favoring, 1 opposing, and 0 no opinion signatures.*

*The City Clerk's Office presented its audit of the petition which resulted in two fewer favoring and two more opposing signatures.*

**Motion by Fitzgerald, seconded by Grewal, that the application of DLucks Enterprise, LLC d/b/a Brother Luck Street Eats to Change the Location of the existing Hotel and Restaurant Liquor License from 1005 W. Colorado Avenue to 321 N. Tejon Street, #101, 102, & 321 d/b/a Four by Brother Luck be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 5 - Arenson, Fitzgerald, Grewal, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

## **6. Modification of the Premises**

- 6.A. [M-725341](#)** Application of La Palapa Bar & Grill, LLC d/b/a La Palapa Bar & Grill for a Modification of Premises of the existing Hotel and Restaurant Liquor License at 525 S. Circle Drive.

**Attachments:** [M-725341 - La Palapa Bar & Grill](#)

*Board Member Moore disclosed that he lives in the defined neighborhood. There was no objection to Mr. Moore hearing this item.*

*Appearing pro se, Emma Duran was sworn and stated that she is the 100% owner and Registered Manager of the business. Ms. Duran testified to the elements required for a Modification of Premises of the existing Hotel and Restaurant Liquor License, and answered questions from the Board.*

*Ricardo Huerta was sworn and stated that he is a consultant and accountant for the licensee. Mr. Huerta spoke in favor of the application.*

**Motion by Arenson to deny the Modification of Premises application. The motion failed for lack of a second.**

**Motion by Moore, seconded by Grewal, that the application of La Palapa Bar & Grill, LLC d/b/a La Palapa Bar & Grill for a Modification of Premises of the existing Hotel and Restaurant Liquor License at 525 S. Circle Drive, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 3 - Fitzgerald, Grewal, and Moore

**No:** 2 - Arenson, and Chairperson Lee

**Absent:** 2 - Clauss, and Gorman

## **7. New Application Hearings**

- 7.A. [N-31927](#)** Application of Tokyo, Inc. d/b/a Tokyo Joe's for a new Beer and Wine License at 5697 Barnes Road, #120.

**Attachments:** [N-31927 - Tokyo Joe's](#)

*Attorney William Wildberger entered his appearance on behalf of the applicant.*

*Carol Johnson of Esquire Petitioning Services was sworn and stated that the company conducted a petition survey of the defined neighborhood which resulted in 136 favoring, 2 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.*

*Jeff Marlow was sworn and stated that he is the Director of Operations for the Tokyo Joe's locations in Colorado Springs. Mr. Marlow testified to the elements required for a new Beer and Wine License, and answered questions from the Board.*

**Motion by Arenson, seconded by Grewal, that the application of Tokyo, Inc. d/b/a Tokyo Joe's for a new Beer and Wine License at 5697 Barnes Road, #120 be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 5 - Arenson, Fitzgerald, Grewal, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

- 7.B. [N-32034](#)** Application of Kum & Go LC d/b/a Kum & Go #687 for a new 3.2% Beer Off Premises License at 525 Wooten Road.

**Attachments:** [N-32034 - Kum & Go #687](#)

*Appearing pro se, Maura Burke was sworn and stated that she is the Interim District Supervisor for the company and the Registered Manager for this location. Ms. Burke testified to the elements required for a new 3.2% Beer Off Premises License, and answered questions from the Board.*

*Carol Johnson of Esquire Petitioning Services was sworn and stated that the company conducted a petition survey of the defined neighborhood which resulted in 60 favoring, 2 opposing, and 0 no opinion signatures.*

*The City Clerk's Office presented its audit of the petition which resulted in the deletion of one incomplete yes vote.*

**Motion by Grewal, seconded by Fitzgerald, that the application of Kum & Go LC d/b/a Kum & Go #687 for a new 3.2% Beer Off Premises License at 525 Wooten Road be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 5 - Arenson, Fitzgerald, Grewal, Chairperson Lee, and Moore

**Absent:** 2 - Clauss, and Gorman

## **8. Adjourn.**

**At 11:11 A.M., there being no further business, the Board Adjourned.**

**Lee McRae, License Enforcement Officer**