



# 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, November 3, 2017

9:00 AM

City Council Chambers

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### 1. Call to Order

*Chairperson Lee 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 Board Members Fitzgerald and Gorman being absent. Mr. Gorman arrived during the meeting.*

**Present** 5 - Murray Arenson, Mark Clauss, Jaswinder Grewal, Chairperson Ian Lee, and Dennis Moore

**Absent** 2 - Sean Fitzgerald, and Vice Chair Joseph Gorman

### 2. Minutes

- 2.A. [M2017-10-06](#) Approval of the Minutes of the Liquor and Beer Licensing Board meeting of October 6, 2017.

**Attachments:** [2017-10-06 Liquor Board Meeting Minutes](#)

**Motion by Clauss, seconded by Grewal, that the Minutes of the Liquor and Beer Licensing Board meeting of October 6, 2017 be approved as written. The motion passed by a vote of:**

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

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

### 3. Communications

*There was no action on this item.*

### 4. Change of Location

- 4.A. [C-722679](#) Application of The Wine Box, LLC d/b/a The Little Wine Barrel for a Change of Location of the existing Retail Liquor Store License from 100 E. Cheyenne Road to 104 E. Cheyenne Road.

**Attachments:** [C-722679 - The Little Wine Barrel](#)

*Appearing pro se, Alvin Isaacs was sworn and stated that he is the 100% owner of the business. Mr. Isaacs testified to the elements required for a Change of Location of the existing Retail Liquor Store License, and answered questions from the Board.*

*Sylvie Cimino of Liquor Licensing Professionals was sworn and stated that the company conducted a petition survey of the defined neighborhood which resulted in 97 favoring, 0 opposing, and 2 no opinion signatures.*

*The City Clerk's Office presented its audit of the petition which resulted in the deletion of one favoring signature.*

**Motion by Clauss, seconded by Grewal, that the application of The Wine Box, LLC d/b/a The Little Wine Barrel for a Change of Location of the existing Retail Liquor Store License from 100 E. Cheyenne Road to 104 E. Cheyenne Road be approved, as it appears all criteria have been met. The motion passed by a vote of:**

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

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

- 4.B. [C-708621](#)** Application of Gaspar Martinez d/b/a Ruskin Liquors for a Change of Location of the existing Retail Liquor Store License from 3960 Airport Road to 3784 Airport Road.

**Attachments:** [C-708621 - Ruskin Liquors](#)

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

*Gaspar Martinez was sworn and stated that he is the 100% owner of the business. Mr. Martinez testified to the elements required for a Change of Location for the existing Retail Liquor Store License, and answered questions from the Board.*

*Sylvie Cimino of Liquor Licensing Professionals was sworn and stated that the company conducted a petition survey of the defined neighborhood which resulted in 100 favoring, 6 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 Grewal, seconded by Vice Chair Gorman, that the application of Gaspar Martinez d/b/a Ruskin Liquors for a Change of Location of the existing Retail Liquor Store License from 3960 Airport Road to 3784 Airport Road be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 6 - Arenson, Clauss, Gorman, Grewal, Chairperson Lee, and Moore

**Absent:** 1 - Fitzgerald

## **5. New Application Hearings**

- 5.A. [N-32896](#)** Application of Woodmen Gunther Toody's, LLC d/b/a Gunther Toody's for a new Hotel and Restaurant Liquor License at 5490 E. Woodmen Road.

**Attachments:** [N-32896 - Gunther Toody's \(Woodman\)](#)

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

*Brian Burr was sworn and stated that he is a beneficial member and co-owner of the applicant and the parent company of the business. Mr. Burr testified to the elements required for a new Hotel and Restaurant Liquor License, and answered questions from the Board.*

*Sylvie Cimino of Liquor Licensing Professionals was sworn and stated that the company conducted a petition survey of the defined neighborhood which resulted in 105 favoring, 8 opposing, and 5 no opinion signatures.*

*The City Clerk's Office presented its audit of the petition which resulted in the deletion of one favoring signature.*

**Motion by Vice Chair Gorman, seconded by Arenson, that the application of Woodmen Gunther Toody's, LLC d/b/a Gunther Toody's for a new Hotel and Restaurant Liquor License at 5490 E. Woodmen Road be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 6 - Arenson, Clauss, Gorman, Grewal, Chairperson Lee, and Moore

**Absent:** 1 - Fitzgerald

- 5.B.** [N-32895](#) Application of Palmer Gunther Toody's, LLC d/b/a Gunther Toody's for a new Hotel and Restaurant Liquor License at 5794 Palmer Park Boulevard.

**Attachments:** [N-32895 - Gunther Toody's \(Palmer\)](#)

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

*Brian Burr was sworn and stated that he is a beneficial member and co-owner of the applicant and the parent company of the business. Mr. Burr testified to the elements required for a new Hotel and Restaurant Liquor License, and answered questions from the Board.*

*Sylvie Cimino of Liquor Licensing Professionals was sworn and stated that the company conducted a petition survey of the defined neighborhood which resulted in 133 favoring, 2 opposing, and 4 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 Vice Chair Gorman, seconded by Moore, that the application of Palmer Gunther Toody's, LLC d/b/a Gunther Toody's for a new Hotel and Restaurant Liquor License at 5794 Palmer Park Boulevard be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 6 - Arenson, Clauss, Gorman, Grewal, Chairperson Lee, and Moore

**Absent:** 1 - Fitzgerald

- 5.C.**     [N-33020](#)     Application of Ola Juice Bar, LLC d/b/a Moxie for a new Hotel and Restaurant Liquor License at 925 S. 8th Street.

**Attachments:**   [N-33020 - Moxie](#)

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

*Nissa Buth was sworn and stated that she is the 100% owner and Registered Manager of the business. Ms. Buth testified to the elements required for a new Hotel and Restaurant Liquor License, and answered questions from the Board.*

*Sylvie Cimino of Liquor Licensing Professionals was sworn and stated that the company conducted a petition survey of the defined neighborhood 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 Vice Chair Gorman, that the application of Ola Juice Bar, LLC d/b/a Moxie for a new Hotel and Restaurant Liquor License at 925 S. 8th Street be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 6 - Arenson, Clauss, Gorman, Grewal, Chairperson Lee, and Moore

**Absent:** 1 - Fitzgerald

- 5.D.**     [N-32901](#)     Application of Icon Cinema Colorado Springs, Inc. d/b/a Icon Cinema for a new Beer and Wine License at 1818 Spring Water Point.

**Attachments:**   [N-32901 - Icon Cinema](#)

*Appearing pro se, Stetson Snell was sworn and stated that he is a co-owner and Registered Manager of the business. Mr. Snell testified to the elements required for a new Beer and Wine License, and answered questions from the Board.*

*Mr. Snell presented a petition survey conducted by the management team for the business.*

*The City Clerk's Office reported that the petition was not pre-filed as required, and that upon cursory review it appears that no map was attached, many entries are incomplete, and it appears that most all of the addresses are outside of the defined neighborhood boundary area.*

**Motion by Vice Chair Gorman, seconded by Arenson, that the application of Icon Cinema Colorado Springs, Inc. d/b/a Icon Cinema for a new Beer and Wine License at 1818 Spring Water Point be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 6 - Arenson, Clauss, Gorman, Grewal, Chairperson Lee, and Moore

**Absent:** 1 - Fitzgerald

- 5.E.**    [N-32982](#)       Application of BBB CS2, LLC d/b/a Smashburger for a new Beer and Wine License at 9290 Highland Ridge Heights, #100.

**Attachments:**    [N-32982 - Smashburger](#)

*Appearing pro se, Lucas Farnham was sworn and stated that he is the managing member of the business. Mr. Farnham testified to the elements required for a new Beer and Wine License, and answered questions from the Board.*

*Sylvie Cimino of Liquor Licensing Professionals was sworn and stated that the company conducted a petition survey of the defined neighborhood which resulted in 142 favoring, 1 opposing, and 5 no opinion signatures.*

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

*Registered Manager Anthony Wright was sworn, but did not testify.*

**Motion by Arenson, seconded by Moore, that the application of BBB CS2, LLC d/b/a Smashburger for a new Beer and Wine License at 9290 Highland Ridge Heights, #100 be approved, as it appears all criteria have been met. The motion passed by a vote of:**

**Aye:** 6 - Arenson, Clauss, Gorman, Grewal, Chairperson Lee, and Moore

**Absent:** 1 - Fitzgerald

## **6. Adjourn.**

**At 10:27 A.M., there being no further business, the Board Adjourned.**

**Lee McRae, License Enforcement Officer**