

**MINUTES FOR
LIQUOR AUTHORITY MEETING**

**CITY OF WHEAT RIDGE, COLORADO
7500 West 29th Avenue, Municipal Building**

April 26, 2012

Mr. Davia called the Liquor Authority Meeting to order at 9:00 a.m.

Liquor Authority Members present:

Anthony Davia
Robert Alldredge
Carolyn Peterson
Paul Shaver
Kent Davis
Claudia Worth

Absent: John Miks
Frank Sanzalone

Also present: Deputy City Clerk, Bruce Roome; City Attorney, Chris Price; Detective Heather Kendall, Wheat Ridge Police; staff; interested citizens.

APPROVAL OF MINUTES OF March 22, 2012

Motion by Mrs. Peterson for approval of the minutes of March 22, 2012; seconded by Mr. Davis; carried 5-0-1 with Mrs. Worth abstaining.

Item 1. Introduction of new Liquor Authority Board member, Claudia Worth from District IV

Deputy City Clerk Roome introduced Mrs. Worth.

Item 2. Modification of Premises application from Right Coast Pizza LLC dba "Right Coast Pizza", 7100 W. 38th Avenue, Wheat Ridge, Colorado

Deputy City Clerk Roome introduced the Item.

Justin Vogel, owner, was present to answer questions from the Liquor Authority members.

Motion by Mr. Alldredge to approve the Modification of Premises for Right Coast Pizza LLC dba "Right Coast Pizza", 7100 W. 38th Avenue, Wheat Ridge, Colorado; seconded by Mrs. Peterson; carried 5-1 with Mrs. Worth voting no

Item 3. Public Hearing on application for a new Retail Liquor Store License from D & M Liquor Inc., d.b.a. "D & M Liquor", 3910 Wadsworth Blvd, Wheat Ridge, Colorado

Deputy City Clerk Roome introduced the Item.

Susan Duffy Schwall, owner of Liquor Licensing Professionals provided the report of the Neighborhood Needs and Desires survey.

Dejen Gesese, owner, and **Adam Stapen**, attorney from Dill, Dill, Carr, Stonbraker & Hutchings Law Firm were present to answer questions from the Liquor Authority members.

Motion by Mr. Shaver to approve the application for a new Retail Liquor Store License from D & M Liquor Inc., d.b.a. "D & M Liquor", 3910 Wadsworth Blvd, Wheat Ridge, Colorado for the following reasons:

- (1) All applications and fees required by statute have been filed and paid.
- (2) Notice of hearing and posting of the premises have been accomplished according to statutory requirements.
- (3) The applicant is entitled to occupancy of the premises by virtue of a lease dated February 21, 2012.
- (4) The applicant has been cleared by the Police Department.
- (5) The evidence established that the desires of the residents of the neighborhood under consideration are in support of granting this license. This is evidenced by petitions bearing: 151 signatures favoring issuance and 21 signature opposing issuance.
- (6) Issuance of this license is consistent with the needs of the neighborhood under consideration.

WITH THE FOLLOWING CONDITIONS:

- 1) It is recommended that the applicant attend a Liquor Licensee training class along with any employees offered by the Wheat Ridge Police Department.

Seconded by Mr. Alldredge; carried 6-0

Item 4. Public Hearing on application for a new Hotel & Restaurant Liquor License from 9701 Corp., d.b.a. "T-Bird Roadhouse", 9701 West 44th Avenue, Wheat Ridge, Colorado

Deputy City Clerk Roome introduced the Item.

Susan Duffy Schwall, owner of Liquor Licensing Professionals provided the report of the Neighborhood Needs and Desires survey.

Marty Wineland, owner, was present to answer questions from the Liquor Authority members.

Citizens present who spoke in opposition of the proposed store:

Karen Megel, 4575 Independence St
Laura Jenkins, 9715 W. 43rd Ave
Stephen Keller, 4325 Iris St
Earl Bamford, 4601 Independence St

Motion by Mr. Davis to approve the application for a new Hotel & Restaurant Liquor License from 9701 Corp., d.b.a. "T-Bird Roadhouse", 9701 West 44th Avenue, Wheat Ridge, Colorado for the following reasons:

- (1) All applications and fees required by statute have been filed and paid.
- (2) Notice of hearing and posting of the premises have been accomplished according to statutory requirements.
- (3) The applicant is entitled to occupancy of the premises by virtue of a lease dated February 1, 2012.
- (4) The applicant has been cleared by the Police Department.
- (5) The evidence established that the desires of the residents of the neighborhood under consideration are in support of granting this license. This is evidenced by petitions bearing: 152 signatures favoring issuance and 18 signature opposing issuance.
- (6) Issuance of this license is consistent with the needs of the neighborhood under consideration.

WITH THE FOLLOWING CONDITIONS:

- 1) It is recommended that the applicant attend a Liquor Licensee training class offered by the Wheat Ridge Police Department.

Seconded by Mrs. Peterson; carried 5-1 with Mrs. Worth voting no.

Mrs. Peterson excused herself from the meeting due to a prior commitment at 10:49 am.

Item 5. Public Hearing on application for a Transfer of Ownership from The Family Ventures d.b.a. "Stan's Caravan", 11221 West 44th Avenue, Wheat Ridge, Colorado

City Attorney Price introduced the Item. Mr. Price advised the Liquor Authority that the application packet is incomplete as there is no documentation that shows The Family Ventures has right to the property (i.e. deed or lease); the financial arrangements are unusual and don't provide enough documentation to truly prove a sale is pending; and Ms. Chrisp only lists family as professional references to name a few of the main problems.

Mr. Price advised the Authority that they have the right to deny the application or postpone it to a later date so Ms. Chrisp can get an attorney and square away the packet.

Francesca Chrisp, manager/owner, was present to answer questions from the Liquor Authority members.

Motion by Mr. Davis to continue the public hearing to May 24, 2011 at 9 a.m. to allow Ms. Chrisp the opportunity to complete the packet; seconded by Mrs. Worth; carried 5-0.

The City Attorney, Police Department, and the City Clerk's Office will provide Ms. Chrisp a specific list of proper documentation by 5 p.m. today.

Item 6. Liquor Code Amendment – distance from schools

Deputy City Clerk Roome introduced the Item.

Amanda Fulton, Art Gallery and studio owner, 7190 W .38th Ave., spoke in favor of this change.

Richard Abitbol, from Arvada, spoke in favor of the proposed change as he is hoping to open a micro-brewery on 38th Avenue in the redevelopment zone.

Motion by Mr. Alldredge to support City Council's position to amend the Liquor Code to additionally eliminate the 500 foot limitation for beer and wine licenses, arts licenses, and vintner's restaurant license; seconded by Mr. Davis; carried 3-2 with Mr. Davis and Mrs. Worth voting no.

Meeting adjourned at 11:27 am.

Bruce Roome
Bruce Roome, Deputy City Clerk

APPROVED BY LIQUOR AUTHORITY ON June 14, 2012 BY A VOTE OF 7 TO 0

Anthony Davia
Anthony Davia, Chair