

**MINUTES FOR  
LIQUOR AUTHORITY MEETING**

**CITY OF WHEAT RIDGE, COLORADO  
7500 West 29<sup>th</sup> Avenue, Municipal Building**

**July 26, 2018**

Chair Alldredge called the Liquor Authority Meeting to order at 9:00 a.m.

Liquor Authority Members present:

Robert Alldredge  
Anthony Davia  
Bruce McIntyre  
Carolyn Peterson  
Claudia Worth  
Paul Shaver  
John Miks

Absent, Elizabeth Nazareus (excused)

Also present: Deputy City Clerk Robin Eaton; Police Officer Steve Berkowitz; Assistant City Attorney Joe Rivera; 15-16 LLC Attorney Joel Judd; Tim Schmidt from Hacienda CO; Suncor Attorney Steve Lee; Suncor representative Christopher Grauer; Max Scott (Oedipus Inc.), other guests

**APPROVAL OF MINUTES OF June 28, 2018**

**Motion** by Member Peterson to approve the minutes of June 28, 2018; seconded by Member Worth; Motion carried 4-3 with Alldredge, Shaver and Miks abstaining.

**Item 1.** Introduced by Chair Alldredge – A new application for a Hotel and Restaurant liquor license for 15-16, LLC dba Hacienda Colorado, located at 3298 Youngfield, Wheat Ridge, CO 80033.

Chair Alldredge opened the public hearing

Deputy Clerk Eaton gave the initial findings for the staff report and entered Exhibits 1-6 into the record, showing the applicant has fulfilled all of the requirements to hold a full liquor license. He explained that Hacienda Colorado is a new Hotel and Restaurant license applicant, being currently licensed in multiple areas along the front range and is wishing to establish a location in Wheat Ridge.

Chair Alldredge swore in Max Scott, Mr. Judd and Mr. Schmidt.

Mr. Scott offered testimony and used model testimony from past hearings as to the methods Oedipus uses to conduct the surveys. The survey was conducted in a one-half mile radius with the applicant business at center. Both residences and businesses were surveyed in the map of the survey.

He described on page two of the survey that of the total 176 of those surveyed, 169 were in favor of issuance of new liquor license, while there was 7 that were opposed to it.

Mr. Shaver asks if the one-half mile petitioning radius is working out better for his company and staff.

Mr. Scott replies that yes it is as one-half mile is more of a standard radius around the metro area jurisdictions and that his staff is happy with it as well.

Mr. Judd introduced himself and Mr. Schmidt of Hacienda Colorado to help in answering any questions that the board may have. He proceeded to ask the following questions of Mr. Schmidt.

- What is your relationship to the applicant
- How many restaurants do you currently have in the metro area
- How many employees to you have
- What type of alcohol training to you provide for your employees
- Describe your restaurant concept

Mr. Schmidt responds that he is a 50% owner in the company and that they have 6 facilities currently with one opening up in Denver soon, so the restaurant in Wheat Ridge will be number seven. They have around five to six hundred employees, with another one hundred to be hired for Denver and the Wheat Ridge location.

They provide in-house alcohol training following the safeserve program and the employees pass this program before they are allowed to go out on the floor. They card everyone up to the age of 35 and train at spotting fakes. They also have mystery shoppers that go in and test their employees for alcohol violations. Those that fail are immediately terminated.

He described their restaurant theme as being mostly a 75% mix of Tex-Mex foods and that it is more upscale than most places, especially with the selection of foods and environment.

There were no questions from the Board.

**Motion** by Member Davia to approve the issuance of a new Hotel and Restaurant License for 15-16 LLC dba Hacienda Colorado 3298 Youngfield Street, Wheat Ridge, Colorado 80033 on the basis of the following findings:

1. Public Notice of the hearing on the Application was published and posted on the property as required by Colorado law;

2. The applicant is qualified to obtain a liquor license pursuant to C.R.S. Section 12-47-307;
3. The premises are in a location eligible to conduct the proposed liquor licensed business pursuant to C.R.S. Section 12-47-313 and the zoning laws of the City;
4. The applicant is entitled to possession of the premises for which the application is made;
5. The neighborhood under consideration is considered to be within a one-half mile circumference around the proposed licensed premises;
6. The inhabitants of the neighborhood desire an additional establishment that serves liquor;
7. The needs of the neighborhood are not met by the existing outlets.

There was no additional discussion or further questions.

Seconded by Member Miks; motion carries 7-0

**Item 2** Introduced by Chair Alldredge - A new Retail 3.2% Fermented Malt Beverage License for Suncor Energy Sales Inc. dba Shell #184., located at 9995 W. 44<sup>th</sup> Avenue, Wheat Ridge, Colorado.

Chair Alldredge opened the public hearing

Deputy Clerk Eaton gave the initial findings for the staff report and entered Exhibits 1-6 into the record, showing the applicant has fulfilled all of the requirements to hold a full liquor license. He explained that the applicants had requested concurrent review with the State and that they hold similar licenses around Colorado. The Corporate Officer has a current Master file letter with the Liquor Enforcement Division so the Wheat Ridge Police Department did not vet the individual officer.

Chair Alldredge swears in Steven Lee and Christopher Grauer.

Mr. Scott once again offered testimony and used models from past hearings as to the methods Oedipus uses to conduct the surveys. The survey was conducted in a one-half mile radius with the applicant business at center. Both residences and businesses were surveyed in the map of the survey.

He described on page two of the survey that of the total 162 of those surveyed, 137 were in favor of issuance of new fermented malt beverage license, while there were 25 that were opposed to it for various reasons.

Mr. Lee introduces Christopher Grauer who is the retail operations manager for the applicant Suncor Energy Sales Inc. and asks him to respond to some questions from himself or the Liquor Authority Board. He proceeded with the following questions:

- How long have you been with Suncor

- Do you have any previous experiences with liquor establishments
- How many stores do you have in Colorado
- What types of alcohol training do you provide for your employees

Mr. Grauer responds that he has been employed with Suncor for the past five years and before that he worked at Rock Bottom for the 16 years prior. Suncor has 44 stores located around Colorado with 35 of them having liquor licenses. Of those stores, there has only recently been 1 liquor violation and that was a store located in Denver.

All employees receive liquor training with the TIPS program within 60 days of hiring and their projected annual sales of alcohol is only a moderate .025% of total annual sales combined. The company is requesting this license to help them stay competitive in the market and their policy is to card everyone who attempts to purchase alcohol. They want to be a good business partner in the community.

#### Board questions

Mr. Davia asked how will the alcohol be stored when the sale of beer is not permitted.

Mr. Grauer answers that the beer cooler door will be locked until 8 am and that the store will probably be closed prior to the 12 a.m. curfew.

Ms. Petersen asks how many employees there will be on any given shift.

Mr. Gauer responds that it really depends on the volume of business per location but usually no more than two and sometimes it might be only a single person.

Mr. Shaver asks if the store size will remain the same or do they expect to build out.

Mr. Gauer stated that it will remain the same size, with only one door out of six that will be dedicated to the beer products.

**Motion** by Member Shaver to approve issuance of a new Retail 3.2% Fermented Malt Beverage License for Suncor Energy Sales Inc. dba Shell #184., located at 9995 W. 44<sup>th</sup> Avenue, Wheat Ridge, Colorado on the basis of the following findings:

1. Public Notice of the hearing on the Application was published and posted on the property as required by Colorado law;
2. The applicant is qualified to obtain a liquor license pursuant to C.R.S. Section 12-47-307;
3. The premises is in a location eligible to conduct the proposed liquor licensed business pursuant to C.R.S. Section 12-47-313 and the zoning laws of the City;
4. The applicant is entitled to possession of the premises for which the application is made;
5. The neighborhood under consideration is considered to be within a one-half mile circumference around the proposed licensed premises;

6. The inhabitants of the neighborhood desire an additional establishment that serves liquor;
7. The needs of the neighborhood are not met by the existing outlets

There were no further questions or discussion.

Seconded by Member Miks; motion carries 7-0

**CITY CLERK'S MATTERS**

**CITY ATTORNEY'S MATTERS**

**POLICE DEPARTMENT MATTERS**

**LIQUOR AUTHORITY MEMBERS MATTERS**

Paul Shaver wishes Deputy City Clerk Eaton a belated Happy Birthday, being 35 years old again.

Tony Davia wants to recognize Kent Davis who passed away a little while ago and to remember all of the good things that he did for the city. He will be missed.

Carolyn Petersen wanted to know how, if the 3.2% beer license is going away, will they need to convert it to a new type, or will they have to apply for a new license.

Deputy Clerk answers that upon renewal of this 3.2% license type, the State will issue a new license, listing just fermented malt beverages on it. The licensees will not need to convert or do any other processing for that rollover. The new fermented beer alcohol content rules goes into effect, January 1, 2019 along with new distance restrictions for these license types.

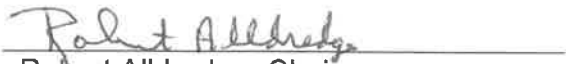
**ADJOURNMENT**

Meeting adjourned at: 9:33 a.m.



Robin Eaton, Deputy City Clerk

APPROVED ON December 13, 2018 BY A VOTE OF 4 TO 1 *NABARCUS Abstained*



Robert Alldredge, Chairman