

AGENDA
PARKER SPECIAL LICENSING AUTHORITY
December 15, 2022

Public comment for items that are not on the agenda may be made in person or electronically at <http://parkeronline.org/CouncilPublicComment>. For those unable to provide comments in person or electronically through the website, please contact the Clerk's Office to make alternative arrangements. The Town Clerk can be reached at 303-805-3198. Public comments submitted electronically through the website that are received by 5:00 p.m. on the day of the Special Licensing Authority meeting will be provided to the Authority and will be included with the approved minutes of the Special Licensing Authority meeting.

1. 6:30 P.M. - REGULAR MEETING

- (a) Call to Order
- (b) Roll Call
- (c) Pledge of Allegiance

2. PUBLIC COMMENTS - 2 Minute Limit (No action will be taken on these items)

3. APPROVAL OF MINUTES

- November 17, 2022

4. PUBLIC HEARINGS

A. FERMENTED MALT BEVERAGE OFF-PREMISES LIQUOR LICENSE (NEW)

License Type: Fermented Malt Beverage Off-Premises
Applicant: S&S Fuels Management LLC and 7-Eleven Inc. d/b/a 7-Eleven Store
42178A
Location: 12181 Sliceroo Drive

B. HOTEL & RESTAURANT LIQUOR LICENSE (NEW)

License Type: Hotel & Restaurant
Applicant: Htun Lee LLC d/b/a Johnny's Asian Bistro
Location: 10471 S Parker Road, #3-C

5. LIQUOR LICENSE TRANSFER

A. TRANSFER OF OWNERSHIP HOTEL AND RESTAURANT LIQUOR LICENSE

From: DB Restaurant Assets LLC
d/b/a Blu Note
To: Gigis Inc.
d/b/a Las Potrancas
Location: 19600 Solar Circle

6. LIQUOR LICENSE RENEWAL

A. Licensee: Mini Mart Inc. d/b/a Loaf 'N Jug #750007
Location: 9028 S Woodman Way
License Type: Fermented Malt Beverage Off-Premises

7. CONSIDERATION OF AN ORDER TO SHOW CAUSE AND NOTICE OF PUBLIC HEARING FOR VIOLATION OF THE PARKER MUNICIPAL CODE

A. Licensee: Rocky Mountain Pizzeria, Inc. d/b/a Rocky Mountain Pizzeria
Location: 19523 Hess Road, Unit 101
Department: Attorney Corey Hoffmann

8. OTHER BUSINESS

9. ADJOURNMENT

**SPECIAL LICENSING AUTHORITY
MINUTES
DECEMBER 15, 2022**

Vice-Chair Kelli Narde called the meeting to order at 6:30 p.m. In attendance were Vice-Chair Kelli Narde, Mike Appleby, Jon Brusco and Bryan Campbell. Chair David Chung was absent. Alternate Member Greg Simpson was also present. Staff present were Town Clerk Chris Vanderpool, Deputy Town Clerk Susan Irvine, Town Clerk Administrative Specialist Erica Wetzal, Detective Nathan Finley, and Authority Attorney Katie Vera.

Vice-Chair Kelli Narde led the Pledge of Allegiance.

PUBLIC COMMENTS

There was no one in the audience who wanted to make a public comment.

APPROVAL OF MINUTES

Kelli Narde noted corrections were needed to the spelling of her name in the minutes.

Jon Brusco moved to approve the minutes of November 17, 2022, as amended.

Mike Appleby seconded the motion.

A roll call vote was taken:

Bryan Campbell - Yes

Jon Brusco - Yes

Kelli Narde - Yes

Greg Simpson - Yes

Mike Appleby - Yes

The motion was approved unanimously.

PUBLIC HEARINGS

A. FERMENTED MALT BEVERAGE OFF-PREMISES LIQUOR LICENSE (NEW)

License Type: Fermented Malt Beverage Off-Premises

Applicant: S&S Fuels Management LLC and 7-Eleven Inc., d/b/a 7-Eleven Store 42178A

Location: 12181 Sliceroo Drive

The Public Hearing was opened at 6:32 p.m.

The applicant had a Notice of Public Hearing posted on this matter on December 3, 2022, and publication was made in The Douglas County News Press on December 1, 2022.

Attorney Kevin Coates, from Dill & Dill, representing S&S Fuels Management and 7-Eleven Inc., d/b/a 7-Eleven Store 42178A, Amar Preet Puri, and Carol Johnson, petitioner with LiquorPros, were sworn in by the Town Clerk.

Carol Johnson, petitioner, LiquorPros, spoke about the petitioning process and survey results. Overall, the petitioning results show that the area is in favor of this new liquor license. The

petitions to establish the reasonable requirements of the defined neighborhood were circulated and submitted by LiquorPros to the Town Clerk on December 5, 2022. An audit by the Town Clerk staff confirmed the following:

144 Eligible Signatures Favoring (Residential – 139; Business – 5)
14 Eligible Signatures Opposing (Residential – 14; Business – 0)
0 Disqualified
158 Eligible Signatures.

Mr. Coates stated that the applicant wants to open a convenience store at 12181 Sliceroo Drive. Amar Puri anticipates the store will open in March 2023. They are locating a 7-Eleven store here, as there are no convenience stores in this area. Ms. Puri owns six 7-Eleven locations in Colorado, including one in Parker, and 29 locations in Las Vegas. The store will be open 24-hours a day with no alcohol sales from 12 a.m. to 8 a.m. All employees are required to take online training and must pass a test. All sales of restricted items require the scan of an ID in order to complete the sale. Anyone under 50 years of age must provide identification. All transactions, and the majority of the property, are under video surveillance.

Public Comment: None.

The Public Hearing was closed at 6:56 p.m.

Mike Appleby moved to approve the application for a new Fermented Malt Beverage Off-Premises Liquor License for S&S Fuels Management and 7-Eleven Inc., d/b/a 7-Eleven Store 42178A, at 12181 Sliceroo Drive, Parker, CO 80134.

Greg Simpson seconded the motion.

A roll call vote was taken:

Bryan Campbell - Yes
Jon Brusco - Yes
Kelli Narde - Yes
Greg Simpson - Yes
Mike Appleby - Yes

The motion was approved unanimously.

B. HOTEL & RESTAURANT LIQUOR LICENSE (NEW)

License Type: Hotel & Restaurant
Applicant: Htun Lee LLC, d/b/a Johnny's Asian Bistro
Location: 10471 S. Parker Road, #3-C

The Public Hearing was opened at 6:59 p.m.

The applicant had a Notice of Public Hearing posted on this matter on December 2, 2022, and publication was made in The Douglas County News Press on December 1, 2022.

Htun Win, managing member of Htun Lee LLC, David Mana, interpreter for the applicant, and

Carol Johnson, petitioner with LiquorPros, were sworn in by the Town Clerk.

Mr. Win wants to obtain a liquor license for Johnny's Asian Bistro which is currently open at 10471 S. Parker Road, #3-C. Mr. Win and his wife have undergone TIPS training and are both aware to check ID's, make no alcohol sales to those under 21 years old, and to not sell to those entering the restaurant who appear to be under the influence of alcohol. They are the only two staff members who will be serving alcohol to patrons.

Carol Johnson, petitioner, LiquorPros, spoke about the petitioning process and survey results. Overall, the petitioning results show that the area is in favor of this new liquor license. The petitions to establish the reasonable requirements of the defined neighborhood were circulated and submitted by LiquorPros to the Town Clerk on December 2, 2022. An audit by the Town Clerk staff confirmed the following:

164 Eligible Signatures Favoring (Residential – 109; Business – 55)
10 Eligible Signatures Opposing (Residential – 10; Business – 2)
3 Disqualified (two addresses and one age illegible)
166 Eligible Signatures.

Public Comment: None.

The Public Hearing was closed at 7:07 p.m.

Jon Brusco moved to approve the application for a new Hotel and Restaurant Liquor License for Htun Lee LLC, d/b/a Johnny's Asian Bistro, at 10471 S. Parker Road, #3-C, Parker, CO 80134.

Bryan Campbell seconded the motion.

A roll call vote was taken:

Bryan Campbell - Yes
Jon Brusco - Yes
Kelli Narde - Yes
Greg Simpson - Yes
Mike Appleby - Yes

The motion was approved unanimously.

LIQUOR LICENSE TRANSFER

A. TRANSFER OF OWNERSHIP HOTEL AND RESTAURANT LIQUOR LICENSE

From: DB Restaurant Assets LLC d/b/a Blu Note
To: Gigis Inc., d/b/a Las Potrancas
Location: 19600 Solar Circle

The applicant's attorney requested that this item be rescheduled to January 19, 2023, as she was unable to attend due to weather conditions in Colorado Springs.

Greg Simpson moved to reschedule this item until January 19, 2023.

Mike Appleby seconded the motion.

A roll call vote was taken:

Bryan Campbell - Yes

Jon Brusco - Yes

Kellie Narde - Yes

Greg Simpson - Yes

Mike Appleby - Yes

The motion was approved unanimously.

LIQUOR LICENSE RENEWAL

A. Licensee: Mini Mart Inc., d/b/a Loaf 'N Jug #750007
Location: 9028 S. Woodman Way
License Type: Fermented Malt Beverage Off-Premises

The applicant submitted all required documentation and fees, and everything appeared to be in order. However, during the background check, potential derogatory information was found; therefore, staff was unable to approve the renewal administratively. The State Liquor Enforcement did a compliance check on August 11, 2022, and this Loaf 'N Jug store failed. They received a seven-day suspension; four days held in abeyance for one year; and three days stayed upon a \$500 settlement.

Brian Proffitt, attorney with Runco & Proffitt, Loaf 'N Jug representatives Carlos Maes, Regional Manager, and Susan Armijo, District Manager, were present to speak with the Authority. The point of sale system at the store allows for scanning of a driver's license or swiping if the scan fails. Manual entry of the identification is allowed if the other systems fail. The employee did not verify identification properly and was subsequently terminated. After this violation, retraining of the store staff took place and will occur monthly for a one-year period. The company also does random checks of their stores to ensure proper identification checks and sales.

After review of the application and discussion with the licensee, Mike Appleby moved to approve the Fermented Malt Beverage Off-Premises License Renewal Application for Mini Mart Inc., d/b/a Loaf 'N Jug #750007, at 9028 S. Woodman Way.

Jon Brusco seconded the motion.

A roll call vote was taken:

Bryan Campbell - Yes

Jon Brusco - Yes

Kelli Narde - Yes

Greg Simpson - Yes

Mike Appleby - Yes

The motion was approved unanimously.

CONSIDERATION OF AN ORDER TO SHOW CAUSE AND NOTICE OF PUBLIC HEARING FOR VIOLATION OF THE PARKER MUNICIPAL CODE

Licensee: Rocky Mountain Pizzeria, Inc., d/b/a Rocky Mountain Pizzeria
Location: 19523 Hess Road, Unit 101
Department: Attorney Corey Hoffmann

Jon Brusco moved to approve the Order to Show Cause and to set the hearing date for February 16, 2023.

Greg Simpson seconded the motion.

A roll call vote was taken:

Bryan Campbell - Yes

Jon Brusco - Yes

Kelli Narde - Yes

Greg Simpson - Yes

Mike Appleby - Yes

The motion was approved unanimously.

OTHER BUSINESS

Detective Finley advised that the Parker Police Department with the Parker Police Explorers conducted a sting on November 17, 2022. They checked 14 businesses, of which 2 were closed, 8 passed, and 4 failed. The businesses who failed were issued municipal summons and are working through the court system, along with being scheduled for show cause hearings.

Katie Vera stated that they are still waiting for guidance from the State on sale of wine in grocery and convenience stores. The law does not take effect until March of 2023.

ADJOURNMENT

Jon Brusco moved to adjourn the meeting at 7:31 p.m.

Bryan Campbell seconded the motion.

A roll call vote was taken:

Bryan Campbell - Yes

Jon Brusco - Yes

Kelli Narde - Yes

Greg Simpson - Yes

Mike Appleby - Yes

The motion was approved unanimously.


Susan L. Irvine, Deputy Town Clerk


Kelli Narde, Vice-Chair