

**SPECIAL LICENSING AUTHORITY
MINUTES
SEPTEMBER 20, 2018**

7:00 P.M. - REGULAR MEETING

A. Call to Order

B. Roll Call

Chair Dave Usechek called the meeting to order at 7:00 p.m.

Authority members present were: Mike Appleby and Kelli Narde. Alternate members present were David Chung and Steve Connor. Staff members present were: Town Clerk Carol Baumgartner, Deputy Town Clerk Chris Vanderpool, and Authority Attorney Corey Hoffmann.

The Pledge of Allegiance was led by Chair Usechek.

C. Pledge of Allegiance

PUBLIC COMMENTS

Doug McCarthy with the Denver Round Table explained they are having an event at Vehicle Vault on Saturday, September 22. He described the event to the Authority and asked if there was anything that could be done so that they could serve alcohol. He stated that the venue has been reserved for nine months and nothing was ever mentioned about getting a Special Events Permit. He stated that invitations were mailed out to their members and invitations were also handed out personally. There is a website that can only be accessed by those that actually have an invite. He added the funds raised will go to two different organizations. He continued by stating that the Vehicle Vault admitted that they goofed. He asked again that the Authority consider his request.

Attorney Hoffmann stated there are no exceptions provided under the liquor code to address this kind of situation. He said an option could be to still have the event, but auction the alcohol off and the winners take the alcohol home.

Chair Usechek stated the Authority's hands are tied in this matter and there is nothing that can be done to change the situation

APPROVAL OF MINUTES

A. August 16, 2018

Mike Appleby moved to approve the minutes of August 16, 2018. David Chung seconded the motion and was approved unanimously.

PUBLIC HEARINGS

A. SPECIAL EVENTS PERMIT APPLICATION (MALT, VINOUS AND SPIRITUOUS)

Applicant: Northeast Mountain View PTO
Event: Fundraising Event
Location: Vehicle Vault
18301 Lincoln Meadows Parkway
Date: September 29, 2018

The applicant submitted a Special Events Permit Application on August 24, 2018, with supporting documents and fees. The applicant had a Notice of Public Hearing posted on this matter on September 10, 2018, ten (10) days prior to the hearing, as required by law.

Chair Usechek opened the Public Hearing at 7:13 p.m.

Chair Usechek disclosed that his granddaughter attends the school that has applied for the permit. It was determined that there is no conflict of interest.

Event Manager Amy Arnold stated that the event will be held a Vehicle Vault and she was not aware until the last minute that a permit was needed to be able to serve alcohol. She described the event to the Authority including how the accesses would be monitored. She stated guests will be asked for identification and given a bracelet to show age compliance. The servers will be TIPS certified.

No one from the public was present to comment. The Public Hearing was closed at 7:18 p.m.

Kelli Narde moved to approve the Special Events Permit application (Malt, Vinous and Spirituous) for the Northeast Mountain View PTO fundraising event at 18301 Lincoln Meadows Parkway, on September 29, 2018. Steve Conner seconded the motion and was approved unanimously.

No one from the public was present to comment on the event.

B. SPECIAL EVENTS PERMIT APPLICATION (MALT, VINOUS AND SPIRITUOUS)

Applicant: Inspire Creative Inc.
Event: Fundraising Event
Location: Music@Mainstreet
19604 E. Mainstreet
Date: October 27, 2018

The applicant submitted a Special Events Permit Application on August 24, 2018, with supporting documents and fees. The applicant had a Notice of Public Hearing posted on this matter on September 10, 2018, ten (10) days prior to the hearing, as required by law.

Chair Usechek opened the Public Hearing at 7:20 p.m.

Ralph Neumann described the event to the Authority. He stated it is their annual fundraising event with a silent auction. There will be someone at the front and back doors to ensure age compliance. This is an adult only event. The servers are TIPS trained and the alcohol is being donated. There will be off-duty police officers.

No one from the public was present to comment on the event. The Public Hearing was closed at 7:22 p.m.

Mike Appleby moved to approve the Special Events Permit application (Malt, Vinous and Spirituous) for the fundraising event at Inspire Creative, Inc., 19604 E. Mainstreet, on October 27, 2018. The motion was seconded by David Chung and was approved unanimously.

No one from the public was present to comment on the event.

C. SPECIAL EVENTS PERMIT APPLICATION (MALT, VINOUS AND SPIRITUOUS)

Applicant: American Cancer Society
Event: Relay For Life Fundraising Event
Location: O'Brien Park
10795 Victorian Dr.
Date: September 29, 2018

The applicant submitted a Special Events Permit Application on August 29, 2018, with supporting documents and fees. The applicant had a Notice of Public Hearing posted on this matter on September 10, 2018, ten (10) days prior to the hearing, as required by law.

Chair Usechek opened the Public Hearing at 7:23 p.m.

Scott Dishong was present from the American Cancer Society. He described the event to the Authority. He said there will be an area so that people can watch television and have a beer. All servers will be TIPS trained. Identification will be checked before serving. He stated the beer will only be served from 4 to 7 p.m. on September 29, 2018.

No one from the public was present to comment on the event. The Public Hearing was closed at 7:27 p.m.

Steve Connor moved to approve the Special Events Permit application (Malt, Vinous and Spirituous) for the American Cancer Society's Relay For Life fundraising event at O'Brien Park, 10795 Victorian Drive, on September 29, 2018. Kelli Narde seconded the motion and was approved unanimously.

D. SPECIAL EVENTS PERMIT APPLICATION (MALT, VINOUS AND SPIRITUOUS)

Applicant: Douglas County Colorado HOG Chapter 3616
Events: Open House Demo Day - September 29, 2018
Pink Label Event - October 6, 2018
Location: 6280 E. Pine Lane

The applicant submitted Special Events Permit Application on August 30, 2018, with supporting documents and fees. The applicant had a Notice of Public Hearing posted on this matter on September 10, 2018, ten (10) days prior to the hearing, as required by law.

Chair Usechek opened the Public Hearing at 7:29 p.m.

Event Manager Deb Bailey was present and described both events to the Authority. The first event is a Demo event, which will showcase their new products. Alcohol won't be served until after 2 p.m.

The second event to be held on October 6, 2018 will have the same set up and will be called the Pink Label event. Proceeds go to their breast cancer partners. Volunteers will be located at entrances and will check for identifications to ensure age compliance.

For each event, there will be a three drink maximum with drink tabs being provided.

The Authority recommend that the volunteers get TIPS trained.

No one from the public was present to comment on the event. The Public Hearing was closed at 7:33 p.m.

Steve Conner moved to approve the Special Events Permit application (Malt, Vinous and Spirituous) for the Douglas County Colorado HOG Chapter #3616, fundraising events on September 29 and October 6, 2018, at 6280 E. Pine Lane. The motion was seconded by Mike Appleby and was approved unanimously.

E. SPECIAL EVENTS PERMIT APPLICATION (MALT, VINOUS AND SPIRITUOUS)

Applicant: Rocky Mountain Adventist Healthcare Foundation
Event: Walk of Dreams Fundraising Event
Location: Vehicle Vault
18301 Lincoln Meadows Parkway
Date: October 25, 2018

The applicant submitted a Special Events Permit Application on September 7, 2018, with supporting documents and fees. The applicant had a Notice of Public Hearing posted on this matter on September 10, 2018, ten (10) days prior to the hearing, as required by law.

Chair Usechek opened the Public Hearing at 7:35 p.m.

Annison Alley with the Rocky Mountain Adventist Healthcare Foundation described the Walk of Dreams event to the Authority. She stated there would be 300 to 400 people attending. PEAK Beverage will be serving and are TIPS certified. She stated this will be the first year the event has been held in Parker. Security will be provided to monitor the doors. An off-duty police officer will be obtained. Volunteers will also be available to help to ensure alcohol does not leave the premises.

No one from the public was present to comment on the event. The Public Hearing was closed at 7:38 p.m.

David Chung moved to approve the Special Events Permit application (Malt, Vinous and Spirituous) for the Rocky Mountain Adventist Healthcare Foundation's Walk of Dreams fundraising event at 18301 Lincoln Meadows Parkway, on October 25, 2018. Steve Conner seconded the motion and was approved unanimously.

RETAIL LIQUOR STORE LICENSE RENEWAL

Licensee: Anthony Shmorgoner
d/b/a Chokecherry Liquor Mart
Location: 10471 S. Parker Road #A4

The applicant submitted all required documentation and fees. However, the application was presented to the Special Licensing Authority because information was provided that requires Authority consideration. A transfer application was filed at the same time as the renewal application. Generally, Mr. Shmorgoner created a corporation in April 2018, however, the Buy and Sell document shows that he sold it to Artur Ustyan and not the corporation (Chokecherry Liquors, Inc.). Also noted in the Buy and Sell document was an inconsistent sale price. Mr. Shmorgoner is using his current license to buy alcohol from his Wholesalers. He is also paying sales tax under Anthony Shmorgoner, d/b/a Chokecherry Liquor Mart and not the corporation.

Attorney D'Alessandro was present and provided a brief explanation regarding the situation. She explained they wanted to become partners so they drew up a buy/sell agreement, however, the business was not sold to the corporation and nothing transferred to the corporation. She stated that it was her opinion that it appears no unlawful transfer occurred. The two individuals have decided they do not want to be partners anymore. Attorney D'Alessandro asked that the renewal be approved as submitted.

Kelli Narde moved to approve the Retail Liquor Store Renewal Application for Anthony Shmorgoner, d/b/a Chokecherry Liquor Mart, 10471 S. Parker Road #A4. David Chung seconded the motion and was approved unanimously.

**MOTION TO CONSIDER WAIVING THE NEIGHBORHOOD PETITIONING
REQUIREMENTS FOR A CHANGE OF LOCATION APPLICATION AND SETTING
OF A PUBLIC HEARING DATE**

Licence Type: Tavern
Applicant: Takoda Tavern, LLC
d/b/a Takoda Tavern
Location: 12311 Pine Bluffs Way, Unit A to
12365 Pine Bluffs Way

The applicant has submitted a letter as a request of the Special Licensing Authority to waive the neighborhood petitioning requirement for a Change of Location application he has filed with the Town. He is building a new Tavern approximately 50 yards to the south of the current location which he anticipates will be finished in November. If a neighborhood radius was created for the new location, it would be very similar to the neighborhood radius for the current location. This is not a change of location to a different neighborhood that would require the applicant to establish the needs and desires of the neighborhood.

Owner Robert Nobles was present to request the waiver. He stated his business is moving approximately 50 yards to the south. He owns the new building which will have space for several other businesses.

Attorney Hoffman added that the needs and desires are not needed as they are not moving out of the neighborhood.

Mike Appleby moved to approve the motion to waive neighborhood petitioning requirement for the change of location application and to set a public hearing date for the application on October 18, 2018. Steve Conner seconded the motion and was approved unanimously.

**PRESENTATION OF AN APPLICATION FOR A HOTEL AND RESTAURANT
LIQUOR LICENSE TO SET A PUBLIC HEARING DATE AND ESTABLISH
PETITIONING BOUNDARIES**

Licence Type: Hotel and Restaurant
Applicant: Vy , LLC
d/b/a Vy Vietnamese Cuisine & Baguettes
Location: 9964 S. Twenty Mile Road

The applicant submitted a completed application and fees on August 23, 2018. A background investigation is currently being conducted by the Parker Police Department and will be completed by the October 18, 2018 public hearing date.

David Chung moved to approve a Public Hearing date of October 18, 2018, for a Hotel and Restaurant License for Vy, LLC, d/b/a Vy Vietnamese Cuisine and Baguettes 9964 S. Twenty Mile Road, and to establish the neighborhood petitioning boundaries included as part of the staff memorandum. Kelli Narde seconded the motion and was approved unanimously.

PRESENTATION OF AN APPLICATION FOR A LODGING AND ENTERTAINMENT LIQUOR LICENSE TO SET A PUBLIC HEARING DATE AND ESTABLISH PETITIONING BOUNDARIES

Licence Type: Lodging & Entertainment
Applicant: Studio@Mainstreet, LLP
d/b/a Studio@Mainstreet
Location: 19604 E. Mainstreet

The applicant submitted a completed application and fees on August 3, 2018. A background investigation is currently being conducted by the Parker Police Department and will be completed by the October 18, 2018 public hearing date.

Mike Appleby moved to approve a Public Hearing date of October 18, 2018, for a Lodging and Entertainment License for Studio@Mainstreet, LLP, d/b/a Studio@Mainstreet, 19604 E. Mainstreet, and to establish the neighborhood petitioning boundaries included as part of the staff memorandum. Steven Conner seconded the motion and was approved unanimously.

PRESENTATION OF AN APPLICATION FOR A BEER AND WINE LICENSE TO SET A PUBLIC HEARING DATE AND ESTABLISH PETITIONING BOUNDARIES

Licence Type: Beer and Wine
Applicant: Best Pizza, LLC
d/b/a MOD Pizza

Location: 18300 Cottonwood Drive #111

The applicant submitted a completed application and fees on August 20, 2018. The background check was completed by the State of Colorado as part of the Master File application.

Kelli Narde moved to approve a Public Hearing date of October 18, 2018, for a Beer and Wine License for Best Pizza, LLC, d/b/a MOD Pizza, 18300 Cottonwood Drive, Unit 111, and to establish the neighborhood petitioning boundaries included as part of the staff memorandum. Steven Conner seconded the motion and was approved unanimously.

PRESENTATION OF AN APPLICATION FOR A 3.2% FERMENTED MALT BEVERAGE LICENSE TO SET A PUBLIC HEARING DATE AND ESTABLISH PETITIONING BOUNDARIES

Licence Type: Retail 3.2% Beer Off-Premises
Applicant: Circle K Stores, Inc.
d/b/a Circle K Store 2704585

Location: 17001 Parkerhouse Road

The applicant submitted a completed application and fees on September 5, 2018. The background check was completed by the State of Colorado as part of the Master File application.

Steve Conner moved to approve a Public Hearing date of October 18, 2018, for a Retail 3.2% Off-Premises License for Circle K Stores, Inc., d/b/a Circle K Store 2704585, and to establish the neighborhood petitioning boundaries included as part of the staff memorandum. David Chung seconded the motion and was approved unanimously.

OTHER BUSINESS

Chair Usechek noted for the record that Diana Lettkeman resigned from the Authority Board as she no longer resides in Parker.

ADJOURNMENT