COLORADO SPRINGS, COLORADO COUNCIL CHAMBERS – CITY HALL 107 NORTH NEVADA AVENUE JUNE 21, 2013 – 9:00 A.M.

The Liquor and Beer Licensing Board met in regular session.

There were present: Chairman Stephens, Mr. Clauss, Mr., Davis, Mr. Gorman, Ms. Holmes, and Mr. Nemeth. Members Absent: Ms. Frias. Also present: Board Legal Advisor Kyle Sauer.

### **COMMUNICATIONS**

1. License Enforcement Officer Lee McRae stated that the applicant for Item No. 6 has requested the item be taken out of order due to legal counsel's required court appearance in Denver this morning, and that the applicant for Item No. 7 has requested the item be taken out of order after Item No. 3 for a request for continuance.

#### **MINUTES**

2. Motion by Clauss, second by Nemeth, that the Minutes of the Board meetings of June 1, 2012 and June 7, 2013 be approved as written. The motion unanimously carried. Absent: Frias.

#### CONSENT CALENDAR

- 3. The City Clerk's Office reports that boundaries were set for the following applications:
  - A. Coaltrain, Inc dba Coaltrain Wine & Liquor, 330 W. Uintah Street:

North: South side of Espanola Street extended
South: North side of Monument Street extended
East: West side of Nevada Avenue extended
West: East side of Caldera Drive extended

B. Circle K Stores, Inc. dba Circle K Store #2703291, 6135 N. Carefree Circle:

North: South side of Barnes Road extended

South: North side of Carefree Circle (South) extended

East: West side of Riviera Grove extended

West: East side of Homestead Ridge Heights extended

Motion by Clauss, second by Nemeth, that the Consent Calendar be approved. The motion unanimously carried. Absent: Frias.

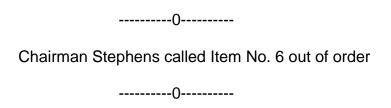
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Chairman Stephens called Item No. 7 out of order
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# 7. Application of MEG 123, LLC dba Mining Exchange Hotel or The Gold Room for a Tavern Liquor License at 18 S. Nevada Avenue.

Attorney Vince Linden entered his appearance on behalf of the applicant, and requested continuance of this item until the Liquor Board meeting of July 19, 2013.

Motion by Clauss, second by Nemeth, that the item be postponed to the Liquor Board meeting of July 19, 2013. The motion unanimously carried. Absent: Frias.



## 6. <u>Application of Saveur, LLC dba Paris Crepe and Couture's Bistro for a Hotel and</u> Restaurant Liquor License at 218 N. Tejon Street, #100, 110, & 120.

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

Wahid Hafsaoui was sworn and stated that he is the 100% owner and managing member of LLC; that he has a five year lease for the 6400 square foot premises; that they have been in business for about three years, and have decided to expand into the adjacent unit and serve alcoholic beverages; that although there will not be alcohol service in the Paris Crepes portion, the entire premises is to be licensed for service and access to the Coutures Bistro portion of the premises; and that he has had no prior experience in the liquor industry, but has been trained and will have all employees trained.

Sue Duffy Schwall, Liquor Licensing Professionals, was sworn and stated the company conducted the petition survey which resulted in 178 favoring, 5 opposing, and 2 no opinion signatures.

In response to questions from the Board, Mr. Hafsaoui stated that they are not requesting service on the sidewalk; and that he is investing \$20,000, of which said funds were derived from personal savings, and other improvements are covered in lease payments.

Motion by Clauss, second by Nemeth, that the application of Saveur, LLC dba Paris Crepe and Couture's Bistro for a Hotel and Restaurant Liquor License at 218 N. Tejon Street, #100, 110, & 120, be approved as it appears all criteria has been met. The motion unanimously carried. Absent: Frias.

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### TRANSFER APPLICATION

4. <u>Application of Mottoprises, Inc. & 7-Eleven, Inc. dba 7-Eleven Store #35822A to transfer the 3.2% Beer Off Premises License currently issued to 7-Eleven, Inc. dba 7-Eleven Store #35822H, 3502 N. Academy Boulevard.</u>

Attorney Kevin Coates entered his appearance on behalf of the applicant.

Steven Motto was sworn and stated that he is the 100% owner of co-applicant and franchisee; that he has had no prior violations; that all staff receive in house corporate computer based training, with annual recertification required; that the POS system will not allow the sale of alcohol during prohibited hours and also prompts for ID verification; that he is investing \$262,000, of which said funds were derived from personal savings; and that he has a 10 year lease for the 3010 square foot premises.

Motion by Clauss, second by Nemeth, that the application of Mottoprises, Inc. & 7-Eleven, Inc. dba 7-Eleven Store #35822A to transfer the 3.2% Beer Off Premises License currently issued to 7-Eleven, Inc. dba 7-Eleven Store #35822H, 3502 N. Academy Boulevard, be approved as it appears all criteria has been met. The motion unanimously carried. Absent: Frias.

### **NEW APPLICATION HEARINGS**

5. <u>Application of Red Cellar Door Wine & Spirits, LLC. dba Red Cellar Door Wine & Spirits for a Retail Liquor Store License at 5903 Delmonico Drive.</u>

Cindy Bershinsky-Reiman was sworn and stated that she is the 100% owner and member of the LLC; that the business is intended to be primarily a small production wine boutique, also carrying upscale ales; that she is investing \$168,000, of which said funds were derived from personal savings; that she has a 3 year lease for the 1900 square foot premises through a related entity; that she has no prior violations or experience in the business, however she owns another successful business in town; and that she has received certified training, and all employees will also receive the same training.

Sue Duffy Schwall, Liquor Licensing Professionals, was sworn and stated the company conducted the petition survey which resulted in 134 favoring, 8 opposing, and 12 no opinion signatures.

In response to questions from the Board, Ms. Bershinsky-Reiman stated that she does intend to seek application to conduct tastings as allowed.

Motion by Clauss, second by Nemeth, that the application of Red Cellar Door Wine & Spirits, LLC. dba Red Cellar Door Wine & Spirits for a Retail Liquor Store License at 5903 Delmonico Drive, be approved as it appears all criteria has been met. The motion unanimously carried. Absent: Frias.

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6.	Application of Saveur, LLC dba Paris Crepe and Couture's Bistro for a Hotel and Restaurant Liquor License at 218 N. Tejon Street, #100, 110, & 120.  See action taken earlier in the meeting.
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7.	Application of MEG 123, LLC dba Mining Exchange Hotel or The Gold Room for a Tavern Liquor License at 18 S. Nevada Avenue.
	See action taken earlier in the meeting.
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	At 9:45 A.M., there being no further business, the
	BOARD ADJOURNED
	Lee McRae License Enforcement Officer