



City of Littleton

Littleton Center
2255 West Berry Avenue
Littleton, CO 80120

Meeting Minutes - Draft

Licensing Authority

Wednesday, November 8, 2017

6:30 PM

Council Chamber

Regular Meeting

1. Roll Call

The Licensing Authority is comprised of five regular members and two alternates. With the absence of regular Authority Member Webb, Authority Member Day (Alternate I) will be voting. Authority Member Wiencek (Alternate II) will not vote but will participate in all discussion

Present: 6 - Andrew Cole, Michael Buchanan, Timothy LeVier, Kenneth Shock, Michael Day and Jerome Wiencek

Absent: 1 - Peter Webb

2. Pledge of Allegiance

3. Approval of the Agenda

Item 7.V.a removed from the agenda

4. Approval of the Minutes

- a) [ID# 17-317](#) Certification of the October 11, 2017 regular meeting minutes

Vice Chair LeVier moved and Authority Member Buchanan seconded to approve the minutes for the October 11, 2017 regular meeting of the Littleton Licensing Authority. The vote is 5-0. The motion carries unanimously.

Aye: 5 - Chairman Cole, Authority Member Buchanan, Vice Chair LeVier, Authority Member Shock and Authority Member Day

Absent: 1 - Authority Member Webb

Abstain: 1 - Authority Member Wiencek

5. Public Comment

6. Liquor License Application Hearings

I. New Application

- a) [LA Resolution 15-2017](#) Resolution to approve a liquor license application for CIP 2014 / PC RIL Hotel, LLC, d/b/a Residence Inn Denver Southwest/Littleton, 3090 West County Line Road, Littleton, Colorado

Chair Cole moved and Authority Member Shock seconded to admit exhibits A through G. The vote is 5-0. The motion carries unanimously.

Chair Cole opened and, with no persons interested in speaking, closed the public hearing.

Authority Member Shock moved and Authority Member Day seconded that the public hearing be closed and that a resolution of the Littleton Licensing Authority be approved which grants CIP 2014 / PC RIL Hotel, LLC, d/b/a Residence Inn Denver Southwest/Littleton, 3090 West County Line Road, Littleton, Colorado, a Lodging & Entertainment liquor license contingent upon approval by the Colorado Liquor Enforcement Division and based upon the following findings of fact: (1) that notice of the hearing was properly posted and published; (2) that the applicant has possession of the premises and the premises are suitable for the requested license; (3) that the needs of the neighborhood are not now being met; (4) that it is the desire of the adult inhabitants of the neighborhood that the license be issued; (5) that existing similar liquor licenses in the designated neighborhood are not adequate; and (6) that the applicant is of good moral character, record and reputation. The vote is 5-0. The motion carries unanimously.

Aye: 5 - Chairman Cole, Authority Member Buchanan, Vice Chair LeVier, Authority Member Shock and Authority Member Day

Absent: 1 - Authority Member Webb

Abstain: 1 - Authority Member Wiencek

II. Schedule Renewal Application for Hearing

III. Transfer Application

7. Consideration of Disciplinary Action on a Liquor License

I. Renewal Hearing

II. Probable Cause

- a) [LA# 17-007](#) Determine if probable cause exists to set show cause hearing - Platte River Bar & Grill Inc., d/b/a Platte River Bar & Grill, 5995 South Santa Fe Drive, Littleton, Colorado

Chair Cole moved and Authority Member Buchanan seconded to admit exhibits A through E. The vote is 5-0. The motion carries unanimously.

Session recessed due to technical difficulties in video stream. Session reconvened with a restatement of the motion and vote.

Chair Cole moved and Authority Member Shock seconded to find that there is probable cause to believe that Platte River Bar & Grill Inc., d/b/a Platte River Bar & Grill, 5995 S Santa Fe Drive, Littleton, Colorado, on December 31, 2016 and/or June 25, 2017 and/or July 9, 2017 did violate the Colorado Liquor Code and Littleton City Code and based on said findings, that a public hearing be set for January 10, 2018, for the purpose of considering the status of said license, wherein the above mentioned licensee may be present to show cause, if any,

why its license should not be suspended or revoked, and further that notice of these findings and the hearing to show cause shall be forwarded and served to Platte River Bar & Grill Inc., d/b/a Platte River Bar & Grill, 5995 S Santa Fe Drive, Littleton, Colorado, in accordance with the provisions of state law. I move that a preliminary hearing, if necessary, be set for the 13th day of December, 2017, for the purpose of considering a possible stipulation, if any, between the licensee and the City of Littleton. The vote is 3-2 with Authority Vice Chair LeVier and Authority Member Day voting no. The motion carries.

Aye: 3 - Chairman Cole, Authority Member Buchanan and Authority Member Shock

Nay: 2 - Vice Chair LeVier and Authority Member Day

Absent: 1 - Authority Member Webb

Abstain: 1 - Authority Member Wiencek

- b) [LA# 17-008](#) Determine if probable cause exists to set show cause hearing - T & K Smith Enterprises, Inc., d/b/a The Castle Bar & Grill, 6657 S Broadway, Littleton, Colorado
- Chair Cole moved and Authority Member Buchanan seconded to admit exhibits A through D. The vote is 5-0. The motion carries unanimously.*

Session recessed due to technical difficulties in video stream. Session reconvened with a restatement of the motion and vote.

Chair Cole moved and Authority member Shock seconded to find that there is probable cause to believe that T & K Smith Enterprises, Inc., d/b/a The Castle Bar & Grill, 6657 South Broadway, Colorado, on October 7, 2016 and/or September 4, 2017 did violate the Colorado Liquor Code and Littleton City Code and based on said findings, that a public hearing be set for January 10, 2018, for the purpose of considering the status of said license, wherein the above-mentioned licensee may be present to show cause, if any, why its license should not be suspended or revoked, and further that notice of these findings and the hearing to show cause shall be forwarded and served to T & K Smith Enterprises, Inc., d/b/a The Castle Bar & Grill, 6657 South Broadway, Littleton, Colorado, in accordance with the provisions of state law. I move that a preliminary hearing, if necessary, be set for the 13th day of December, 2017, for the purpose of considering a possible stipulation, if any, between the licensee and the City of Littleton. The vote is 5-0. The motion carries unanimously.

Aye: 5 - Chairman Cole, Authority Member Buchanan, Vice Chair LeVier, Authority Member Shock and Authority Member Day

Absent: 1 - Authority Member Webb

Abstain: 1 - Authority Member Wiencek

III. Preliminary Hearing

IV. Show Cause

V. Other Disciplinary Action

- a) [ID# 17-320](#) Motion to vacate the Stipulation, Agreement and Order for Retro Wasteland, LLC, d/b/a The Toad Tavern, 5302 S Federal Circle, Littleton, Colorado

Item removed from the agenda

8. Other Licensing Related Items

- a) [LA Resolution 16-2017](#) A resolution of the Littleton Licensing Authority recommending approval of an ordinance amending Title 3, Chapter 2 of the city code regarding alcohol beverages

Vice Chair LeVier moved and Chair Cole seconded to amend 3-2-10(d) to remove the term "licensee" on unlicensed premises. The vote is 5-0. The motion carries unanimously.

Vice Chair LeVier moved and Authority Member Buchanan seconded to approve the resolution recommending approval of the amended ordinance amending Title 3, Chapter 2 of the city code regarding alcohol beverages. the vote is 5-0. The motion carries unanimously.

Aye: 5 - Chairman Cole, Authority Member Buchanan, Vice Chair LeVier, Authority Member Shock and Authority Member Day

Absent: 1 - Authority Member Webb

Abstain: 1 - Authority Member Wiencek

9. Medical Marijuana Application Hearings

10. Consideration of Disciplinary Action on an MMC License

I. Probable Cause

II. Preliminary Hearing

III. Show Cause

11. Reports

- a. Staff
- b. Authority Members
- c. Authority Chair

12. Adjournment

Chair Cole adjourned the meeting at 7:44 p.m