



## Legislation Details (With Text)

**File #:** LA# 15-017 **Name:**

**Type:** Licensing Case **Status:** Passed

**File created:** 12/8/2015 **In control:** Licensing Commission

**On agenda:** 1/13/2016 **Final action:** 1/13/2016

**Title:** Schedule renewal hearing for Pho Real LLC, d/b/a Pho Real, 2399 West Main Street; Littleton, Colorado

**Sponsors:** Licensing Commission

**Indexes:**

**Code sections:**

**Attachments:** 1. EX A - Renewal Application, 2. EX C - Pre-Renewal Hearing Letter

Date	Ver.	Action By	Action	Result
1/13/2016	1	Licensing Commission	approved	Pass
1/13/2016	1	Licensing Commission	approved	Pass

Agenda Date: 01/13/2016

**Subject:**  
Schedule renewal hearing for Pho Real LLC, d/b/a Pho Real, 2399 West Main Street; Littleton, Colorado

**Presented By:** Colleen L. Norton, Deputy City Clerk

### **ISSUE:**

Whether to schedule the renewal application for Pho Real LLC, d/b/a Pho Real, 2399 West Main Street, Littleton, Colorado for a public hearing.

### **BACKGROUND:**

Routine liquor license renewals are generally handled administratively under Section 3-2-16 of the city code. That section states that the chairperson of the authority is authorized to grant renewals so long as “no information regarding alleged violations of the Colorado liquor and beer codes or amendment 20 of the Colorado constitution or violations of this code have been referred to him or her by the police department or otherwise.” Pursuant to Section III.B of the Licensing Authority Guidelines: “If the Littleton Police Department (LPD) renewal report or any other information obtained from other City departments (e.g., Finance) indicates to the City Attorney probable cause to believe there is “good cause” to refuse to renew, the City Attorney has discretion to place the renewal application on the agenda. The issue before the Licensing Authority shall be whether to schedule the renewal application for a public hearing. The Licensing Authority shall be provided with the renewal application, renewal report and any other information upon which the City Attorney based its decision to place the renewal application on the agenda. No testimony shall be taken and the Licensing Authority shall base its decision solely upon such information provided. If the Licensing Authority decides to schedule the renewal application for a public hearing, the renewal application shall be scheduled for the next

available public hearing date, following notice as required by C.R.S. § 12-47-302. The chairperson shall be authorized to proceed with approving any renewal application not scheduled for a public hearing by the Licensing Authority as part of this procedure.”

The City Attorney’s Office has placed this application on the agenda for the following reason(s):

- On the renewal application (question 3), the applicant indicates that the applicant, agent, owner, manager, partner or lender had been convicted of a crime since the date of filing of the last annual application. The applicant attached the required detailed explanation to the application.

**RECOMMENDATION:**

Staff recommends that the Authority schedule the renewal application for a hearing at its next regularly scheduled meeting.

**SUGGESTED MOTION:**

I move that the renewal application for Pho Real LLC, d/b/a Pho Real, 2399 West Main Street be scheduled for a public hearing on February 10, 2016 at 7 p.m. in the Council Chamber.

OR

I move that the renewal application for Pho Real LLC, d/b/a Pho Real, 2399 West Main Street, be approved administratively by the chairman of the Authority without the need for a public hearing thereon.