

CITY OF ARVADA

REGULAR MEETING

**AGENDA
LOCAL LIQUOR LICENSING AUTHORITY
AUGUST 10, 2023
5:30 P.M.**

1. CALL TO ORDER
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS
4. APPROVAL OF MINUTES – July 27, 2023
5. OLD BUSINESS – None
6. NEW BUSINESS
 - A. Application for the Transfer of Ownership of the Hotel and Restaurant Liquor License of Buhelos, Inc. d/b/a Home Cookin' Café to Baebull, Inc. d/b/a Home Cookin' Café, at 16255 West 64th Ave., Unit 7.
7. PUBLIC HEARING
 - A. Application for the Fermented Malt Beverage and Wine Liquor License of Murphy Oil USA, Inc. d/b/a Murphy USA #8904, at 9135 Howell Street.
8. OTHER AUTHORITY ITEMS – None
9. STUDY SESSION – None
10. REPORT FROM CITY ATTORNEY'S OFFICE
11. REPORT FROM CITY CLERK'S OFFICE
12. REPORT FROM POLICE DEPARTMENT
13. ADJOURNMENT



SUMMARY MINUTES OF THE ARVADA LIQUOR LICENSING AUTHORITY
REGULAR MEETING HELD
JULY 27, 2023

1. CALL TO ORDER – By Chairman Kaiser at 5:30 p.m.
2. PLEDGE OF ALLEGIANCE
3. ROLL CALL OF MEMBERS

Those present were: Steve Aldrich, Eric Anderson, David Caulder, Ronnie Kaiser and Tom Tennessen

Also present were: Kylie Justus, Assistant City Attorney; Sarah Walters, Deputy City Clerk

4. APPROVAL OF MINUTES

Chair Kaiser accepted the Summary Minutes of the regular meeting of June 22, 2023

5. OLD BUSINESS – none
6. NEW BUSINESS

- A. Application to Change, Alter, or Modify the Licensed Premises of the Fermented Malt Beverage and Wine License of Costco Wholesale Corporation dba Costco Wholesale #676, at 5195 Wadsworth Blvd.

Assistant Warehouse Manager Chris Fleming and attorney Brian Proffitt were present and answered questions from the Authority

Authority Chair Kaiser made a motion that the Application to Change, Alter, or Modify the Licensed Premises of the Fermented Malt Beverage and Wine License of Costco Wholesale Corporation dba Costco Wholesale #676, at 5195 Wadsworth Blvd., be approved

The following votes were cast on the motion:

Those voting Yes: Aldrich, Anderson, Caulder, Kaiser, and Tennessen

Those absent: none

The motion carried.

- B. Application to Change, Alter, or Modify the Licensed Premises of the Fermented Malt Beverage and Wine License of Sam's West, Inc. dba Sam's Club #6630, at 7370 West 52nd Ave.

Assistant Manager Noel Swartz and attorney Kevin Coates were present and answered questions from the Authority

Authority Chair Kaiser made a motion that the Application to Change, Alter, or Modify the Licensed Premises of the Fermented Malt Beverage and Wine License of Sam's West, Inc. dba Sam's Club #6630, at 7370 West 52nd Ave., be approved

The following votes were cast on the motion:

Those voting Yes: Aldrich, Anderson, Caulder, Kaiser, and Tennesen

Those absent: none

The motion carried.

7. PUBLIC HEARING – none
8. OTHER AUTHORITY ITEMS – none
9. STUDY SESSION – none
10. REPORT FROM CITY ATTORNEY'S OFFICE - On August 7th city council will consider the Olde Town Business Improvement District's plan for an entertainment district.
11. REPORT FROM CITY CLERK'S OFFICE – none
12. REPORT FROM POLICE DEPARTMENT – none
13. ADJOURNMENT – 5:59 pm

Ronnie Kaiser, Chairperson

ATTEST:

Sarah Walters, Deputy City Clerk

**CITY OF ARVADA
LOCAL LIQUOR LICENSING AUTHORITY**

**AGENDA NO. 6.A.
DATE:** August 10, 2023

Item: Application for Transfer of Ownership of the Hotel and Restaurant Liquor License of Buhelos, Inc. d/b/a Home Cookin' Cafe to Baebull, Inc. d/b/a Home Cookin' Cafe, located at 16255 West 64th Ave. Unit 7

Initiated By: Baebull, Inc.

Action Proposed: Consider Application

Presented by: Representatives for the applicant WILL be present.

Comments:

Attached is a copy of the state application form and the clearance memo from the Licensing Investigator.

Suggested Motion:

Moved by: _____

I move that the Application for Transfer of Ownership of the Hotel and Restaurant Liquor License of Buhelos, Inc. d/b/a Home Cookin' Café to Baebull, Inc. d/b/a Home Cookin' Café, located at 16255 West 64th Ave. Suite 7, be approved.

Approved with the Condition: _____

Continued until the Meeting of: _____, 2023 at 5:30 p.m.

Set for Public Hearing on: _____, 2023 at 5:30 p.m.

YES _____

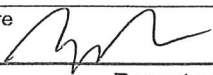
NO _____

ABSENT _____

1

Name	Type of License	Account Number		
7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?		Yes ☐ No ☒		
8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):				
a. Been denied an alcohol beverage license?		☐ ☒		
b. Had an alcohol beverage license suspended or revoked?		☐ ☒		
c. Had interest in another entity that had an alcohol beverage license suspended or revoked?		☐ ☒		
If you answered yes to 8a, b or c, explain in detail on a separate sheet.				
9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail.		☐ ☒		
10. Are the premises to be licensed within 500 feet, of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?		☐ ☒		
Waiver by local ordinance?		☐ ☐		
Other: _____				
11. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of greater than (>) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		NA ☐ ☐		
12. Is your Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of less than (<) 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.		NA ☐ ☐		
13. a. For additional Retail Liquor Store only. Was your Retail Liquor Store License issued on or before January 1, 2016?		NA ☐ ☐		
b. Are you a Colorado resident?		☐ ☐		
14. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any <u>current</u> financial interest in said business including any loans to or from a licensee.		☒ ☐		
15. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by ownership, lease or other arrangement?		☒ ☐		
☐ Ownership ☒ Lease ☐ Other (Explain in Detail) _____				
a. If leased, list name of landlord and tenant, and date of expiration, <u>exactly</u> as they appear on the lease:				
Landlord	Tenant	Expires		
Peterman Properties Shops at	Westwood LLC Baebull Inc	4/30/2023		
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 16.		☐ ☒		
c. Attach a diagram that designates the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
16. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.				
17. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:				☐ ☐
Has a local ordinance or resolution authorizing optional premises been adopted?				
Number of additional Optional Premise areas requested. (See license fee chart)				
18. For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include a diagram of the service area and documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.				

Name	Type of License	Account Number		
19. Liquor Licensed Drugstore (LLDS) applicants, answer the following: a. Is there a pharmacy, licensed by the Colorado Board of Pharmacy, located within the applicant's LLDS premise? ☐ Yes ☐ No If "yes" a copy of license must be attached.				
20. Club Liquor License applicants answer the following: Attach a copy of applicable documentation Yes No a. Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? ☐ Yes ☐ No b. Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? ☐ Yes ☐ No c. How long has the club been incorporated? d. Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above? ☐ Yes ☐ No				
21. Brew-Pub, Distillery Pub or Vintner's Restaurant applicants answer the following: a. Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) ☐ Yes ☐ No				
22. Campus Liquor Complex applicants answer the following: a. Is the applicant an institution of higher education? ☐ Yes ☐ No b. Is the applicant a person who contracts with the institution of higher education to provide food services? ☐ Yes ☐ No If "yes" please provide a copy of the contract with the institution of higher education to provide food services.				
23. For all on-premises applicants. a. For all Liquor Licensed Drugstores (LLDS) the Permitted Manager must also submit an Manager Permit Application - DR 8000 and fingerprints.				
Last Name of Manager <i>Joan</i>	First Name of Manager <i>Sara</i>			
24. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. Yes No ☐ Yes ☒ No				
25. Related Facility - Campus Liquor Complex applicants answer the following: ☐ Yes ☐ No a. Is the related facility located within the boundaries of the Campus Liquor Complex? If yes, please provide a map of the geographical location within the Campus Liquor Complex. If no, this license type is not available for issues outside the geographical location of the Campus Liquor Complex. b. Designated Manager for Related Facility- Campus Liquor Complex				
Last Name of Manager	First Name of Manager			
26. Tax Information. Yes No a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business? ☐ Yes ☒ No b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.? ☐ Yes ☒ No				
27. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment with an approved State Vendor through their website. See application checklist, Section IV, for details.				
Name <i>Yunhee Bae</i>	Home Address, City & State	DOB	Position <i>President</i>	%Owned <i>100</i>
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned

Name	Type of License	Account Number
** If applicant is owned 100% by a parent company, please list the designated principal officer on above. ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable) ** If total ownership percentage disclosed here does not total 100%, applicant must check this box: ☒ Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.		
Oath Of Applicant I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.		
Authorized Signature 	Printed Name and Title Sara Jung General Manager	Date 4/12/23
Report and Approval of Local Licensing Authority (City/County)		
Date application filed with local authority	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application)	
The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) or a DR 8000 (Manager Permit) has been: ☐ Fingerprinted ☐ Subject to background investigation, including NCIC/CCIC check for outstanding warrants That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license (Check One) ☐ Date of inspection or anticipated date _____ ☐ Will conduct inspection upon approval of state licensing authority		
☐ Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,000? ☐ Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,000? NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS. ☐ Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?		Yes No ☐ ☐ ☐ ☐ ☐ ☐
The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S., and Liquor Rules. Therefore, this application is approved.		
Local Licensing Authority for	Telephone Number	☐ Town, City ☐ County
Signature	Print	Title
Signature	Print	Title
		Date
		Date



LIQUOR INVESTIGATION REPORT

Date: July 20, 2023

To: Liquor Licensing Authority 

From: Scott Whetstone, Liquor License Investigator

Subject: Transfer of ownership of the Hotel and Restaurant License of Buhelos, Inc. d/b/a Home Cookin Café to Baebull, Inc. d/b/a Home Cooking Café 16255 W 64th Ave. unit 7, Arvada CO 80007

CORPORATE APPLICANT

Baebull, Inc. has applied for a transfer of the Hotel and Restaurant liquor license currently held by Buhelos, Inc. Both companies use the trade name Home Cookin Café. Baebull Inc. was registered with the Colorado Secretary of State in March of 2023 and is listed as being in good standing. A copy of the Certificate of Good Standing is attached as **Exhibit A**. Baebull, Inc. is solely owned by Yunhee Bae.

Because this is a transfer of an existing liquor license, a temporary permit was issued on April 20th, 2023. A copy of the temporary permit is attached as **Exhibit B**.

CHARACTER AND REPUTATION

Mrs. Bae is over the age of 21. She was born in South Korea and became a naturalized U.S. citizen in 2022. She currently resides in Aurora. Mrs. Bae does not have any outstanding felony or misdemeanor warrants in Colorado or extraditable warrants in other states, nor did I find her to be involved in any pending criminal or civil cases in Colorado. Her fingerprints were sent to the Federal Bureau of Investigation and the Colorado Bureau of Investigation for comparison with the database of previous arrests, with no adverse information being found. Yunhee Bae holds a valid Colorado driver's license.

LIQUOR EDUCATION AND/OR EXPERIENCE, REGISTERED MANAGER

Mrs. Bae will be responsible for the day-to-day operation of the restaurant. Mrs. Bae indicated on the affidavit concerning training and experience that she has been the owner / manager of the On & Off Café in Denver since October of 2020. The On & Off Café holds a Hotel and Restaurant liquor license.

PREVIOUS LIQUOR LICENSE VIOLATIONS

I found no liquor violations at the On & Off Café that Mrs. Bae owns. I also did not find any liquor violations at the Home Cookin Café both prior to and after Mrs. Bae took over ownership.

SOURCE OF FUNDS

Baebull, Inc. is solely owned by Yunhee Bae. She invested \$300,000.00 into the purchase of this business. \$90,000.00 was invested from Mrs. Bae's personal accounts which included proceeds and profits from her other restaurant On & Off Café. The remaining \$210,000.00 is in the form of an SBA loan from Hanmi Bank.

FOOD REQUIREMENTS

Businesses holding a Hotel and Restaurant liquor license are required to derive at least 25% of their gross proceeds from the sale of food and non-alcoholic beverages. Home Cookin Café is open daily for breakfast and lunch. The menu consists of traditional breakfast and lunch items. The menu includes a section for cocktails that must be ordered with food. A copy of a portion of the menu is attached as *Exhibit C*.

PROOF OF POSSESSION

The existing lease for the property located at 16255 W 64th Ave Unit 7, Arvada CO 80007, was assigned to Baebull, Inc. in March of 2023. The Lessor is Peterman Properties Shops at Westwood's LLC. Said lease has a term expiring in January of 2030.

SALES TAX

Home Cookin Café is current in the filing and payment of sales tax to the City of Arvada.

PROHIBITED LIQUOR INTERESTS

Companies and individuals are permitted to hold multiple Hotel and Restaurant liquor licenses, but each establishment must have a separate and distinct registered manager. Sara Joung will be the registered manager for Home Cookin Café. The Department of Revenue no longer requires a background investigation for the registered manager of a Hotel and Restaurant liquor license. The Department of Revenue will ensure Mrs. Joung is not registered as the manager of any other establishments before completing her registration as the manager of Home Cookin Café.



OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that, according to the records of this office,

BAEBULL INC

is a

Corporation

formed or registered on 03/07/2023 under the law of Colorado, has complied with all applicable requirements of this office, and is in good standing with this office. This entity has been assigned entity identification number 20231268069 .

This certificate reflects facts established or disclosed by documents delivered to this office on paper through 05/30/2023 that have been posted, and by documents delivered to this office electronically through 05/31/2023 @ 12:18:23 .

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this official certificate at Denver, Colorado on 05/31/2023 @ 12:18:23 in accordance with applicable law. This certificate is assigned Confirmation Number 15024503 .



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."

This License Must Be Posted in Public View



TEMPORARY PERMIT

This is to certify that on April 20, 2023,
this Temporary Permit has been issued to:

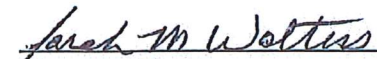
Baebull, Inc.
d/b/a
Home Cookin Cafe
located at
16255 W. 64th Ave. Unit 7
Arvada, Colorado 80007

Name of current Licensee: Buhelos, Inc.
State License Number: 03-13529
City License Number: 16745

This Temporary Permit is valid until such time as the application to transfer ownership of the license to the applicant is granted, or for 120 days, whichever shall come first.

SEAL





Sarah Walters
Deputy City Clerk

This permit authorizes the transferee to sell alcoholic beverages or fermented malt beverages during the period in which the transfer of ownership is pending. This permit may be canceled, revoked, or summarily suspended if the Local or State Licensing Authority determines that there is probable cause to believe that the transferee has violated any provisions of the Colorado Liquor/Beer Code or has violated any rule or regulation adopted by the Local or State Licensing Authority or has failed to truthfully disclose those matters required pursuant to the application forms required.

TEMPORARY PERMIT EXPIRES
August 18, 2023

4/18/23, 1:40 PM

Home Cookin' Cafe - Breakfast Restaurants, Lunch Restaurants



****Please know that we are following all current
guidelines with regard to sanitation and safety
protocols.****

GIFT CERTIFICATES AVAILABLE IN ANY AMOUNT

BREAKFAST AND LUNCH MENU

EVERYDAY FAVORITES AND COMFORT CLASSICS*

2-2-2

\$11.45

Two eggs served with choice of 2 pieces bacon or sausage links or patties, and choice of 2 pieces of French toast or two pancakes.

Two Egg Breakfast

\$11.25

Served with toast, hash browns and choice of bacon, ham or sausage links or patties. (Make it One Egg Breakfast for \$10.25)

B&G Breakfast

\$10.75

Half order biscuits & gravy, two eggs, and two pieces bacon, links or patties.

Egg Sandwich

\$11.25

Two slices of toast layered with two eggs cooked omelette-style, choice of ham, bacon or sausage and American cheese. Served with hash browns.

Arvada Sunrise

\$10.25

Two eggs on top of golden hash browns, smothered in green chili, and topped with cheese. Served with toast or tortilla.

Breakfast Burrito

\$9.95

Flour tortilla, scrambled eggs, cheese, potatoes and choice of bacon, sausage or chorizo. Smother in green chili or gravy for \$1.00. **Make it hand held for on-the-go!**

Fresh Fruit with Granola**10.95**

Stuffed with mixed berries, cream cheese and vanilla yogurt. Topped with crunchy granola and sliced banana. *(Add Nutella for additional \$1.00)*

Hot Oatmeal**\$6.95**

Served with brown sugar and raisins. Add berries or pecans for \$1.00.

Joggers French Toast**\$8.95**

Whole grain French toast topped with vanilla yogurt, granola and sliced bananas.

Parfait**\$8.75**

Vanilla and strawberry yogurt with granola and fresh seasonal fruit.

Fruit Cup**\$4.95**

Fresh cut seasonal fruit!

CLASSIC SANDWICHES

Served with fries, chips, cottage cheese, or coleslaw and pickle spear. Sub onion rings for \$1.00.

Bacon, Lettuce, and Tomato Sandwich**\$10.45****Tuna Sandwich****10.75****Turkey and Swiss Melt****\$11.25****Tuna Melt w/American Cheese****\$11.25****Grilled Ham and Cheese****\$10.25****Grilled Cheese Sandwich****\$8.45**

Fountain Drinks

\$3.75

Pepsi, Diet Pepsi, Mug Root Beer, Sierra Mist, Dr. Pepper, Mountain Dew

COCKTAILS

Must be ordered with food purchase.

House Bloody Mary

\$7.95/\$9.20 w/bacon slice

Made with Breckenridge Vodka and our house blend mix. Served with olives, pepperoncini and celery stick. Add a slice of Applewood Bacon for the ultimate Bloody Mary.

Home Cookin'Mimosa

\$6.95

A perfect blend of orange juice and French champagne.

Screwdriver

\$7.95

Orange juice and Breckenridge Vodka

Irish Coffee

6.95

Made with Brendan's Irish Cream Whiskey and topped with whipped cream and peppermint sprinkles.

Irish Hot Chocolate

6.95

Made with Brendan's Irish Cream Whiskey and topped with whipped cream and peppermint sprinkles, and chocolate syrup.

Irish Hot Chai

6.95

Hot chai with Brendan's Irish Cream Whiskey!

Irish Cream Over Ice

3.75

Topped with whipped cream and peppermint sprinkles.

KIDS BREAKFAST

**CITY OF ARVADA
LOCAL LIQUOR LICENSING AUTHORITY**

**AGENDA NO. 7.A.
DATE: August 10, 2023**

Application for the Fermented Malt Beverage and Wine Liquor License of
Murphy Oil USA, Inc. d/b/a Murphy USA #8904 located at 9135 Howell
Street

Initiated By: Murphy Oil USA, Inc.

Action Proposed: Public Hearing

Presented by: Representative of applicant WILL be present

Comments:

Attached are copies of the state application form, clearance memo from the Licensing Investigator, clerk's investigative report and a drawing of the proposed premises. Also attached are the findings of fact approval/denial forms.

The boundary delineation approved by the Authority is as follows:

On the North by the centerline of West 96th Avenue and extensions thereof
On the East by the centerline of Alkire Street and extensions thereof
On the South by the centerline of West 80th Avenue and extensions thereof
On the West by the centerline of Quaker Street and extensions thereof

The Applicant was sent a copy of the City Clerk's Investigative Report dated August 2, 2023.

All legal requirements have been met.

IF THE AUTHORITY ADOPTS FINDINGS OF FACT, PLEASE READ THE FINDINGS IN FULL.

IF THE AUTHORITY DOES NOT ADOPT FINDINGS AT THE CONCLUSION OF THE PUBLIC HEARING, THE FOLLOWING MOTION SHOULD BE MADE.

Suggested Motion:

Moved by:

The Application for the Fermented Malt Beverage and Wine Liquor License of Murphy Oil USA, Inc. d/b/a Murphy USA #8904, located at 9135 Howell Street, be taken under advisement until the next Regular Meeting of the Liquor Licensing Authority on Thursday, August 24, 2023.

YES _____

NO _____

ABSENT _____

Colorado Beer and Wine License Application

This application only applies to Fermented Malt Beverage On-Premises, Fermented Malt Beverage On/Off-Premises,
 and Fermented Malt Beverage and Wine Retailer.

☐ New License	☒ New-Concurrent	☐ Transfer of Ownership
• All answers must be printed in black ink or typewritten • Applicant must check the appropriate box(es) • Local license fee \$ _____ • Applicant should obtain a copy of the Colorado Liquor and Beer Code: SBG.Colorado.gov/Liquor		
1. Applicant is applying as a/an ☒ Corporation ☐ Individual ☐ Partnership (includes Limited Liability and Husband and Wife Partnerships) ☐ Limited Liability Company ☐ Association or Other		
2. Applicant(s) If an LLC, name of LLC; if partnership, at least 2 partners' names; if corporation, name of corporation FEIN Murphy Oil USA, Inc.		
2a. Trade Name of Establishment (DBA) Murphy USA #8904	State Sales Tax No.	Business Telephone TBD
3. Address of Premises (specify exact location of premises) 9135 Howell St		
City Arvada	County Denver	State CO
		ZIP Code 80005
4. Mailing Address (Number and Street) PO Box 7300	City or Town El Dorado	State AR
		ZIP Code 71731
5. Email Address		Home Phone Number
6. If the premises currently has a liquor or beer license, you MUST answer the following questions		
Present Trade Name of Establishment (DBA)	Present State License No.	Present Class of License
Present Expiration Date		
Section A Nonrefundable Application Fees		Section B Fermented Malt Beverage License Fees
☐ Application Fee for New License \$1,100.00	☐ Retail Fermented Malt Beverage On-Premises (City) \$96.25	
☒ Application Fee for New License - w/Concurrent Review \$1,200.00	☐ Retail Fermented Malt Beverage On-Premises (County) \$117.50	
☐ Application Fee for Transfer \$1,100.00	☒ Retail Fermented Malt Beverage and Wine (City) \$96.25	
	☐ Retail Fermented Malt Beverage and Wine (County) \$117.50	
	☐ Retail Fermented Malt Beverage On/Off-Premises (City) \$96.25	
	☐ Retail Fermented Malt Beverage On/Off-Premises (County) \$117.50	
	☐ Master File Location Fee \$25.00 x _____ Total _____	
	☐ Master File Background \$250.00 x _____ Total _____	
Questions? Visit SBG.Colorado.gov/Liquor for more information Do Not Write In This Space - For Department Of Revenue Use Only		
Liability Information		
License Account Number	Liability Date:	License Issued Through: (Expiration Date)
		Total \$

7. Is the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers under the age of twenty-one years?	Yes No ☐ ☒			
8. Has the applicant (including any of the partners if a partnership; members or managers if a limited liability company; or officers, stockholders or directors if a corporation) or managers ever (in Colorado or any other state):				
(a) been denied an alcohol beverage license?	☐ ☒			
(b) had an alcohol beverage license suspended or revoked?	☒ ☐			
(c) had interest in another entity that had an alcohol beverage license suspended or revoked?	☒ ☐			
If you answered yes to 8a, b or c, explain in detail on a separate sheet				
9. Has the premises to be licensed been denied within the preceding one year? If "yes," explain in detail.	☐ ☒			
10. Is the proposed Fermented Malt Beverage and Wine Retailer license within 500 feet of any public or parochial school, the principal campus of any college, university, or seminary? NOTE: The distances are to be computed using the methods outlined under C.R.S. 44-3-313(1)(d)(II). Some limited exceptions apply under C.R.S. 44-3-313.	☐ ☒			
11. Is the proposed Fermented Malt Beverage and Wine Retailer license, or On/Off premises license, within 500 feet of a Retail Liquor Store licensed under section 44-3-409 C.R.S.? Distance should be determined using guidelines outlined in 44-3-301(12)(c) C.R.S.	☐ ☒			
12. Are you applying for a Fermented Malt Beverage On and Off Premises License? If yes, answer subparts a and b. If No, go to question 13.	☐ ☒			
(a) The FMB On/Off is located in a county with a population of > 35,000.	☐ ☐			
(b) The FMB On/Off is located in an "underserved area" within a county with population of < 35,000 but lies outside of a municipal boundaries or is a city or town with population of > 75,500.	☐ ☐			
Note - The population is determined from the recently available United States Census Bureau.				
13. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current or former financial interest in said business including any loans to or from a licensee.	☐ ☒			
14. Does the applicant, as listed on line 2 of this application, have legal possession of the premises by virtue of ownership, lease or other arrangement?	☒ ☐			
☒ Ownership ☐ Lease ☐ Other (Explain in Detail) _____				
a. If leased, list name of landlord and tenant, and date of expiration, EXACTLY as they appear on the lease:				
Landlord	Tenant Murphy Oil USA, Inc.			
Expires				
b. Is a percentage of alcohol sales included as compensation to the landlord? If yes, complete question 13.				
☐ ☒				
c. Attach a diagram or designate the area to be licensed in black bold outline (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".				
15. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies) will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business? Attach a separate sheet if necessary.				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest
None				
Last Name	First Name	Date of Birth	FEIN or SSN	Interest
Attach copies of all notes and security instruments and any written agreement or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.				
16. Name of Manager(s) for all on premises applicants.				
Last Name	First Name	Date of Birth		
17. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number.				
☐ ☐				

18. Tax Information.					Yes No
a. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant, been found in final order of a tax agency to be delinquent in the payment of any state or local taxes, penalties, or interest related to a business?					☐ ☒
b. Has the applicant, including its manager, partners, officer, directors, stockholders, members (LLC), managing members (LLC), or any other person with a 10% or greater financial interest in the applicant failed to pay any fees or surcharges imposed pursuant to section 44-3-503, C.R.S.?					☐ ☒
19. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the Applicant. All persons listed below must also attach form DR 8404-I (Individual History Record), and make an appointment to be fingerprinted by an approved State Vendor through the Vendor's website. See application checklist, Section IV, for details.					
Name Please see Master File	Home Address, City & State	Date of Birth	Position	% Owned	
Name	Home Address, City & State	Date of Birth	Position	% Owned	
Name	Home Address, City & State	Date of Birth	Position	% Owned	
Name	Home Address, City & State	Date of Birth	Position	% Owned	
** If applicant is owned 100% by a parent company, please list the designated principal officer on above. ** Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (Include ownership percentage if applicable) ** If total ownership percentage disclosed here does not total 100%, applicant must check this box: ☐ Applicant affirms that no individual other than these disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Article 3 or 5, C.R.S.					
Oath of Applicant					
I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.					
Authorized Signature	Printed Name and Title VP, General Counsel, Secretary			Date 5/11/23	
Report and Approval of Local Licensing Authority (City/County)					
Date application filed with local authority		Date of local authority hearing – for new license applicants cannot be less than 30 days from date of application 44-3-311(1) C.R.S.			
Each person required to file DR 8404-I has been: ☐ Fingerprinted ☐ Subject to background investigation, including NCIC/CCIC check for outstanding warrants That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license. (Check One) ☐ Date of Inspection or Anticipated Date _____ ☐ Upon approval of state licensing authority ☐ New Fermented Malt Beverage Off Premises licenses, and On/Off Premises licenses, distance requirements of 44-3-301 C.R.S. are satisfied New Fermented Malt Beverage On/Off premises licenses must meet the qualifications of 44-4-104 C.R.S.					
The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 44, Article 4 or 3, C.R.S. and Liquor Rules. Therefore, this application is approved.					
Local Licensing Authority for		Telephone Number		☐ Town, City ☐ County	
Signature	Printed Name	Title	Date		
Signature (attest)	Printed Name	Title	Date		



COLORADO

Department of Revenue

Enforcement Division - Liquor & Tobacco

Physical Address:
1881 Pierce Street
Lakewood, CO 80214

Mailing Address:
P.O. Box 173350
Denver, CO 80217-3350

November 2, 2017

MURPHY OIL USA, INC
D/B/A MURPHY EXPRESS
PO BOX 7300
EL DORADO, AR 71731

Re: State Master File for Murphy Oil USA, Inc.
Account # 4700829

Dear Sir or Madam:

This is to advise you that the Colorado Liquor Enforcement Division ("Division") has, at your request, revised the "master file" for the above-listed Licensee.

As of the date of this letter our master file includes the following items which you have submitted:

1. Individual History Records (Form DR 8404-I) for the following persons:

R. Andrew Clyde
Malynda K. West
Gregory L. Smith
John A. Moore

2. Fingerprint cards bearing the names and birth dates of the persons listed in paragraph 1, above. All the fingerprint cards have been submitted by us to the Colorado Bureau of Investigation. The CBI and FBI have checked the prints and reportedly found no record of any criminal history for those listed above.
3. Certificate of Authority or a Certificate of Good Corporate standing from the Colorado Secretary of State which indicates that Murphy Oil USA, Inc. is a corporation authorized to do business in Colorado.

When filing a new application for additional licensed locations, you must check with the local licensing authority to determine what documents they may require to process your application. Please feel free to provide them with this letter, as many local authorities will not require you again to submit fingerprint cards to them if you have already submitted such documents to the Division. This letter will serve to inform the local

authorities exactly which documents you have already submitted to the State Enforcement Division.

Finally, once the local authority has approved your new license or transfer of ownership application, it must be sent to the Division.

The local authority need not send change of corporate structure information previously reported to the Division, as listed in and approved by this letter.

The only documents which are needed for a new or transfer of ownership application by the Division are:

1. The approved application signed by the local authority;
2. The appropriate fees;
3. A copy of this letter;
4. Proof of possession of the premises;
5. A diagram of the licensed premises;
6. Completed form DR 8442, and an Individual History Record (DR-8404-I) if manager's registration is required.

Sincerely,

A handwritten signature in cursive script that reads "Patrick Maroney". The signature is written in dark ink and is positioned above the printed name and title.

Patrick Maroney
Division Director



LIQUOR INVESTIGATION REPORT

Date: July 20, 2023

To: Liquor Licensing Authority 

From: Scott Whetstone, Liquor License Investigator

Subject: Application for a new Fermented Malt Beverage and Wine Liquor License
For Murphy Oil USA Inc. d/b/a Murphy USA #8904
9135 Howell St. Arvada 80005

NEW MASTER FILE APPLICATION

Murphy Oil USA, Inc. has applied for Master File Fermented Malt Beverage and Wine liquor license for a new convenience store / gas station, Murphy USA #8904. Murphy USA #8904 is a new location currently under construction and scheduled to open late 2023 or early 2024. Murphy Oil USA, Inc. has a Master File with the Colorado Department of Revenue that went into effect in November of 2017. Murphy Oil USA Inc. operates 32 locations in Colorado.

LIMITED LIABILITY COMPANY APPLICANT

Murphy Oil USA Inc. is a Delaware Limited Liability Company authorized to do business in the State of Colorado. Murphy Oil USA is based in El Dorado, Arkansas. A copy of the Certificate of Good Standing from the State of Colorado is attached as **Exhibit A**. Murphy Oil USA, Inc. has four officers listed on their Master File. Robert Clyde is the CEO and President; Malynda West is the VP / Treasurer; John Moore is the Corporate Legal Counsel; and Gregory Smith is the Secretary.

As this applicant has an existing Master File, and abbreviated background search was conducted on the four officers, per standard procedure.

CHARACTER AND REPUTATION

Fingerprints for the four Officers listed above were submitted to the Colorado Bureau of Investigation and the Federal Bureau of Investigation with no record of criminal history for those Officers. Additionally, I conducted an NCIC and a CCIC search of those Officers and found no record of any felony or misdemeanor arrest warrants in their home state of Arkansas or extraditable warrants in other states.

All four Officers of Murphy Oil USA Inc. are over the age of 21, they all reside in Arkansas and have valid Arkansas Driver's licenses.

PREVIOUS VIOLATION HISTORY

Presently, there are over 1,700 Murphy Oil USA locations throughout the United States. There are currently 32 locations in Colorado, mainly located on the Front Range. Dating back to 2013, I was only able to find one alcohol related violation involving a Murphy Oil USA location. In January of 2023 to Murphy Express location in Aurora, Colorado failed an underage compliance check and sold alcohol to a minor.

LIQUOR EDUCATION / EXPERIENCE

Locations operating with a Fermented Malt Beverage and Wine liquor license are not required to have a Registered Manager. As of this report I have not received an affidavit of liquor training and experience from Murphy USA #8904. A request for said form has been submitted to their legal counsel and will be forwarded to the Liquor Authority when received by the City of Arvada.

SOURCE OF FUNDS

The investment for Murphy USA #8904 will come from the existing corporate funds of Murphy Oil USA, Inc. These funds are held at Bancorp South Bank, a member of Cadence Bank based in Tupelo, Mississippi.

FOOD REQUIREMENTS

Off premise locations do not have a food requirement.

PROHIBITED LIQUOR INTERESTS

Murphy Oil USA, Inc. Master File liquor license with the State of Colorado. There are no prohibited liquor interests with a Fermented Malt Beverage and Wine liquor license.

PROOF OF POSSESSION

Murphy Oil USA Inc. (Grantee) and 90 Arvada, LLC (Grantor) signed a Special Warranty Deed for the real property located at 9135 Howell St., Arvada, Jefferson County, CO 80005. The deed was signed into effect on August 11, 2021 and was electronically recorded by the Clerk and Recorder of Jefferson County on August 12, 2021. A copy of the submitted site plan is attached as *Exhibit B*.

BUSINESS LICENSE / SALES TAX

Murphy USA #8904 has applied for an Arvada Business license but that application process has not been completed as of this report. Murphy USA #8904 currently has a State Sales Tax license.



OFFICE OF THE SECRETARY OF STATE
OF THE STATE OF COLORADO

CERTIFICATE OF FACT OF GOOD STANDING

I, Jena Griswold, as the Secretary of State of the State of Colorado, hereby certify that,
according to the records of this office,

MURPHY OIL USA, INC.

is an entity formed or registered under the law of Delaware, has complied with all
applicable requirements of this office, and is in good standing with this office. This entity has
been assigned entity identification number 20021205436.

This certificate reflects facts established or disclosed by documents delivered to this office on
paper through 07/19/2023 that have been posted, and by documents delivered to this office
electronically through 07/20/2023 @ 08:55:42.

I have affixed hereto the Great Seal of the State of Colorado and duly generated, executed, and issued this
official certificate at Denver, Colorado on 07/20/2023 @ 08:55:42 in accordance with applicable law.
This certificate is assigned Confirmation Number 15160973.



Jena Griswold

Secretary of State of the State of Colorado

*****End of Certificate*****

Notice: A certificate issued electronically from the Colorado Secretary of State's website is fully and immediately valid and effective. However, as an option, the issuance and validity of a certificate obtained electronically may be established by visiting the Validate a Certificate page of the Secretary of State's website, <https://www.coloradosos.gov/biz/CertificateSearchCriteria.do> entering the certificate's confirmation number displayed on the certificate, and following the instructions displayed. Confirming the issuance of a certificate is merely optional and is not necessary to the valid and effective issuance of a certificate. For more information, visit our website, <https://www.coloradosos.gov> click "Businesses, trademarks, trade names" and select "Frequently Asked Questions."



UTILITY/OFFICE

Employee Exit

BEER CAVE

110'

SALES

WALK-IN COOLER

HALLWAY

Emergency Exit

CASHIER

BEVERAGE COOLER

Entrance

FLOOR PLAN

160'

1" = 10'-0"

6. The drawing of the building is included in the official file.
7. Notice of hearing was published in the Jeffco Transcript and the City of Arvada Legal Notices Web Site on July 27, 2023; a copy of the publication is in the official file.
8. The premise was posted July 21, 2023; the Licensing Investigator photographed the posted notice and the photographs are in the official file.
9. Currently there are three similarly licensed outlet located within the designated boundary of the proposed location: 7-Eleven Store 38226A, 8790 Indiana St.; CVS Pharmacy #11138, 8557 Holman Ct.; and Kum & Go #2306, 14725 West 84th Pl.
10. The required fees have been paid.

Sincerely,

Sarah Walters
Deputy City Clerk



OFFICE OF THE CITY CLERK

FACSIMILE: 720-898-7515 ▲ TDD: 720-898-7869

PHONE: 720-898-7550

August 2, 2023

Murphy Oil USA, Inc.
d/b/a Murphy USA #8904
9135 Howell Street
Arvada, CO 80005

SUBJECT: RESULTS OF INVESTIGATION OF THE APPLICATION FOR THE
FERMENTED MALT BEVERAGE AND WINE LIQUOR LICENSE OF
MURPHY OIL USA, INC. D/B/A MURPHY USA #8904, LOCATED AT 9135
HOWELL STREET

Dear Applicant:

Requirements of the Colorado Liquor Code and Chapter 6 of the Code of the City of Arvada, Colorado, have been followed in the investigation of the above applicant, and the findings are as follows:

1. No application has been denied at the proposed location within two years prior to the application date; said date being June 8, 2023.
2. The applicant is holding a Special Warranty Deed. The official file contains a copy of the Special Warranty Deed.
3. The property is zoned MX-S (Mixed Use – Suburban). The Zoning, Fire and Building Codes of the City of Arvada allow this type of license in the assigned zoning classification.
4. The official file contains an investigative report dated July 20, 2023 from the Licensing Investigator.
5. The boundary delineation set by the Authority is as follows:

On the North by the centerline of West 96th Avenue and extensions thereof
On the East by the centerline of Alkire Street and extensions thereof
On the South by the centerline of West 80th Avenue and extensions thereof
On the West by the centerline of Quaker Street and extensions thereof

CLERK'S SURVEY OF PETITION
PETITIONS SUBMITTED BY APPLICANT
HEARING DATE: AUGUST 10, 2023

APPLICATION OF THE FERMENTED MALT BEVERAGE AND WINE LIQUOR LICENSE OF
MURPHY OIL USA, INC.
MURPHY USA #8904
9135 HOWELL STREET

101 SIGNED THE PETITION

CIRCULATOR	SIGNATURES SUBMITTED IN SUPPORT	SIGNATURES DELETED	SIGNATURES COUNTED IN SUPPORT	SIGNATURES SUBMITTED IN OPPOSITION	SIGNATURES DELETED	SIGNATURES COUNTED IN OPPOSITION
Liquor Pros	90	0	90	11	0	11

Deleted Signature Explanation

APPROVAL FORM

Page 1

APPROVAL

PROPOSED FINDINGS OF FACT
REGARDING THE APPLICATION OF THE
FERMENTED MALT BEVERAGE AND WINE LICENSE OF
MURPHY OIL USA, INC.
D/B/A MURPHY USA #8904
9135 HOWELL STREET

A public hearing on the Application for the Fermented Malt Beverage and Wine Liquor License of Murphy Oil USA, Inc. d/b/a Murphy USA #8904 located at 9135 Howell Street, was held on Thursday August 10, 2023, before the Arvada Liquor Licensing Authority (hereinafter "Authority"). After considering all of the evidence presented at said public hearing, reviewing the exhibits, petitions, remonstrances, and considering all of the facts presented, the Authority adopts the following Findings of Fact:

1. The neighborhood to be served by the requested license is that area surrounded by the following:

On the North by the centerline of West 96th Avenue and extensions thereof
On the East by the centerline of Alkire Street and extensions thereof
On the South by the centerline of West 80th Avenue and extensions thereof
On the West by the centerline of Quaker Street and extensions thereof
2. The City Clerk's Results of Investigation dated August 2, 2023 are incorporated herein and made a part hereof.
3. (Representatives of the applicant) (Representatives of the applicant and _____ other persons) testified as to the character and reputation of the individuals involved in the application and plans for operation of the proposed outlet.
4. The Authority finds there are three similarly licensed outlets presently existing within the applicant's delineated boundary.
5. The applicant submitted petitions containing the signatures of approximately 101 persons, none of which were deleted. Based on the needs and desires of the petition signers, 90 support the issuance of the proposed license and 11 oppose it. Petition signers, according to the testimony of the circulators, support the issuance of the proposed liquor license.
6. (No persons, other than representatives of the applicant) (Representatives of the applicant and _____ other persons) testified in support of the proposed license regarding the needs and desires of the neighborhood.

APPROVAL FORM

Page 2

7. The Authority finds the applicant's file is complete.
8. City Zoning permits the use of the subject property for the proposed outlet.
9. No petitions in opposition were received and (no) (____) person(s) spoke in opposition. The Authority finds there has been an adequate showing the present outlets in and near the neighborhood are not meeting the reasonable requirements thereof.
10. The Authority has considered all of the evidence coming before the Authority at the public hearing and finds the evidence does establish conclusively:
 - A. The reasonable requirements of the neighborhood are not presently being met.
 - B. The desires of the inhabitants of the neighborhood are consistent with these Findings and the granting of the application.
 - C. The character, record and reputation of the individuals involved in the application are satisfactory.

I move the foregoing Findings of Fact be Adopted and the Application for the Fermented Malt Beverage and Wine Liquor License of Murphy Oil USA, Inc. d/b/a Murphy USA #8904, located at 9135 Howell Street, be Approved.

Approved with the Condition: _____

YES: _____

NO: _____

ABSENT: _____

DENIAL FORM

Page 1

DENIAL

PROPOSED FINDINGS OF FACT
REGARDING THE APPLICATION OF THE
FERMENTED MALT BEVERAGE AND WINE LICENSE OF
MURPHY OIL USA, INC.
D/B/A MURPHY USA #8904
9135 HOWELL STREET

A public hearing on the Application for the Fermented Malt Beverage and Wine Liquor License of Murphy Oil USA, Inc. d/b/a Murphy USA #8904 located at 9135 Howell Street, was held on Thursday August 10, 2023, before the Arvada Liquor Licensing Authority (hereinafter "Authority"). After considering all of the evidence presented at said public hearing, reviewing the exhibits, petitions, remonstrances, and considering all of the facts presented, the Authority adopts the following Findings of Fact:

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6. (No persons, other than representatives of the applicant) (Representatives of the applicant and _____ other persons) testified in support of the proposed license regarding the needs and desires of the neighborhood.

DENIAL FORM

Page 2

7. The Authority finds the applicant's file is complete.
8. City Zoning permits the use of the subject property for the proposed outlet.
9. No petitions in opposition were received and (no) (____) person(s) spoke in opposition. The Authority finds there has been an adequate showing the present outlets in and near the neighborhood are not meeting the reasonable requirements thereof.
10. The Authority has considered all of the evidence coming before the Authority at the public hearing and finds the evidence does establish conclusively:
 - A. The reasonable requirements of the neighborhood are not presently being met.
 - B. The desires of the inhabitants of the neighborhood are consistent with these Findings and the granting of the application.
 - C. The character, record and reputation of the individuals involved in the application are satisfactory.

I move the foregoing Findings of Fact be Adopted and the Application for the Fermented Malt Beverage and Wine Liquor License of Murphy Oil USA, Inc. d/b/a Murphy USA #8904, located at 9135 Howell Street, be Denied.

YES: _____

NO: _____

ABSENT: _____