



MEMORANDUM

P.O. Box 4100 ♦ FRISCO, COLORADO 80443 ♦ FRISCOGOV.COM

TO: TOWN OF FRISCO LIQUOR AUTHORITY (MAYOR AND TOWN COUNCIL)
FROM: STACEY NELL, TOWN CLERK
RE: NEW LIQUOR LICENSE APPLICATION FOR LUKA2 LLC, DBA DOMA,
LOCATED AT 842 SUMMIT BOULEVARD UNIT #38, BY MICHAL ULEHLA,
APPLICANT OWNER/OPERATOR
DATE: MAY 23, 2023

Summary and Background: As the Local Licensing Authority for Liquor Licensing per Frisco Town Code § 53-2(A), Town Council maintains purview over the review of new liquor license applications. On May 27, 2023, Michal Ulehla as Owner/Operator of a restaurant located within the Town limits of Frisco located at 842 Summit Boulevard Unit #28, is seeking approval of his application for a Hotel & Restaurant liquor license. The Applying entity is Luka2 LLC dba Doma. In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing was properly noticed and posted. A representative of the applying entity has been provided a Follow Up Findings Report via email, and was requested to be present at this evening's meeting.

Results of Investigation: In accordance with C.R.S. § 44-3-312 and 44-3-313, and Frisco Town Code § 53-7, Town Staff have conducted an investigation of the statutory criteria for the issuance of a new liquor license of the class proposed by the application. The results of such investigation are as follows:

1. Neither this location nor any location within 250 feet from any public or parochial school or the principal campus of any college, university or seminary, in conformance with C.R.S. § 44-3-313(1)(d)(III).
2. The applicant is entitled to possession of the premises by virtue of a lease. A fully executed lease for the proposed premise, in the applying entity's name, has been supplied as a part of the application.
3. Verified by the Town Community Development Department, the zoning of the proposed premises permits the sale of alcoholic beverages, and the unit is free of building violations.
4. Neither this location nor any location within 500 feet, have been denied an application for the same class of license within the past two years, on the grounds that the reasonable requirements of the neighborhood and the desires of the adult inhabitants were satisfied by existing outlets.
5. As a result of the geographic size of the Town, the Liquor Authority has previously found that the neighborhood, for purposes of liquor licensing determinations, is the Town as whole. Under that definition, liquor licensed establishments in the neighborhood as of today's date, are as follows:
 - a. Total Number of Liquor Licenses Issued by the Town of Frisco: 50

- i. On-Premise Consumption Licenses: 47
 - ii. Off-Premise Consumption Licenses: 3
 - b. Hotel & Restaurant Licenses: 26
 - c. Tavern Licenses: 3
 - d. Beer & Wine Licenses: 5
 - e. Fermented Malt Beverage & Wine Licenses: 8
 - f. Brewpub Licenses: 1
 - g. Distillery Pub Licenses: 1
 - h. Bed & Breakfast Permits: 2
- 6. A petition concerning the proposed premises was submitted, with 132 signatures of people who assert that they are either an adult resident of the Town, or the adult owner or manager of a business within the Town. Results are as follows:
 - a. "For": 127
 - b. "Neutral": 5
 - c. "Against": 0
- 7. All State and local application and license fees have been submitted.
- 8. Applicant has already been granted a Town business license. Sales Tax remittances and water bill payments have been verified and in good standing.
- 9. The Statewide and Nationwide criminal background of the Applicant and finds the Applicant to be of good moral character.

Alignment with Strategic Plan: Assisting businesses through efficient government processes to obtain, maintain, and modify lawful licensure to sell certain types of restricted products such as alcohol, aligns with maintaining a Thriving Economy for the community. Local approval and processing of liquor licensing has been a longstanding Quality Core Service of the Town of Frisco. The Town Clerk strives to facilitate a comprehensive, expedient, locally-controlled liquor licensing process to serve businesses and their customers.

Staff Recommendation: Staff recommend that Council approve the application based on the findings of the investigation as listed previously in this staff report. The location has held a liquor license in the past (under ownership and management of a separate business), approved previously by Frisco Town Council. The Applicant owns 3 restaurants in the Town limits of Frisco, 2 of which hold liquor licenses in good standing. If the matter is continued or denied, Town Staff and the Town Attorney will be present at the Public Hearing and ready to assist the Authority in preparing any findings.

Recommended Motion: "I move to approve the application for a new Hotel & Restaurant Liquor License for Luka2 LLC, doing business as Doma, located at 842 Summit Boulevard Unit #38, Frisco, Colorado, for the following reasons:

- 1. The publication of the notice of hearing and the posting of the premises were accomplished according to statutory requirements;
- 2. No public or parochial school and no principal campus of any college, university or seminary is within 250 feet of the premises;
- 3. The applicant is entitled to occupancy of the premises by virtue of a lease;
- 4. The premises is located in a zone district that permits the sale of alcohol beverages;
- 5. Neither this location nor any location within 500 feet of this location has been denied an application for the same class of license within the past two years on the grounds that the reasonable requirements of the neighborhood and the desires of the adult inhabitants were satisfied by existing outlets;
- 6. All applications and fees required by statute have been filed and paid;

7. The Authority finds that the reasonable requirements of the neighborhood are not met by existing outlets, and that the owner of the corporate applicant is a person of good moral character; and
8. A public hearing has been held and the Authority has considered the reasonable requirements of the neighborhood; the desires of the adult inhabitants as evidenced by the record; the number, type and availability of alcohol beverage outlet located in or near the neighborhood under consideration; and all other pertinent matters affecting the qualifications of the applicant for the conduct of the type of business proposed.”

Approved By:

Stacey Nell, Town Clerk

Attachments:

Attachment 1 – Application Packet including:

- DR8404 Application Form
- Premise Diagram
- State of Colorado Business Filings (Articles of Incorporation, Certificate of Good Standing)
- Authorization to Release
- Town Internal Control Documentation (Finance-Water/Business License/Sales Tax), Community Development)
- Petition of Support (Neighborhood Needs & Desires)