

**MINUTES OF A REGULAR MEETING
OF THE COUNCIL OF THE
CITY OF LONE TREE
HELD
January 6, 2015**

A regular meeting of the Council of the City of Lone Tree was held on Tuesday, January 6, 2015, at 7:00 p.m., at the Lone Tree City Council Chambers located at 8527 Lone Tree Parkway, Lone Tree, Colorado 80124.

Attendance

In attendance were:

James D. Gunning, Mayor
Jacqueline Millet, Mayor Pro Tem
Harold Anderson, Council Member
Susan Squyer, Council Member

Kim Monson, Council Member, was absent

Also in attendance were:

Seth Hoffman, City Manager
Jennifer Pettinger, City Clerk
Steve Hebert, Deputy City Manager
Jeff Holwell, Economic Development Director
Chief Jeffery Streeter, Lone Tree Police Department
Kristin Baumgartner, Finance Director
Kelly First, Community Development Director
Neil Rutledge, City Attorney, White, Bear and Ankele, P.C.
John Cotten, Public Works Director, TTG Corp.

Call to Order

Mayor Gunning called the meeting to order at 7:02 p.m., and observed that a quorum was present.

Pledge of Allegiance

Mayor Gunning led those assembled in reciting the Pledge of Allegiance.

Amendments to the Agenda

There were no amendments to the agenda.

Conflict of Interest

There was no conflict of interest.

Public Comment

There was no public comment.

Announcements

Mayor Gunning announced upcoming events.

Presentations

CBC Recognition of Service

Mayor Gunning presented former CBC (Commissions, Boards & Committees) members Lucius Brooker, Steve Supple and Gary Godden with service recognition plaques.

Consent Agenda

Mayor Gunning noted the following items on the Consent Agenda, which consisted of:

- *Minutes of the December 16, 2014 Regular Meeting*
- *Claims for the period of December 8-29, 2014*

Mayor Pro Tem Millet moved, Council Member Anderson seconded, to approve the Consent Agenda. The motion passed with a vote of 4-0 by those members present.

Community Development

Approval of Sky Ridge Station TOD Subarea Plan

Jennifer Drybread, Senior Planner, introduced the item. Darryl Jones, Coventry Development, spoke about the application.

Council Member Squyer moved, Council Member Anderson seconded, to approve the application of the Sky Ridge Station TOD Subarea Plan #SA14-72R. The motion passed with a vote of 4-0 by those members present.

Administrative Matters

Approval of Cherry Creek Basin Water Quality Authority IGA

John Cotton, Public Works Director, introduced the item.

Council Member Anderson moved, Mayor Pro Tem Millet seconded, to approve the Cherry Creek Basin Water Quality Authority IGA regarding collection of development related fees within the boundaries of the Authority. The motion passed with a vote of 4-0 by those members present.

Public Hearing: 3.2% Beer Off Premise Liquor License Application for Twin Star Energy & 7-Eleven, Inc. d/b/a 7-Eleven Store 39733A

Mayor Gunning opened the public hearing at 7:27 p.m.

Jennifer Pettinger, City Clerk, introduced the item and introduced Kevin Coates, applicant's attorney. Mr. Coates spoke about application and introduced Carol Johnson, petitioner, Lesley Iding, 7-Eleven Field Consultant, and Sarita Mahargan, Twin Star Energy District Manager.

Mayor Gunning opened the public hearing for comment at 7:39 p.m.

There was no public comment.

The public hearing was closed at 7:39 p.m.

Mayor Pro Tem Millet moved, Council Member Squyer seconded, to approve a new 3.2% Beer Off Premise Liquor License for Twin Star Energy & 7-Eleven, Inc. d/b/a 7-Eleven Store 39733A, conditional upon the applicant obtaining necessary building permits and approvals. The motion passed with a vote of 4-0 by those members present.

RESOLUTION 15-01, ADOPTING THE AMENDED CITY OF LONE TREE ADMINISTRATIVE FEE SCHEDULE

Jennifer Pettinger, City Clerk, introduced the item.

Council Member Squyer moved, Council Member Anderson seconded, to approve **Resolution 15-01, ADOPTING THE AMENDED CITY OF LONE TREE ADMINISTRATIVE FEE SCHEDULE**. The motion passed with a vote of 4-0 by those members present.

Adjournment

There being no further business, Mayor Gunning adjourned the meeting at 7:53 p.m.

Respectfully submitted,

Jennifer Pettinger, CMC, City Clerk

**FINDINGS AND REPORT TO STATE LICENSING AUTHORITY BY THE
CITY COUNCIL OF LONE TREE ACTING AS THE
LOCAL LICENSING AUTHORITY ON THE APPLICATION FOR A
COLORADO FERMENTED MALT BEVERAGE 3.2% BEER OFF PREMISE LIQUOR
LICENSE**

Twin Star Energy, LLC and 7-Eleven, Inc. d/b/a 7-Eleven Store #39733A

A public hearing was held by the City Council of Lone Tree, State of Colorado, acting as Local Licensing Authority at approximately 7:00 p.m. on Tuesday, January 6, 2015 at 8527 Lone Tree Parkway, Lone Tree, Colorado, on the application of Twin Star Energy, LLC and 7-Eleven, Inc. d/b/a 7-Eleven Store #39733A, 9010 Park Meadows Drive, Lone Tree, Colorado 80124.

At said hearing, the following Members of the Council were present:

Mayor James D. Gunning
Mayor Pro Tem Jackie Millet
Council Member Harold Anderson
Council Member Susan Squyer

Also present were:

Seth Hoffman, City Manager
Jennifer Pettinger, City Clerk
Kevin Coates, Applicant's Attorney
Sarita Mahargan, District Manager, Twin Star Energy, LLC
Lesley Iding, Field Consultant, 7-Eleven, Inc.
Carol Johnson, Petitioner

The Honorable Mayor James D. Gunning presided. The hearing was duly convened to consider the Application and conduct a public hearing thereon.

City Clerk, Jennifer Pettinger gave a brief presentation concerning the application and provided evidence of posting to the Council. Ms. Pettinger noted that the City Council was in receipt of a packet of information which contained copies of: the license application, individual history records, red-lined drawing of the premises, special warranty deed, articles of organization and petition results. She also noted that staff has reviewed all the documents including their business license, Certificate of Good Standing, the affidavit of posting, and the affidavit of publication. She directed that information be made a part of the record. Ms. Pettinger stated the petitions supporting the application were reviewed and found to be in accordance with and in

conformity with the City of Lone Tree Liquor and Fermented Malt Beverage Regulations and were accepted into evidence by the Authority.

Ms. Pettinger introduced Kevin Coates, Applicant's Attorney. Mr. Coates introduced Carol Johnson, Petitioner, Sarita Majargan, District Manager for Twin Star Energy, and Lesley Iding, Field Consultant for 7-Eleven, Inc. Mr. Coates spoke about the application.

Mayor Gunning opened the hearing for public testimony. No one came forward.

Following a brief discussion by the City Council, the hearing was closed to public testimony.

The City Council, acting as the Local Licensing Authority, having fully considered the application and testimony submitted by the Applicant, and the other evidence adduced at the hearing, NOW FINDS as follows:

Twin Star Energy, LLC and 7-Eleven, Inc. d/b/a 7-Eleven Store #39733A
Findings and Report to the State

1. The public hearing held with respect to said Application on Twin Star Energy, LLC and 7-Eleven, Inc. d/b/a 7-Eleven Store #39733A, was duly convened and the Council has jurisdiction to consider the Application as the Local Licensing Authority.
2. Applicant seeks approval of an application for a Colorado Fermented Malt Beverage 3.2% Beer Off Premise Liquor License at 9010 Park Meadows Drive, Lone Tree, Colorado 80124. The Application was submitted on a form prescribed by the State Licensing Authority pursuant to statute, and said application appears to be complete in all material respects. The required fees accompanied the application.
3. The Council has reviewed the Individual History Records of the owners and the managers. Council finds that the Applicant has satisfied the requirements of the Colorado Liquor Code and Regulations with respect to character, record, and reputation.
4. The Applicant (Twin Star Energy, LLC) has evidenced possession of the subject property through special warranty deed.
5. The premise was posted in accordance with the law, for a period of not less than ten consecutive days prior to the date of said public hearing on the application, and published notice was accomplished by publication in a newspaper of general circulation in Douglas County.
6. Petitions containing 139 valid signatures in favor of and 24 valid signatures in opposition to the issuance of the license were presented to and considered by the Council.
7. No one appeared in opposition.



FINAL STAFF REPORT

To: Mayor Gunning and City Council

From: Kelly First, Director of Community Development
Jennifer Drybread, Senior Planner

Date: January 7, 2015

SUBJECT: Sky Ridge TOD Subarea Plan
Project File #SA14-72R

Applicant:
RidgeGate Investments, Inc.
10270 Commonwealth St., Suite B.
Lone Tree, CO 80124

Planning Commission Hearing Date: December 9, 2014
City Council Hearing Date: January 6, 2015

The City Council unanimously approved the Sky Ridge TOD Subarea Plan. There were no conditions.

END