

COMMERCE CITY LOCAL LICENSING AUTHORITY, ADAMS COUNTY, COLORADO

PRELIMINARY FINDINGS AND REPORT UPON A TRANSFER OF OWNERSHIP APPLICATION FOR A TAVERN LICENSE

IN RE:

6171, LLC, DBA HIDEAWAY SALOON, 6171 OLIVE STREET, COMMERCE CITY, CO 80022

TO THE APPLICANT NAMED ABOVE AND OTHER INTERESTED PARTIES;

You are hereby advised that with regard to the above transfer of ownership application for a tavern license, an investigation has been made, and based on the results thereof the following has been determined:

- 1) A transfer of ownership application was submitted on June 14, 2018.
- 2) A temporary alcohol beverage permit was issued on June 20, 2018, and is effective until December 17, 2018.
- 3) It appears from the evidence submitted; the applicant is entitled to possession of the premises through a lease.
- 4) A notice of public hearing on this matter will be published in the Commerce City Sentinel Express on Tuesday, October 30, 2018.
- 5) Notice of the public hearing is to be posted on the premises no later than Saturday, November 3, 2018.
- 6) The needs and desires of the neighborhood were previously established upon initial application and not required for this transfer of ownership application.
- 7) Selling malt, vinous and spirituous liquor by the drink for on premise consumption is not in violation of the Land Development Code of the City of Commerce City or regulations of the City.
- 8) The police department conducted a background investigation and found no adverse information related to the managing member, Danni Danko-Holloway; however, the city is concerned that Mr. Robert Holloway is an undisclosed owner/manager.

Robert Holloway

- A) On June 23, 2018, Robert Holloway represented himself as the owner of the Hideaway Saloon
- B) On September 19, 2018, Robert Holloway was introduced by the licensee's attorney as the manager.
- C) At the September 19, 2018, Show Cause Hearing, the applicant petitioned the Authority to pay a fine in lieu of suspension. Robert Holloway came to the city offices to pay the fine.

- D) On September 25, 2018, Mr. Robert Holloway submitted a check on the account of 6171, LLC, that he signed to pay for the general business license of the Hideaway Saloon. Despite his submitting a notarized affidavit with the transfer of ownership application stating he had no financial interest.
- E) On the Asset Purchase Agreement, Article VII, Section 7.02 Notices, Pages 11-12, identify the buyer as 6171 LLC with an email address to rob11.11@yahoo.com Attention: Manager. The city believes this to be Robert Holloway.
- F) The small business loan document from Acclivity Financial dated April 2, 2018, is addressed to both Robert Holloway and Danni Danko-Holloway, 6171, LLC dba Buck's Hideaway Saloon. Robert Holloway is identified as a guarantor of the loan and he signed as an Authorized Signer of 6171 LLC as we as a personal guarantor.
- 9) While operating a temporary alcohol permit, the licensee has had one violation for a violation of municipal code 8-1400 Employee Intoxication or Consumption.
- 10) A public hearing on the application will be held on November 13, 2018, at 11:00 a.m. in the Commerce City Civic Center, 7887 E. 60th Avenue, Room 2108 Commerce City, Colorado 80022. At said hearing, you shall have an opportunity to be heard regarding all matters related to the application, including all matters set forth herein.
- 11) At the public hearing, the applicant has the burden of proving that they are qualified to hold the license applied for and their character, record and reputation are satisfactory.

Given that the licensee has already had one violation while operating under a temporary permit and undisclosed ownership interest, the city is **recommending denial of this application.**

You are advised to obtain and read a copy of the State of Colorado Liquor and Beer Codes and Regulations and the Commerce City Liquor and Beer Code and the Local Licensing Authority Rules of Procedure.

Dated Oct 26, 2018

LOCAL LICENSING AUTHORITY FOR THE CITY OF
COMMERCE CITY, COLORADO

By: _____
Licensing Coordinator, Tiffany McGraw