

Local Licensing Authority

Agenda

July 26, 2010

City Hall, Council Chambers

749 Main Street

7:00 PM

- I. Call to Order**
- II. Roll Call**
- III. Approval of Agenda**
- IV. Action on Minutes – 06/28/10**
- V. Consent Agenda**

The following items on the Local Licensing Authority Agenda are considered routine by the Authority and the Consent Agenda as a whole shall be approved not as individual items, accepted, etc. by motion of the Authority and roll call vote unless the Local Licensing Authority or Authority Member specifically requests such item be considered under "Authority Business". In such an event the item shall be removed from the "Consent Agenda" and Authority action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading "Consent Agenda" will appear in the Authority minutes in their proper order.

- A. Renewal Application – Addis Enterprise, Inc. d/b/a Louisville
Discount Liquor – Retail Liquor Store License – 1140 Pine St. #1
 - B. Renewal Application – Albertson's LLC d/b/a Albertson's Food
Center No. 812 - 3.2% Beer License (Off Premises) - 910 W.
Cherry Street
 - C. Special Events Permit Application – Citizens Community TV –
Steinbaugh Pavilion – August 20, 2010
- VI. Authority Business**
- A. Special Events Permit Application – Volunteer Connection – 800
Block of Main Street – Yellow Scene Anniversary Celebration

City of Louisville

City Clerk's Office 749 Main Street Louisville CO 80027
303.335.4574 (phone) 303.335.4550 (fax) www.louisvilleco.gov

VII. Police Department Report

A. Incident Report – Ralphie’s – 7/1/2010

VIII. Secretary’s Report

A. Administrative issuance of Special Events Permit for I Have a Dream Foundation of Boulder County – Corporate Challenge Race at CTC

B. Meeting with City Council rescheduled for August 10, 2010

IX. Authority Attorney’s Report

X. Authority Comments

XI. Discussion Items for Next Meeting – August 23, 2010 @ 7:00 p.m.

XII. Adjournment

Local Licensing Authority Meeting Minutes

**June 28, 2010
City Hall, Council Chambers
749 Main Street
7:00 PM**

Call to Order – Chairperson Lipton called the meeting to order at 7:00 p.m.

Roll Call was taken and the following members were present:

Authority Members Present: Marguerite Lipton, Cecilia Wilson, John Carlson, Matthew Machado and Robert Gunning (arrives 7:03).

Absent: John Rommelfanger

Staff Members Present: Melinda Culley- Light, Kelly & Dawes, P.C.
Jay Lanphere, Police Sergeant
Carol Hanson, Deputy City Clerk

Approval of Agenda – Chairperson Lipton called for changes to the agenda. Wilson made a motion to approve the agenda. Carlson seconded. Roll Call Vote: Lipton – yes, Machado - yes, Carlson - yes and Wilson – yes. Agenda approved.

Approval of Meeting Minutes – 5/24/2010 – Lipton called for any changes to the minutes. Carlson moved to approve the minutes. Machado seconded. Roll Call Vote: Lipton – yes, Wilson – yes, Carlson – yes and Machado – yes. Minutes approved.

Approval of Consent Agenda – The following items on the Local Licensing Authority Agenda are considered routine by the Authority and the consent agenda as a whole shall be approved not as individual items, accepted, etc. by motion of the Authority and roll call vote unless the Local Licensing Authority or Authority Member specifically requests such item be considered under “Authority Business”. In such an event the item shall be removed from the “Consent Agenda” and the Authority action taken separately on said item in the order appearing on the Agenda. Those items so approved under the heading “Consent Agenda” will appear in the Authority minutes in their proper order.

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- A. Renewal Application – Waterloo Icehouse, Inc. d/b/a Waterloo Icehouse – Tavern Liquor License – 809 Main St.
- B. Report of Changes – Trade Name Change – Singh Louisville, Inc. d/b/a India Bistro – 1132 W. Dillon Road (formerly Viceroy)
- C. Renewal Application – Hei Han Enterprises, Inc. d/b/a Henry’s Bar & Grill – Tavern Liquor License – 935 Pine St.
- D. Renewal Application – Conoco Store/Circle K #2706526 – 3.2 Percent Beer Retail License (Off Premises) – 520 S. McCaslin
- E. Renewal Application – Sanabria Enterprises, Inc. d/b/a Abo’s Pizza – Hotel and Restaurant Liquor License – 1355 South Boulder Rd.
- F. Renewal Application – T Pham Enterprises, Inc. d/b/a Brass Monkey Wine & Spirits – Retail Liquor Store License – 1387 A South Boulder Road
- G. Renewal Application – Qdoba Mexican Grill – Hotel and Restaurant Liquor License – 459 S. McCaslin Blvd.
- H. Renewal Application – The Lodge at Balfour – Tavern Liquor License – 1855 Plaza Dr.
- I. Renewal Application – The Residences at Balfour – Tavern Liquor License – 1336 Hecla Dr.
- J. Renewal Application – The Noodle Shop, Co.- Colorado, Inc. d/b/a Noodles & Company – Hotel and Restaurant Liquor License – 1100 W. Dillon Road Road
- K. Renewal Application – Outback/Denver I LP d/b/a Outback Steakhouse #0616 – Hotel and Restaurant Liquor License – 988 Dillon Road

Lipton called for any changes to the consent agenda. Carlson moved the consent agenda be approved. Wilson seconded. Roll Call Vote: Wilson – yes, Lipton – yes, Carlson - yes and Machado – yes. Consent agenda approved. Gunning arrives.

Authority Business

- A. Public Hearing – Main Street Drink and Dine, LLC - New Tavern License – 701 Main St.

Lipton opened the public hearing on the new license application. Secretary Hanson stated the application was complete and included in the Authority packet. Background checks revealed no criminal history and the hearing had been posted and published in accordance with state law.

No objections were entered to the boundaries of the neighborhood being the city limits of the City of Louisville. Lipton moved the entire application as contained in the Authority packets be made a part of the record of this hearing. Carlson seconded. All in favor.

Chad Sholders, 300 Spruce Street, Louisville, CO and Mike Donohoe, 273 Regal Street, Louisville, CO introduced themselves to the Authority and took the oath. Lipton asked for an applicant presentation. Mr. Sholders stated he and his business partners were planning a modern taqueria or taco lounge. He described an eating and drinking establishment with a high emphasis on patio space. The Authority asked questions about the patio barriers and alcohol control. Mr. Sholders described the metal and wood railings with possibility of plantings. Mr. Donohoe stated the patio would have line of sight from the interior as well as be totally fenced in. He reported he had managed liquor licensed establishments for many years without a single violation. Mr. Donohoe reported the number of employees would probably fluctuate with the season and he would require seller/server training.

Carlson moved the Local Licensing Authority of the City of Louisville find the applicant is of good moral character, the inhabitants of the neighborhood desire the license be granted, the license will meet the reasonable requirements of the neighborhood, all City and State law requirements have been met and, based on these findings, the Local Licensing Authority approve issuance of a Tavern liquor license for Main Street Drink and Dine, LLC. Gunning seconded. Roll Call Vote: Lipton – yes, Wilson – yes, Gunning – yes, Carlson – yes and Machado – yes. New license approved.

**B. Public Hearing – Lucky Pie, LLC d/b/a Lucky Pie Pizza – New
Hotel and Restaurant Liquor License – 637 Front Street**

Lipton opened the public hearing on the new license application. Secretary Hanson stated the application was complete and included in the Authority packet. Background checks revealed no criminal history and the hearing had been posted and published in accordance with state law.

No objections were entered to the boundaries of the neighborhood being the city limits of the City of Louisville. Lipton moved the entire application as contained in the Authority packets be made a part of the record of this hearing. Carlson seconded. All in favor.

Brendan McManus, 908 Rex Street, Louisville, CO, introduced himself to the Authority and took the oath. Mr. McManus reported the old Post Office was going to be divided into two businesses. One was a homemade ice cream shop and his pizzeria. He described the restaurant concept as a Neapolitan pizzeria offering brick fired oven pizza, salads, and sandwiches as well as featuring craft beer. The restaurant will open for dinner to begin with and add the lunch hour later. Mr. McManus reported he would require his employees to attend a liquor training provided by the restaurant as well as the Louisville/Lafayette training. When asked about liquor storage, Mr. McManus reported there was some storage in the basement which prompted the Authority to request addition of the basement in the diagram.

Gunning moved the Local Licensing Authority of the City of Louisville find the applicant is of good moral character, the inhabitants of the neighborhood desire the license be granted, the license will meet the reasonable requirements of the neighborhood, all City and State law requirements have been met and, based on these findings, the Local Licensing Authority approve issuance of a Hotel and Restaurant liquor license for Lucky Pie, LLC d/b/a Lucky Pie Pizza. Wilson seconded. Attorney Culley offered a friendly amendment to the motion it be conditioned on a new diagram showing the basement and liquor storage. Gunning and Wilson accepted the amendment. Roll Call Vote: Lipton – yes, Wilson – yes, Gunning – yes, Carlson – yes and Machado – yes.

C. Transfer Application – Richard N. Hand, LLC d/b/a Ralphie's
Sports Tavern – Hotel and Restaurant Liquor License – 585 E.
South Boulder Road

Attorney Culley reminded the Authority this was not on the agenda as a public hearing and if the Authority wished, they could call a public hearing on the transfer application.

Timothy Gibson and Robert Lanphier were present and introduced themselves to the Authority. Authority members questioned the applicants on the items in their criminal histories.

Questions were asked if the previous owners had paid the fine-in-lieu and the answer was yes. The consensus among the Authority was the days in abeyance should not be held against this licensee. The applicant's were asked if the previous owners were up front about the issues they had previously had with the Licensing Authority. Mr. Gibson responded they had been and he had also spoken to Secretary Hanson.

The Authority members asked about the previously modified space which had been in question and what Ralphie's intended to use it for. Mr. Gibson replied it was currently not in use due to health department issues. He said when those are resolved; they intend to use it for overflow. Mr. Gibson was asked if there

was ever a time when that area would be open and the other restaurant area closed and he replied no.

Machado moved the Authority approve the transfer of ownership to Richard N. Hand, LLC doing business as Ralphie's Sports Tavern. Wilson seconded. Roll Call Vote: Machado- yes, Wilson – yes, Carlson – yes, Gunning – yes, and Lipton – yes. Transfer approved.

D. Modification of Premises – Gibraltar, LLC d/b/a Café de Paris – Beer and Wine Liquor License – 908 Main St.

Discussion by the Authority centered on the impact the changes in all of the establishments outdoor seating had been having in the downtown area. Sergeant Lanphere reported on Street Faire nights and sometimes later in the evenings, the outdoor seating can become problematic. He stated it was not a matter of establishment owners not wanting to cooperate, but simply a matter of difficulty in control.

Café de Paris had written in their control plan they will have signs posted stating the alcohol cannot leave the area. Authority members were pleased to see the inclusion of the signs in the control plan. There was discussion about other issues of control, line of sight, situating of the tables and frequency of visits by staff to the outdoor area. Attorney Culley reminded the Authority there was a provision in the licensing agreement with the City for revocation if issues, particularly placement of tables become problematic.

Lipton moved the Authority approve the modification of premises for Café de Paris to add the sidewalk tables. Wilson seconded. Roll Call Vote: Lipton – yes, Wilson – yes, Gunning – yes, Carlson – yes and Machado – yes.

Police Department Reports

Sergeant Lanphere stated he felt the new ownership of Ralphie's (formerly Beef "O" Brady's) will handle their business much differently. He also wanted to give accolades to the downtown businesses for the way they have handled the added pressure during the changes with the outdoor seating.

Secretary's Report

Secretary Hanson reported the Licensing Authority is scheduled to meet with City Council on July 13 at 7:00 p.m. at the Library. She noted the items she intended to put on the agenda and asked for other ideas from the members. Hanson stated Beef "O" Brady's had paid their fine-in-lieu of suspension. She reported the Police Department had held training for the seller/servers for the Street Faire and had 16 attendees. She thanked Sergeant Lanphere for providing the training.

Authority Attorney's Report

No report.

Authority Comment

Gunning asked there be redaction of personal information on the applications for new licenses in the packets.

Adjourn – Lipton moved to adjourn. Wilson seconded. All in favor. The meeting was adjourned at 8:28 p.m.

Marguerite Lipton, Chairperson

Carol Hanson, Deputy City Clerk

LIQUOR AUTHORITY MEMO

TO: LOCAL LICENSING AUTHORITY

FROM: CAROL HANSON
AUTHORITY SECRETARY

DATE: July 26, 2010

SUBJECT: Renewal Application – Addis Enterprises, Inc. d/b/a Louisville Discount Liquor – Retail Liquor Store License - 1140 Pine Street, Unit #1.

ORIGINATING DEPARTMENT: Authority Secretary

SUMMARY:

The licensee, Addis Enterprises, Inc. d/b/a Louisville Discount Liquor, has submitted an application for renewal of its Retail Liquor Store License located at 1140 Pine Street, Unit #1.

The lease is current and on file.

There were no employees who attended liquor training in the past year.

Certificate of Good Standing is current and on file.

There were no incidents over the past year that required the filing of police reports.

City of Louisville sales tax is current.

RECOMMENDATION:

Authority approve the renewal application for Addis Enterprises, Inc. d/b/a Louisville Discount Liquor – Retail Liquor Store License - 1140 Pine Street, Unit #1.

Alternatively, the Authority may set a hearing on the renewal application, which may be held after proper notice.



SUBJECT

Renewal Application -
Addis Enterprises, Inc. d/b/a Louisville Discount Liquor–
Retail Liquor Store License - 1140 Pine Street, Unit #1

AGENDA ITEM

V-A

LIQUOR AUTHORITY MEMO

TO: LOCAL LICENSING AUTHORITY

FROM: CAROL HANSON
AUTHORITY SECRETARY

DATE: July 26, 2010

SUBJECT: Renewal Application - Albertson's, LLC, d/b/a Albertson's Food Center #812 - 3.2% Beer License (Off Premises) - 910 W. Cherry Street.

ORIGINATING DEPARTMENT: Authority Secretary

SUMMARY:

The licensee, Albertson's, LLC, d/b/a Albertson's Food Center #812, has submitted an application for renewal of its 3.2% Beer License (Off Premises) located at 910 W. Cherry Street. The Authority attorney has reviewed the application.

The premises are owned by the licensee.

There were no employees who attended liquor training in the past year.

Certificate of Good Standing is current and on file.

There were no incidents over the past year that required the filing of a police report.

City of Louisville sales tax account is current.

RECOMMENDATION:

Authority approve the renewal application for a 3.2% Beer License (Off Premises) for Albertson's, LLC, d/b/a Albertson's Food Center #812 – 910 W. Cherry Street.

Alternatively, the Authority may set a hearing on the renewal application, which may be held after proper notice.



SUBJECT

Renewal Application – Albertson's LLC,
d/b/a Albertson's Food Center #812 – 910 W. Cherry St.
3.2 % Beer License (Off Premises)

AGENDA ITEM

V-B

LIQUOR AUTHORITY MEMO

TO: LOCAL LICENSING AUTHORITY

FROM: CAROL HANSON
AUTHORITY SECRETARY

DATE: July 26, 2010

SUBJECT: Special Events Permit – Citizens Community T.V. – August 20, 2010 at Steinbaugh Pavilion – 824 Front St.

ORIGINATING DEPARTMENT: Authority Secretary

SUMMARY:

Citizens Community T.V. has submitted a Special Events Permit for August 20, 2010 at the Steinbaugh Pavilion.

The premises have been posted with a public notice for ten days and no objections have been received.

This is a fundraising event CCTV has held before and no problems were reported.

RECOMMENDATION:

Authority approve the Special Events Permit.



SUBJECT

Special Events Permit – Citizens Community T.V.

AGENDA ITEM

V-C

LIQUOR AUTHORITY MEMO

TO: LOCAL LICENSING AUTHORITY

FROM: CAROL HANSON
AUTHORITY SECRETARY

DATE: July 26, 2010

SUBJECT: Special Events Permit – Volunteer Connection – Sept. 19, 2010 – 800 Block of Main St.

ORIGINATING DEPARTMENT: Authority Secretary

SUMMARY:

Yellow Scene is celebrating their 10th anniversary and Volunteer Connection is teaming up with them to have this event on our Main Street.

The premises have been posted with a public notice for ten days and no objections have been received.

The Authority attorney has reviewed the application.

RECOMMENDATION:

Authority discuss the application and approve the Special Events Permit if desired.



SUBJECT

Special Events Permit – Volunteer Connection

AGENDA ITEM

VI-A

**LOUISVILLE POLICE DEPARTMENT
CRIME & INCIDENT REPORTS**

**RALPHIE'S
(7/1/10)
#10-1386**

AGENDA ITEM
VII-A

Police were dispatched to the establishment on report of possible DUI leaving the scene after being refused service.