

Local Licensing Authority

Agenda

**September 26, 2016
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 – 08/22/16**
- 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 – KCM Restaurant Holdings LLC d/b/a Mudrock's Tap and Tavern – Hotel and Restaurant Liquor License – 585 E. South Boulder Road Ste. A&B
- B. Renewal Application – Tokyo, Inc. d/b/a Tokyo Joe's – Hotel and Restaurant Liquor License – 1116 W. Dillon St. Ste. C2-5
- C. Report of Changes/Change of Trade Name – Albertsons LLC d/b/a Safeway Store #2812 --- 3.2% Beer License Off Premise – 910 W. Cherry
- D. Renewal Application – Apro LLC d/b/a My Goods Market 6526 – 3.2% Beer Off Premises – 510 McCaslin Blvd.
- E. Renewal Application – Union Jack Liquors Inc. d/b/a Union Jack Liquors – Retail Liquor Store – 1160 South Boulder Road
- F. Special Event Permit Application– Coal Creek Theater of

City of Louisville

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303.335.4574 (phone) 303.335.4550 (fax) www.louisvilleco.gov

Louisville – 10/29, 11/4, 11/5, 11/7, 11/11, 11/12/2016 – 801
Grant Ave.

- G. Corporate Report of Changes - RLJ II-R Louisville White Lodging Services d/b/a Residence Inn by Marriott Louisville – Hotel and Restaurant Liquor License - 840 Coal Creek Cir.
- H. Corporate Report of Changes – RLJ II-C Louisville White Lodging Services d/b/a Courtyard by Marriott Louisville – Hotel and Restaurant Liquor License – 948 W. Dillon Road

VI. Authority Business

- A. Transfer of Ownership – Starbuds Louisville LLC d/b/a Starbuds – Retail Marijuana Store – 1156 W. Dillon Road #3
- B. Conversation with Chief Hayes
- C. Discussion – Marijuana Signage

VII. Police Department Report

- A. Incident Report – 740 Front – 7/29/16
- B. Incident Report – Henry’s – 8/7/16

VIII. Secretary’s Report

IX. Authority Attorney’s Report

X. Authority Comments

XI. Discussion Items for Next Meeting – October 24, 2016 @ 7:00 p.m.

XII. Adjournment

Local Licensing Authority

Meeting Minutes

August 22, 2016
City Hall, Council Chambers
749 Main Street
7:00 PM

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

Roll Call was taken and the following members were present:

Authority Members Present: Tom Tennessen, Matthew Machado,
Marguerite Lipton and John Carlson (arrives 7:17 PM)

Absent: Tim Hervey and Bart Watson.

Staff Members Present: Melinda Culley – Light Kelly P.C.
Ben Redard, Police Sergeant
Carol Hanson, Deputy City Clerk

Approval of Agenda – Chairperson Tennessen called for changes to the agenda. Lipton made a motion to approve the agenda. Tennessen seconded. All in favor. Absent: Tim Hervey and Bart Watson. Agenda approved.

Approval of Meeting Minutes – 07/25/16 – Tennessen called for any changes to the minutes. Machado moved to approve the minutes. Tennessen seconded. 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.

- A. Renewal Application – Tibet’s Restaurant & Bar LLC d/b/a Tibet’s Restaurant & Bar – Hotel and Restaurant Liquor License – 321

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McCaslin Blvd. Suite A

- B. Renewal Application – T. Pham Enterprises, Inc. d/b/a Brass Monkey Wine & Spirits – Retail Liquor Store License – 1387 S. Boulder Road
- C. Renewal Application – Bobbo’s Sweet Shop LLC d/b/a Bittersweet Café & Confections/Por Wine House – Hotel and Restaurant Liquor License – 836 Main Street
- D. Renewal Application – Hana Japanese Bistro, Inc. – Hotel and Restaurant Liquor License – 1148 W. Dillon Road, Unit 6
- E. Special Event Permit Application – Louisville Chamber of Commerce – Community Park – 9/3/16 from 12 – 4 PM
- F. Renewal Application – Murphy’s Tap House LLC d/b/a Murphy’s Tap House – Hotel & Restaurant Liquor License – 585 S. McCaslin
- G. Renewal Application – RLJ II-R Louisville White Lodging Services d/b/a Residence Inn by Marriott Louisville – Hotel and Restaurant Liquor License - 840 Coal Creek Cir.
- H. Renewal Application – RLJ II-C Louisville White Lodging Services d/b/a Courtyard by Marriott Louisville – Hotel and Restaurant Liquor License – 948 W. Dillon Road
- I. Special Event Permit Application – Tri City Elks Lodge #2541 – 525 Main St. – 9/5/16 and 10/10/16 12:01 PM to 11:59 PM
- J. Renewal Application – Double Happy Restaurant Inc. d/b/a Double Happy Restaurant – Hotel & Restaurant Liquor License – 740 Main St.
- K. Renewal Application/Tastings Renewal – MGS Corporation Inc. d/b/a Down Under Wine & Spirits – 1140 Pine Street Unit 1

Tennessee called for any changes to the consent agenda. Machado moved the consent agenda be approved. Lipton seconded. Consent agenda approved.

Authority Business

- A. Public Hearing – Moxiebrot Baking Unlimited d/b/a Moxie Bread Co. – New Hotel and Restaurant Liquor License – 641 Main Street.

Chairperson Tennessen opened the public hearing on the hotel and restaurant liquor license application. Secretary Hanson stated the application was complete and included in the Authority packet. Background checks were conducted and returned with no criminal history. The hearing had been posted and published in accordance with state law. There was no reason found to require denial of the application.

Chairperson Tennessen called for any member disclosures, hearing none, called for any objections to the boundaries of the neighborhood being the current city limits of the City of Louisville. Hearing no objections, he moved the entire application be made a part of the record of this hearing. Lipton seconded. All in favor.

Tennessen called for an applicant presentation.

Andy Clark, 7280 Mt. Sherman Road, Longmont, CO introduced himself to the Authority and took the oath. He explained the business is a bakery/café and open from 7AM to 4PM seven days a week. One evening a week, they provide pizza and have a bluegrass music jam. Primarily, the idea for the liquor license was to have beer and wine available during the evening music jam. Then they would also be able to serve alcohol during the week. He noted the liquor would be a small aspect of what they do.

Mr. Clark was asked about the back patio. He responded they were including the back patio in the premises and there would be signage and employees checking the area periodically.

Tennessen asked for any comments in favor of the application.

Jim Pribyl, 1803 Gallagher Lane, Louisville, CO noted he used to live next door to Moxie. He came to speak in favor of the application. He noted he led a campaign against the density of liquor licenses in Boulder; he found this a very different situation. He felt Mr. Clark had done a good job of establishing this business and encouraged the Authority to approve the liquor license.

Tennessen asked for any member of the audience who wished to speak in opposition to the application. Hearing none, he asked for the applicant's closing remarks.

Mr. Clark thanked the Authority and asked the liquor license be granted.

Tennessen thanked the applicant, closed the public hearing and asked for Authority comment.

Lipton noted as a customer she found the staff very attentive. Machado stated the Police Department has established good relationships with the liquor licensed businesses and encouraged Moxie to do the same.

Mr. Clark noted staff will be trained for liquor service; the business has already established a good rapport with the Police Department and will continue to do so.

Lipton 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 Moxiebrot Baking Unlimited doing business as Moxie Bread Co. Machado seconded. All in favor. License approved.

Carlson arrives.

**B. Modification of Premises – Compassionate Pain Management LLC
d/b/a Ajoya – Combined Use Marijuana – 1100 Dillon Road #3**

Secretary Hanson reported the State had been working with Ajoya to bring them into compliance concerning medical marijuana sales. The establishment has decided to modify their premises to only sell to 21 years of age and older. The State is requiring this modification which also requires local approval.

Machado moved the Authority approve the modification of premises for Ajoya, seconded by Tennesen. All in favor.

**C. Transfer of Ownership – Starbuds Louisville LLC d/b/a Starbuds –
Retail Marijuana Store – 1156 W. Dillon Road #3**

Authority Attorney Culley reported the applicant has asked for a continuance to the September meeting. She had reviewed the application and asked for additional items. The applicant would like time to gather the information.

Machado moved the Authority continue the transfer of ownership to the September meeting, seconded by Tennesen. All in favor.

Police Department Reports

No reports.

Secretary's Report

No report.

Authority Attorney's Report

No report.

Authority Comment

Adjourn – Machado moved to adjourn. Tennessen seconded. All in favor. The meeting was adjourned at 7:24 p.m.

SUBJECT: RENEWAL APPLICATION – KCM RESTAURANT HOLDINGS LLC D/B/A MUDROCK’S TAP AND TAVERN – HOTEL AND RESTAURANT LIQUOR LICENSE – 585 E. SOUTH BOULDER RD.

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, KCM Restaurant Holdings LLC d/b/a Mudrock’s Tap and Tavern, has submitted an application for renewal of their Hotel and Restaurant Liquor license.

The lease agreement is current and on file.

Certificate of Good Standing is current and on file.

There were 7 employees who attended liquor training over the past year.

There was one incident over the past year that required the filing of a police report. No action was taken by the Authority.

City sales tax is current.

RECOMMENDATION:

Authority review the renewal application for Hotel & Restaurant Liquor License for KCM Restaurant Holdings LLC d/b/a Mudrock’s Tap and Tavern.

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

**SUBJECT: RENEWAL APPLICATION – TOKYO INC D/B/A TOKYO
JOE’S – HOTEL AND RESTAURANT LIQUOR LICENSE –
1116 W DILLON STE C2-5**

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Tokyo, Inc. d/b/a Tokyo Joe’s has submitted an application for renewal of its Hotel and Restaurant Liquor License at 1116 W Dillon.

The premises are leased and the agreement is current.

Certificate of Good Standing is current and on file.

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

There were no reports of liquor incidents requiring filing of police reports over the past year.

City sales tax is current.

RECOMMENDATION:

Authority approves the renewal application for a Hotel and Restaurant Liquor License for Tokyo, Inc. d/b/a Tokyo Joe’s at 1116 W Dillon.

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

**SUBJECT: CHANGE OF TRADE NAME – ALBERTSONS LLC D/B/A
SAFEWAY STORE # 2812 – 3.2 % BEER LICENSE OFF
PREMISES – 910 W. CHERRY AVENUE**

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

Albertsons LLC has submitted a Change of Trade Name. The trade name will change from Albertsons Food Center #2812 to **Safeway Store #2812**.

RECOMMENDATION:

Authority approve the change of trade name application.

**SUBJECT: RENEWAL APPLICATION – APRO LLC D/B/A MY GOODS
MARKET #6526 – RETAIL 3.2% BEER OFF PREMISES LICENSE
– 520 SOUTH MCCASLIN BLVD.**

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Apro LLC d/b/a My Goods Market #6526 has submitted an application for renewal of its 3.2% Beer Retail License (Off Premises) at 520 S. McCaslin Blvd.

The lease for the licensed premises 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 have been 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 Retail License (Off Premises) for Apro LLC d/b/a My Goods Market #6526.

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

**SUBJECT: RENEWAL APPLICATION – UNION JACK LIQUORS, INC.
D/B/A UNION JACK LIQUORS – RETAIL LIQUOR STORE
LICENSE – 1160 SOUTH BOULDER ROAD**

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Union Jack Liquors, Inc., d/b/a Union Jack Liquors, has submitted an application for renewal of its Retail Liquor Store License at 1160 S. Boulder Road.

The premises are leased and the current agreement is on file.

Certificate of Good Standing is current and on file.

There was one incident over the past year that required filing of police reports. A show cause hearing was ordered and resulted in a seven day suspension with 5 days held in abeyance.

There were 10 employees who attended liquor training over the past year. Nine attended our training plus TIPS training and one attended TIPS training. The stipulation required employees to attend both trainings (minus one person who was minding the store during Sunday training).

City sales tax account is current.

RECOMMENDATION:

Authority approve the renewal application for a Retail Liquor Store License for Union Jack Liquors, Inc. d/b/a Union Jack Liquors.

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

SUBJECT: SPECIAL EVENTS PERMIT – COAL CREEK THEATER OF LOUISVILLE – 10/29, 11/4, 11/5, 11/7, 11/11, 11/12/2016 – 801 GRANT AVE.

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The Coal Creek Theater of Louisville has submitted an application for Special Events Permit in addition to their opening nights throughout the year at the Louisville Center for the Arts. The Theater Group would like the ability to serve alcohol during several evening performances.

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

RECOMMENDATION:

Authority approve the Special Events Permits.

**SUBJECT: CORPORATE REPORT OF CHANGES – RLJ II- R
LOUISVILLE WHITE LODGING SERVICES D/B/A
RESIDENCE INN BY MARRIOTT LOUISVILLE – HOTEL
AND RESTAURANT LIQUOR LICENSE – 845 COAL CREEK
CIRCLE**

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Residence Inn by Marriott, has submitted a corporate report of changes for its Hotel & Restaurant Liquor License at 845 Coal Creek Circle.

Ross Bierken replaces Thomas J. Baltimore, Jr. as President/Treasurer

RECOMMENDATION:

For informational purposes.

**SUBJECT: CORPORATE REPORT OF CHANGES – RLJ II- C
LOUISVILLE WHITE LODGING SERVICES D/B/A
COURTYARD BY MARRIOTT LOUISVILLE – HOTEL AND
RESTAURANT LIQUOR LICENSE – 948 W DILLON ROAD**

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Courtyard by Marriott, has submitted a corporate report of changes for its Hotel & Restaurant Liquor License at 948 W. Dillon Road.

Ross Bierken replaces Thomas J. Baltimore, Jr. as President/Treasurer

RECOMMENDATION:

For informational purposes.

**SUBJECT: CHANGE OF OWNERSHIP APPLICATION – STARBUDS
LOUISVILLE LLC D/B/A STARBUDS – RETAIL MARIJUANA
STORE – 1156 W DILLON RD UNIT 3**

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

See attached application for a change in ownership of Starbuds, a Retail Marijuana Store located at 1156 W Dillon Road Unit 3.

Fingerprints have been submitted to the State of Colorado and background checks done.

The current license is held by Altermeds, LLC d/b/a Starbuds.

RECOMMENDATION:

Authority approve the application for change of ownership of the retail marijuana store Starbuds. The State approval has been received.

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

SUBJECT: CONVERSATION WITH POLICE CHIEF HAYES

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The Local Licensing Authority expressed a desire to have a conversation with Police Chief Dave Hayes on a quarterly basis. He has been invited to attend this meeting.

SUBJECT: DISCUSSION – MARIJUANA SIGNAGE

DATE: SEPTEMBER 26, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

There have been questions raised by Authority members about the sign facing McCaslin concerning marijuana sales. The Chair has asked for an item on the agenda so Authority members can have a discussion.

RECOMMENDATION:

Authority discuss signage.

**LOUISVILLE POLICE DEPARTMENT
CRIME & INCIDENT REPORTS**

**740 FRONT
(07/29/16)
#16-1704**

Police respond to report of a disturbance.

AGENDA ITEM
VII-A

LOUISVILLE POLICE DEPARTMENT CRIME & INCIDENT REPORTS

**HENRY'S
(8/7/16)
#16-1769**

Police follow up with the establishment after an intoxicated person is found walking downtown.

AGENDA ITEM
VII-B