

Local Licensing Authority

Agenda

**August 22, 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 – 07/25/16**
- 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 – Tibet's Restaurant & Bar LLC d/b/a Tibet's Restaurant & Bar – Hotel and Restaurant Liquor License – 321 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

City of Louisville

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- 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 1Ti

VI. Authority Business

- A. Public Hearing – Moxiebrot Baking Unlimited d/b/a Moxie Bread Co. – New Hotel and Restaurant Liquor License – 641 Main Street.
- B. Modification of Premises – Compassionate Pain Management LLC d/b/a Ajoya – Combined Use Marijuana – 1100 Dillon Road #3
- C. Transfer of Ownership – Starbuds Louisville LLC d/b/a Starbuds – Retail Marijuana Store – 1156 W. Dillon Road #3

VII. Police Department Report

VIII. Secretary’s Report

IX. Authority Attorney’s Report

X. Authority Comments

XI. Discussion Items for Next Meeting – September 26, 2016 @ 7:00 p.m.

XII. Adjournment

Local Licensing Authority

Meeting Minutes

July 25, 2016
City Hall, Council Chambers
749 Main Street
7:00 PM

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

Roll Call was taken and the following members were present:

Authority Members Present: Tom Tennesen, Matthew Machado, Tim Hervey and Bart Watson.

Absent: Marguerite Lipton, John Carlson

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

Approval of Agenda – Chairperson Tennesen called for changes to the agenda. Machado made a motion to approve the agenda. Hervey seconded. All in favor. Absent: Carlson and Lipton Agenda approved.

Approval of Meeting Minutes – 06/27/16 – Tennesen called for any changes to the minutes. Machado noted if there was a vote to order a show cause hearing, Rules of Procedure require sending a letter. Tennesen stated there was no actual vote to order a show cause, but direction to staff to send a letter. Hervey moved to approve the minutes. Watson seconded. All in favor. Absent: Carlson and Lipton 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 –Carrabbas Italian Grill LLC d/b/a Carrabbas Italian Grill #608 – Hotel and Restaurant Liquor License – 575 S. McCaslin Blvd.

- B. Renewal Application - Albertson's LLC d/b/a Albertson's Food Center #2812 - 3.2% Beer License (Off Premises) - 910 W. Cherry Street.

Tennessee called for any changes to the consent agenda. Watson moved the consent agenda be approved. Tennessee seconded. All in favor. Lipton and Carlson absent. Consent agenda approved.

Authority Business

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

Tennessee moved to establish the boundaries of the neighborhood as the current city limits of the City of Louisville and set the public hearing for the next meeting of the Local Licensing Authority, Monday, August 22, 2016 at 7:00 pm. Machado seconded. All in favor. Carlson and Lipton absent.

Police Department Reports

- A. Incident Report – Henry's – 4/14/16

This incident involved the police department following up on a report of a hit and run. Authority members discussed the incident with Sergeant Redard and decided there was no need to take any action.

Secretary's Report

Hanson noted the seller/server training was well attended by Louisville establishments. She reported Center Stage Theatre had been issued special event permits for some of their performances at the Arts Center.

Authority Attorney's Report

No report.

Authority Comment

No comments.

Adjourn – Tennessee moved to adjourn. Machado seconded. All in favor. The meeting was adjourned at 7:12 p.m.

SUBJECT: RENEWAL APPLICATION – TIBET’S RESTAURANT & BAR,
LLC D/B/A TIBET’S RESTAURANT & BAR – HOTEL AND
RESTAURANT LIQUOR LICENSE – 321 MCCASLIN BLVD.
SUITE A

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Tibet’s Restaurant & Bar, LLC d/b/a Tibet’s Restaurant & Bar, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 321 McCaslin Blvd. Suite A.

Lease for the 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 were no incidents over the past year requiring the filing of a police report.

City of Louisville sales tax account is current.

RECOMMENDATION:

Authority approve the renewal application for Hotel and Restaurant Liquor License – Tibet’s Restaurant & Bar, LLC d/b/a Tibet’s Restaurant & Bar – 321 S. McCaslin Blvd Suite A.

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

**SUBJECT: RENEWAL APPLICATION – T. PHAM ENTERPRISES, INC.,
D/B/A BRASS MONKEY WINE & SPIRITS – RETAIL
LIQUOR STORE LICENSE – 1387 S. BOULDER ROAD**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, T. Pham Enterprises, Inc., d/b/a Brass Monkey Wine & Spirits, has submitted a renewal application for its Retail Liquor Store License located at 1387 S. Boulder Road.

The lease for the premises is current and on file.

Two employees attended liquor training over 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 T. Pham Enterprises, Inc., d/b/a Brass Monkey Wine & Spirits – Retail Liquor Store License – 1387 S. Boulder Road.

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

**SUBJECT: RENEWAL APPLICATION – BOBBO’S SWEET SHOP LLC
D/B/A BITTERSWEET CAFÉ AND CONFECTIONS/POR
WINE HOUSE – HOTEL AND RESTAURANT LIQUOR
LICENSE – 836 MAIN STREET**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Bobbo’s Sweet Shop LLC d/b/a Bittersweet Café and Confections has submitted an application for renewal of its Hotel and Restaurant Liquor License at 836 Main Street.

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. The establishment was involved in a State compliance check and sold to an underage patron.

City sales tax is current.

RECOMMENDATION:

Authority approves the renewal application for a Hotel and Restaurant Liquor License for Bittersweet Café/Por Wine House – 836 Main Street.

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

**SUBJECT: RENEWAL APPLICATION – HANA JAPANESE BISTRO,
INC. – HOTEL AND RESTAURANT LIQUOR LICENSE –
1148 W. DILLON ROAD, UNIT 6**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Hana Japanese Bistro, Inc. has submitted an application for renewal of its Hotel & Restaurant Liquor License at 1148 W. Dillon Road, Unit 6.

The premises are leased and the current agreement is valid.

A Certificate of Good Standing is current and on file.

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

There were no incidents over the past year that required filing of police reports. However, the establishment was found in violation during a State compliance check for service to an underage individual.

City of Louisville sales tax account is current.

RECOMMENDATION:

Authority approve the renewal application for– Hana Japanese Bistro, Inc. – Hotel & Restaurant Liquor License – 1148 W. Dillon Road, Unit 6.

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

**SUBJECT: SPECIAL EVENTS PERMIT – LOUISVILLE CHAMBER OF
COMMERCE – FOR 9/3/2016 – COMMUNITY PARK**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The Louisville Chamber of Commerce has submitted a Special Events Permit for Community Park. The Chamber would like to hold in Community Park, this event, Pints in the Park.

RECOMMENDATION:

Authority approve the Special Events Permit.

**SUBJECT: RENEWAL APPLICATION – MURPHY’S TAP HOUSE LLC D/B/A
MURPHY’S TAP HOUSE – HOTEL AND RESTAURANT LIQUOR
LICENSE – 585 SO. MCCASLIN BLVD.**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Murphy’s Tap House LLC d/b/a Murphy’s Tap House, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 585 So. McCaslin Blvd..

The premises are leased and the current agreement is valid.

A Certificate of Good Standing is current and on file.

There were no employees who attended liquor training over the past year. The manager at the establishment reports they are sending employees to TIPS training.

There were two incidents over the past year that required filing of police reports. The establishment was sent a letter. They report they have taken the incidents and letter very seriously.

City of Louisville sales tax account is current.

RECOMMENDATION:

Authority approve the renewal application for a Hotel and Restaurant Liquor License – Murphy’s Tap House LLC d/b/a Murphy’s Tap House.

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

**SUBJECT: RENEWAL APPLICATION – 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: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Residence Inn by Marriott, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 845 Coal Creek Circle.

The premises are leased and the current agreement is valid.

A Certificate of Good Standing is current and on file.

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

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

City of Louisville sales tax account is current.

RECOMMENDATION:

Authority approve the renewal application for– Residence Inn by Marriott – Hotel & Restaurant Liquor License – 845 Coal Creek Circle.

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

**SUBJECT: 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**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Courtyard by Marriott, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 948 W. Dillon Road.

The premises are leased and the current agreement is valid.

A Certificate of Good Standing is current and on file.

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

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

City of Louisville sales tax account is current.

RECOMMENDATION:

Authority approve the renewal application for– Courtyard by Marriott – Hotel & Restaurant Liquor License – 948 W. Dillon Road.

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

**SUBJECT: SPECIAL EVENTS PERMIT – TRI CITY ELKS #2541 –
9/5/16 AND 10/10/16 – 525 MAIN ST.**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The Tri City Elks Club has submitted an application for Special Events Permit for two open houses.

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

RECOMMENDATION:

Authority approve the Special Events Permit.

**SUBJECT: RENEWAL APPLICATION – DOUBLE HAPPY, INC. D/B/A
DOUBLE HAPPY RESTAURANT – HOTEL AND
RESTAURANT LIQUOR LICENSE – 740 MAIN ST.**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Double Happy Restaurant, Inc., has submitted an application for renewal of its Hotel and Restaurant Liquor License at 740 Main Street.

The premises are owned by the licensee.

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 Double Happy Restaurant – 740 Main Street.

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

**SUBJECT: RENEWAL APPLICATION/TASTINGS PERMIT – MGS
CORPORATION INC D/B/A DOWN UNDER WINE & SPIRITS
– RETAIL LIQUOR STORE LICENSE–1140 PINE STREET #1**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, MGS Corporation Inc. d/b/a Down Under Wine & Spirits, has submitted an application for renewal of its Retail Liquor Store License and Tastings Permit located at 1140 Pine Street #1.

The lease for the licensed premises is current and on file.

There was one employee who attended city 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 and tastings permit for Retail Liquor Store License – MGS Corporation Inc. d/b/a Down Under Wine & Spirits – 1140 Pine St. #1.

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

**SUBJECT: PUBLIC HEARING – NEW HOTEL AND RESTAURANT LIQUOR
LICENSE – MOXIEBROT BAKING UNLIMITED D/B/A MOXIE
BREAD CO – 641 MAIN STREET**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

An application has been submitted for a new Hotel and Restaurant Liquor License – Moxiebrot Baking Unlimited d/b/a Moxie Bread Co. – 641 Main Street

RECOMMENDATION:

Authority hold a Public Hearing for a new Hotel and Restaurant Liquor License – Moxiebrot Baking Unlimited d/b/a Moxie Bread Co. – 641 Main Street

**SUBJECT: MODIFICATION OF PREMISES– COMPASSIONATE PAIN
MANAGEMENT LLC D/B/A AJOYA - RETAIL/MEDICAL
MARIJUANA COMBINED USE – 1116-7 W. DILLON ROAD**

DATE: AUGUST 22, 2016

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

Compassionate Pain Management LLC has submitted an application to modify the premises for the Retail/Medical Marijuana Combined Use facility. The applicant has applied to the State and the City of Louisville for local approval. After discussions with State Marijuana Enforcement, Ajoya has decided to limit their Medical Sales to 21 years and older allowing them to not have to have separate entrances and space for the Medical Marijuana sales. The State is requiring a modification of premises, which also requires local approval.

RECOMMENDATION:

Authority approve the modification of premises at the local level.

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

DATE: AUGUST 22, 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 conditionally approve the application for change of ownership of the retail marijuana store Starbuds. The conditions should include State approval and completion of all paperwork.

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