

Local Licensing Authority

Agenda

**September 23, 2019
City Hall, Council Chambers
749 Main Street
7:00 PM**

- I. Call to Order**
- II. Roll Call**
- III. Approval of Agenda**
- IV. Public Comments on Items Not on the Agenda**
- V. Action on Minutes – 8/26/19**
- VI. 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 – Pau Hana Brewery LLC d/b/a Red Garden Restaurant & Brewery – Brew Pub License – 1700 Dogwood Street
- B. Special Events Liquor Permit Application – Institute of Taoist Education & Acupuncture – 801 Grant Ave. – 10/4/19
- C. Renewal Application/Tastings Permit – MGS Corporation Inc. d/b/a Down Under Wine and Spirits – Retail Liquor Store License – 1140 Pine Street Ste. 1
- D. Renewal Application - Verde No 2 Limited Partnership LLLP d/b/a Verde Louisville – Hotel and Restaurant Liquor License – 640 Main St. Ste. A
- E. Corporate Report of Changes – Dillon Companies LLC d/b/a King Soopers #13 – Fermented Malt Beverage License - 1375 South Boulder Road

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- F. Change of Manager – Best Pizza LLC d/b/a MOD Pizza – Beer and Wine License – 994 West Dillon Road Suite 600
- G. Renewal Application – Best Chef Restaurant LLC d/b/a Parma Trattoria Mozzarella Bar – Hotel and Restaurant Liquor License – 1132-1 W. Dillon Road
- H. Surrender of Liquor License – Tokyo, Inc. d/b/a Tokyo Joe’s – Hotel & Restaurant Liquor License – 1116 W. Dillon Rd. Ste. C2-5
- I. Special Events Permit Application – Tri-City Elks Lodge – 525 Main Street – 9/27/2019

VII. Authority Business

- A. Show Cause Hearing – KCM Restaurant Holdings LLC d/b/a Mudrock’s Tap and Tavern – 585 South Boulder Road 2/17/19
- B. Show Cause Hearing – KCM Restaurant Holdings LLC d/b/a Mudrock’s Tap and Tavern – 585 South Boulder Road 7/6/19
- C. Show Cause Hearing – Hei Han Enterprises Inc. d/b/a Henry’s – Tavern Liquor License – 935 Pine Street – 6/15/19 Incident
- D. Show Cause Hearing – Hei Han Enterprises Inc. d/b/a Henry’s – Tavern Liquor License – 935 Pine Street – 6/17/19 Incident
- E. Show Cause Hearing – Tilt III LLC d/b/a Tilt – Lodging and Entertainment Liquor License – 640 Main St. - 6/15/19 Incident
- F. Show Cause Hearing – por wine house LLC d/b/a por wine house – Hotel and Restaurant Liquor License – 701 Main Street – 7/6/19 Incident

VIII. Police Department Report

IX. Secretary’s Report

X. Authority Attorney’s Report

XI. Authority Comments

XII. Discussion Items for Next Meeting – October 28, 2019 @ 7:00 p.m.

XIII. Adjournment

Local Licensing Authority

Meeting Minutes

August 26, 2019
City Hall, Council Chambers
749 Main Street
7:00 PM

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

Roll Call was taken and the following members were present:

Authority Members Present: Matthew Machado, Marguerite Lipton, Kyle Brown and Elizabeth Kaufman.

Absent: John Carlson and Bart Watson

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

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

Approval of Meeting Minutes – 7/22/19 – Machado called for any changes to the minutes. Lipton moved to approve the minutes. Brown seconded. All in favor. 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. Manager Registration – Eat Drink LLC d/b/a Empire Restaurant and Lounge – Hotel and Restaurant Liquor License – 816 Main St.

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- B. Corporate Name Change – Por Wine House LLC d/b/a Por Wine House – Hotel and Restaurant Liquor License - 701 A Main St.
- C. Renewal Application – Bobbo’s Sweet Shop LLC d/b/a Bittersweet Café & Confections/por wine house – Hotel and Restaurant Liquor License - 836 Main St.
- D. Renewal Application – Cerca Trova Southwest Restaurant Group LLC d/b/a Outback Steakhouse #0616 – Hotel and Restaurant Liquor License – 988 West Dillon Road
- E. Renewal Application – KCM Restaurant Holdings LLC d/b/a Mudrock’s Tap and Tavern – Hotel and Restaurant Liquor License – 585 E. South Boulder Road – *moved to Business*
- F. Manager Registration – Cinebarre LLC d/b/a Cinebarre – Hotel and Restaurant Liquor License – 1164 W. Dillon Road
- G. Special Event Permit Application – Craig Hospital – 101 S. Taylor Ave. – 9/14/2019
- H. Renewal Application – Murphy’s Tap House LLC d/b/a Murphy’s Tap House – Hotel and Restaurant Liquor License – 585 S. McCaslin Blvd.
- I. Renewal Application – Double Happy Restaurant Inc. d/b/a Double Happy Restaurant – Hotel and Restaurant Liquor License – 740 Main St.
- J. Renewal Application – Union Jack Liquors Inc. d/b/a Union Jack Liquors – Retail Liquor Store – 1160 South Boulder Road
- K. Corporate Report of Changes – Cerca Trova Southwest Restaurant Group LLC d/b/a Outback Steakhouse – 988 West Dillon Road

Machado called for any changes to the consent agenda. Brown moved Item E. Renewal for Mudrock’s, be moved to Authority Business and the consent agenda be approved with that amendment. Kaufman seconded. Voice vote 3-1 with Lipton voting no. Consent agenda approved as amended.

Authority Business

- A. Show Cause Hearing – KCM Restaurant Holdings LLC d/b/a Mudrock’s Tap and Tavern – 585 South Boulder Road **(continued to**

September 23, 2019 meeting)

Consent Agenda Item E. Renewal Application – KCM Restaurant Holdings LLC d/b/a Mudrock's Tap and Tavern – Hotel and Restaurant Liquor License – 585 E. South Boulder Road

Members asked when the license expires. Secretary Hanson noted any time a renewal is filed with the local authority it is considered filed with the State and they can continue to operate. Authority Attorney Culley noted the Authority would need to hold a hearing if they wanted to consider not renewing. Members noted the possibility of revocation as a penalty following a show cause hearing.

Lipton moved to continue the renewal to next month. Brown seconded. Roll Call Vote: Machado – no, Lipton – yes, Brown – yes and Kaufman – no. Motion fails.

Machado moved to approve the renewal for KCM Restaurant Holdings LLC. Kaufman seconded. Roll Call Vote: Machado – yes, Lipton – yes, Brown – no, Kaufman – yes. Motion passed.

Machado noted with the number of show cause hearings scheduled for the next meeting, it would be good if members reviewed the penalty chart.

- B. Change in Ownership Structure – Igadi, Ltd. d/b/a Igadi – Retail Marijuana Store License – 972 W. Dillon Road
- C. Change in Ownership Structure – Igadi, Ltd. d/b/a Igadi – Retail Marijuana Store License – 1063 Courtesy Road

Chairperson Machado noted both stores are currently held by J2H2 d/b/a The Green Room.

Lipton moved the Authority consider these at the same time. Machado seconded. All in favor.

Motion: Brown moved the Authority approve the change in ownership structure for both locations.

Machado asked the applicants if they had a presentation for the Authority. David Michel, general counsel for Igadi and one of its founders, introduced himself to the Authority. He noted Igadi has stores in Tabernash, Idaho Springs, Central City, Nederland, Lafayette and Northglenn. These stores will be numbers seven and eight and they are excited to be in Louisville. He noted they have operated since 2015 and have had no compliance issues. They hire great staff and staff has embraced the training. He noted he would answer any questions and hoped the Authority would approve these applications.

Lipton seconded the motion to approve.

Authority Attorney Culley noted neither location is currently open and operating. The Green Room will need to obtain certificates of occupancy and their license and then the license can be transferred to Igadi.

Mr. Michel noted the permits have been pulled for the tenant finishes by J2H2 d/b/a The Green Room for both locations and the anticipated completion is mid-October or November. He noted they were aware of the need for J2H2 to obtain the certificate of occupancy before the transfer of ownership could take place.

Brown accepted a friendly amendment to make the transfer contingent on J2H2 receiving their certificate of occupancy. Lipton agreed. All in favor.

- D. Transfer Application – IH WL Acquisition Manager LLC d/b/a Courtyard by Marriott Louisville – Hotel and Restaurant Liquor License – 948 Dillon Road
- E. Transfer Application IH WL Acquisition Manager LLC d/b/a Residence Inn Boulder Louisville – Hotel and Restaurant Liquor License – 845 Coal Creek Circle

Machado noted there was a police incident report to be considered concerning the Courtyard but felt it could be considered separate from the transfer.

Machado moved to consider the transfer applications together. Lipton seconded. Voice vote: 3-1 Brown voting no.

Lipton moved the Authority approve the transfer applications for both. Kaufman seconded. Roll Call Vote: Kaufman – yes, Brown – yes, Machado - yes and Lipton - yes.

Police Department Reports

- A. Incident Report – Mudrock’s – 7/6/2019

Machado reviewed the incident. Members discussed the report.

Lipton moved to order a show cause hearing for the September meeting. Kaufman seconded. All in favor.

- B. Incident Report – Courtyard by Marriott – 7/12/2019

Machado reviewed the incident. Authority members talked about the report. Kaufman moved to order a show cause hearing and set it for the October meeting. Brown seconded. All in favor.

- C. Incident Report – Cinebarre – 8/6/2019

Machado reviewed the incident. Members discussed whether or not a show cause hearing should be ordered.

Brown moved to order a show cause hearing for the October meeting. Kaufman seconded. All in favor.

Secretary's Report

No report.

Authority Attorney's Report

No report.

Authority Comment

Sergeant Redard was asked about the Street Faire and he reported it went well this year.

Adjourn – Brown moved to adjourn. Lipton seconded. All in favor. The meeting was adjourned at 8:06 p.m.

**SUBJECT: RENEWAL APPLICATION – PAU HANA BREWERY LLC D/B/A
REDGARDEN RESTAURANT & BREWERY - BREW
PUB LIQUOR LICENSE – 1700 DOGWOOD
STREET**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

An application has been submitted for the renewal of the Brew Pub Liquor License for Pau Hana Brewery LLC d/b/a Redgarden Restaurant & Brewery.

The premises are leased and the current agreement is valid.

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

There was incident over the past year requiring filing of police reports which resulted in a show cause hearing being ordered and the licensee paying a fine in lieu.

City of Louisville sales tax account is current.

RECOMMENDATION:

Authority approve the renewal application for the Brew Pub Liquor License – Pau Hana Brewery LLC d/b/a Redgarden Restaurant & Brewery.

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

**SUBJECT: SPECIAL EVENTS PERMIT – INSTITUTE OF TAOIST
EDUCATION AND ACUPUNCTURE – FOR 10/4/19 – 801
GRANT AVENUE**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The Institute of Taoist Education and Acupuncture has submitted a Special Events Permit for The Arts Center at 801 Grant Avenue. The event is their annual Gala/fundraiser. Committee members will be responsible for the security, persons wanting alcohol will have to show identification and the Gala chairperson is TIPS trained.

RECOMMENDATION:

Authority approve the Special Events Permit.

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

DATE: SEPTEMBER 23, 2019

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 were no employees 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: RENEWAL APPLICATION - VERDE NO. 2 LIMITED
PARTNERSHIP d/b/a VERDE LOUISVILLE - HOTEL AND
RESTAURANT LIQUOR LICENSE – 640 MAIN ST.**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Verde No. 2 Limited Partnership LLLP d/b/a Verde Louisville, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 640 Main Street.

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– Hotel and Restaurant Liquor License – Verde No. 2 Limited Partnership LLLP d/b/a Verde Louisville – 640 Main Street.

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

**SUBJECT: REPORT OF CHANGES - DILLON COMPANIES, INC., D/B/A
KING SOOPERS #13 - 3.2% RETAIL BEER LICENSE (OFF
PREMISES) - 1375 S. BOULDER ROAD**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Dillon Companies, Inc., d/b/a King Soopers #13 has submitted a change to their corporate structure.

Thomas Sullivan replaces Dennis Gibson as Vice President.
Misty Murad has been added as a VP.

RECOMMENDATION:

For informational purposes.

**SUBJECT: CHANGE OF MANAGER - BEST PIZZA LLC D/B/A MOD
PIZZA – BEER AND WINE LIQUOR LICENSE –994 W. DILLON
RD. #600**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Best Pizza LLC d/b/a MOD Pizza, has submitted notification of a new manager for its Beer and Wine Liquor License at 994 W. Dillon Road #600.

Kyle Raddatz replaces Scott Schooler as manager.

RECOMMENDATION:

For informational purposes.

**SUBJECT: RENEWAL APPLICATION – BEST CHEF RESTAURANT
LLC D/B/A PARMA TRATTORIA MOZZARELLA BAR –
HOTEL AND RESTAURANT LIQUOR LICENSE –
1132 W DILLON ROAD UNIT 1**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Best Chef Restaurant LLC d/b/a Parma Trattoria Mozzarella Bar, has submitted an application for renewal of its Hotel & Restaurant Liquor License at 1132 W. Dillon Road Unit 1

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– Best Chef Restaurant LLC d/b/a Parma Trattoria Mozzarella Bar – Hotel & Restaurant Liquor License – 1132 W. Dillon Road Unit 1

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

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

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The licensee, Tokyo, Inc. d/b/a Tokyo Joe’s has surrendered its Hotel and Restaurant Liquor License at 1116 W Dillon.

The location closed on August 31, 2019.

RECOMMENDATION:

For informational purposes.

**SUBJECT: SPECIAL EVENTS PERMIT – TRI CITY ELKS #2541 –
9/27/19 – 525 MAIN ST.**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

The Tri City Elks Club has submitted an application for Special Events Permit for an open house on September 27. The premises has been posted for ten days with no protests received.

RECOMMENDATION:

Authority approve the Special Events Permit.

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

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

Show Cause Hearing, KCM Restaurant Holdings LLC d/b/a Mudrock’s Tap and Tavern – Hotel and Restaurant Liquor License – 2/17/19 Incident

RECOMMENDATION:

The Authority may conduct a Show Cause Hearing for the purpose of determining whether the licensee has violated one or more of the laws, or regulations set forth in the Colorado Liquor Code.

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

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

Show Cause Hearing, KCM Restaurant Holdings LLC d/b/a Mudrock’s Tap and Tavern – Hotel and Restaurant Liquor License – 7/6/19 Incident

RECOMMENDATION:

The Authority may conduct a Show Cause Hearing for the purpose of determining whether the licensee has violated one or more of the laws, or regulations set forth in the Colorado Liquor Code.

**SUBJECT: SHOW CAUSE HEARING – HEI HAN ENTERPRISES, INC.
D/B/A HENRY’S BAR & GRILL - TAVERN LIQUOR LICENSE
– 935 PINE STREET**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

A Show Cause Hearing, Hei Han Enterprises d/b/a Henry’s Bar & Grill - Tavern
Liquor License – Incident dated 6/15/19

RECOMMENDATION:

The Authority may conduct a Show Cause Hearing for the purpose of determining
whether the licensee has violated one or more of the laws, or regulations set forth in
the Colorado Liquor Code.

**SUBJECT: SHOW CAUSE HEARING – HEI HAN ENTERPRISES, INC.
D/B/A HENRY’S BAR & GRILL - TAVERN LIQUOR LICENSE
– 935 PINE STREET**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

A Show Cause Hearing, Hei Han Enterprises d/b/a Henry’s Bar & Grill - Tavern
Liquor License – Incident dated 6/17/19

RECOMMENDATION:

The Authority may conduct a Show Cause Hearing for the purpose of determining
whether the licensee has violated one or more of the laws, or regulations set forth in
the Colorado Liquor Code.

**SUBJECT: SHOW CAUSE HEARING – TILT III LLC D/B/A TILT –
 LODGING AND ENTERTAINMENT LICENSE – 640 MAIN ST.**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

A Show Cause Hearing, Tilt III LLC d/b/a Tilt – Lodging and Entertainment Liquor License – Incident dated 6/15/19

RECOMMENDATION:

The Authority may conduct a Show Cause Hearing for the purpose of determining whether the licensee has violated one or more of the laws, or regulations set forth in the Colorado Liquor Code.

**SUBJECT: SHOW CAUSE HEARING – POR WINE HOUSE LLC D/B/A
POR WINE HOUSE – HOTEL AND RESTAURANT LIQUOR
LICENSE - 701 MAIN ST.**

DATE: SEPTEMBER 23, 2019

PRESENTED BY: CAROL HANSON, AUTHORITY SECRETARY

SUMMARY:

A Show Cause Hearing, Por Wine House LLC d/b/a por wine house – Hotel and Restaurant Liquor License – Incident dated 7/6/19

RECOMMENDATION:

The Authority may conduct a Show Cause Hearing for the purpose of determining whether the licensee has violated one or more of the laws, or regulations set forth in the Colorado Liquor Code.