

Municipal Judge, Geri R. Joneson, called the regular meeting of the Local Licensing Authority to order at 8:30 AM on the above date. Also present were: Assistant City Attorney, Vincent Junglas; Sgt. James Mines; and Secretary, Jeannie Weaver.

1. **MINUTES**                      The minutes of the July 16, 2015 meeting were approved as submitted.

2. **CONSENT AGENDA**

The items on the Consent Agenda did not require an appearance by the licensee and were approved by the Authority. The applications will be forwarded to the Department of Revenue for State approval and issuance of the licenses.

**RENEWALS - (Appearance not required)**

- a.     S & B Systems, LLC dba 29<sup>th</sup> Street Wing Shack  
       158 East 29<sup>th</sup> Street  
       Beer and Wine License Renewal  
       August 6, 2015 to August 6, 2016     **RENEWED**
  
- b.     Woka Land Corporation dba Wonderful Dragon  
       120 North Lincoln Avenue  
       Hotel and Restaurant License Renewal and Corporate Change Report  
       September 11, 2015 to September 11, 2016 **BOTH CONT'D TO 9-17-15**
  
- c.     East Coast Pizza-Centerra LLC dba East Coast Pizza-Centerra  
       5897 Sky Pond Drive Unit K151  
       Hotel and Restaurant License Renewal  
       August 25, 2015 to August 25, 2016 **RENEWED**
  
- d.     Brinker Restaurant Corporation dba Chili's Grill & Bar  
       1425 Rocky Mountain Avenue  
       Hotel and Restaurant License Renewal  
       September 2, 2015 to September 2, 2016     **RENEWED**
  
- e.     Kylee Foods Inc. dba Nordys Bar-B-Que & Grill  
       4360 St. Cloud Drive  
       Hotel and Restaurant License Renewal  
       August 4, 2015 to August 4, 2016     **RENEWED**
  
- f.     Blockys Eatery LLC dba Blockys Eatery  
       285 East 29<sup>th</sup> Street  
       Hotel and Restaurant License Renewal  
       September 23, 2015 to September 23, 2016     **RENEWED**
  
- g.     Old World Foods LLC dba Café Athens  
       5865 Sky Pond Drive Space G-101  
       Hotel and Restaurant License Renewal  
       August 24, 2015 to August 24, 2016     **RENEWED**
  
- h.     Ju Moon dba Thirty Four Liquors  
       1205 East Eisenhower Blvd.

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|    | Retail Store License Renewal<br>September 26, 2015 to September 26, 2016   | <b>RENEWED</b> |
| i. | G-N-K-S LLC dba George's Pizza & Gyros<br>106 & 110 East 29 <sup>th</sup> Street<br>Hotel and Restaurant License Renewal<br>August 22, 2015 to August 22, 2016 | <b>RENEWED</b> |
| j. | Barneveldt Inc. dba McGraff's Restaurant<br>1602 Eisenhower Blvd.<br>Hotel and Restaurant License Renewal<br>September 12, 2015 to September 12, 2016          | <b>RENEWED</b> |
| k. | Rumfelt Family Ventures dba Charlie L's Pub<br>271 14 <sup>th</sup> Street SE<br>Tavern License Renewal<br>August 19, 2015 to August 19, 2016                  | <b>RENEWED</b> |

**3. REGULAR AGENDA - (Appearance Required)**

**RENEWAL**

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| a. | Rylaurken Inc. dba The Inglenook<br>530 North Cleveland Avenue<br>Hotel and Restaurant License Renewal<br>August 15, 2015 to August 15, 2016 | <b>RENEWED</b> |
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The Licensee satisfied the Authority's concerns with the application prior to the meeting and appearance by the Licensee was not required. The Authority approved the renewal of the license.

**TEMPORARY MODIFICATION OF PREMISES**

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| a. | Crossroad Holdings LLC dba The Boot Grill<br>4164 Clydesdale Parkway |
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The application was filed for a temporary modification of the premises to enlarge the premises 7,000 s.f. from September 24, 2015 to September 28, 2015. Mike Zapf came forward to address the Authority and answer questions. Mr. Zapf described the two events taking place over that weekend. The Chili Cook-Off fundraiser will take place on September 25, 2015 starting at 9 a.m. and going throughout the day with groups making the chili, selling tickets and then judging. The Denver Broncos Alumni fundraiser will take place on Sunday, September 27, 2015 with the hours of service from 11 a.m. to 1 a.m. on September 28, 2015. Fencing will be placed around the perimeter of the event location in the parking lot and containing one entrance/exit during the event hours for all participants so that the restaurant's main door cannot be accessed. Big Al's Security will be monitoring the alcohol service during the event and the perimeter of the fenced area. The Authority questioned why the expansion was needed for five days. Mr. Zapf explained that they will be setting up the tent and equipment the first day and will only open the event area during the time of the two events, altering the entry/exit for the event and then closing it off during setup/cleanup times. The crowd is expected to be around 700, fluctuating throughout the event hours as people come and go. The Authority noted that there have been past violations and wanted assurance

that the servers have been well-trained and can handle the crowd. Mr. Zapf stated that they do not want any issues to arise and have trained for prevention. There have been seven recent compliance tests passed by the restaurant and all the servers are sent faithfully to training. Mr. Zapf asked about selling wine bottles at the Broncos event for autograph by the players. Mr. Junglas stated that the City would object because it would violate the Liquor Code. There were no other concerns from the City or Police Department. The Authority found that all the concerns have been satisfied; that holding the event in the location is in compliance with zoning laws and not with 500 ft. of a public or parochial school; security will be provided and all staff will be adequately trained. The temporary modification of the premises is approved. With respect to the sale of wine, the premises is not licensed for retail sales and sale of wine bottles is not approved.

#### TRANSFER OF OWNERSHIP

- a. Drokls, Inc. and 7-Eleven, Inc. dba 7-Eleven Store #17142A  
2081 West Eisenhower Blvd.

The application was filed for a transfer of ownership of the 3.2% Off-Premises Retail Beer License from 7-Eleven, Inc. to Drokls, Inc. and 7-Eleven, Inc. A temporary transfer permit was issued on July 20, 2015. The Licensee's Attorney, Kevin Coates, appeared with Keith Smelser and Dawn Owens to address the Authority and answer questions. Mr. Junglas questioned Mr. Smelser about his prior interest in another license and if there were any violations. Mr. Smelser stated that he and Dawn Owens had an interest in the Sunset Event Center that is no longer in business. A violation occurred there in 2005 but no violations have occurred at the 7-11 at 4277 North Taft that they currently manage. There were no other parties in interest appearing. The Authority found the applicant qualified and the transfer of ownership was approved.

#### 4. PUBLIC HEARINGS

##### NEW LICENSES

- a. Coffee House Holdings, Inc. dba Starbucks 10499  
1510 West Eisenhower Blvd.

The application was filed for a new Beer and Wine License. The premises was posted with a sign advertising the Public Hearing and a notice was published in the Reporter Herald as the law requires. The Authority read the procedures to be followed for the Public Hearings. The neighborhood boundaries were identified as: N-Cty. Rd. 24; S-Cherry Wood Lane; E-Centerra Parkway and W-Valley Oak Drive. The Secretary's files were admitted into the record. Attorney Brian Proffitt and Andrea Moudakis appeared to address the Authority and answer questions. The Authority opened the Public Hearing and Ms. Moudakis was sworn in to testify about the alcohol service at this location and expected launch on October 20, 2015. Expansion of the food menu will take place and food will be served at all times. The alcohol service by the glass will begin at 2 p.m. until closing at 10 p.m. Carol Johnson of Esquire Petitioning Services, Inc. was sworn in to testify about the performance of the survey of the neighborhood. The results showed 96% of those surveyed favored the issuance of the license. Mr. Junglas discussed the review of the requirement of a patio gate and found that it is not required by City Code if sufficient signage is posted. There are several "No Alcohol Beyond this Point" compliant signs posted at the main entrance, patio entrance and on the patio. The Authority's concern about the patio gate was satisfied. The City recommended approval of the license issuance based upon completion of the required inspection of the premises by the Police Department. Mr. Proffitt requested approval of the license. The Authority reviewed the evidence and after hearing the testimony, asked if there were any

other parties in interest present. Hearing none, the Authority closed the Public Hearing and made the following findings: The establishment is not within 500' of any public or parochial school or the campus of any college, university, or seminary. A license was not denied within the previous two years for the same location and the sale of liquor is permitted under applicable zoning ordinances. The applicant is entitled to possession of the premises and there is not an undue concentration of tavern or liquor stores in the neighborhood. The applicant is not a peace officer employed with the City of Loveland or the State Licensing Authority or any of its inspectors or employees. The applicant possesses a State and City Sales Tax License; is 21 years of age or older; is not prohibited to obtain a license due to multiple owner restrictions; and is of good moral character. The neighborhood boundaries were determined by considering rural, urban, residential, shopping, traffic flow, access roads, geography, and terrain. The Fire Marshal and the Chief Building Official indicate that the premises is in compliance with all Fire and Building Codes. The background investigation is complete. The Authority approved the issuance of the new license upon obtaining the final inspection of the premises by the Police Department.

- b. Matador Centerra, LLC dba Matador Mexican Grill  
1747 Rocky Mountain Avenue

The application was filed for a new Hotel and Restaurant license. The neighborhood boundaries are as follows: N-E. Cty. Rd. 24; S-Cherry Wood Lane; E-Centerra Parkway; and W-Boyd Lake Avenue. The premises was posted with a sign advertising the Public Hearing and a notice was published in the Reporter Herald as the law requires. The Authority incorporated the opening procedural statements into the record for this Tavern License Public Hearing. Paul Michaelsen appeared and was sworn in to testify and answer questions. Mr. Michaelsen testified regarding the survey of the neighborhood that he performed and found general acceptance of the issuance of the new license. Mr. Junglas questioned the addition of the patio to the existing restaurant. Mr. Michaelsen said he was working with the Building Division to obtain a building permit because the patio gate installation is required by the landlord to be consistent throughout the shopping center. A "No Alcohol Beyond this Point" code-compliant sign will be posted by the push-open gate on the patio. Mr. Michaelsen also stated that he would attend the City's alcohol server training class. There were no other parties in interest appearing. The Authority closed the Public Hearing and made the following findings: The establishment is not within 500' of any public or parochial school or the campus of any college, university, or seminary. A license was not denied within the previous two years for the same location and the sale of liquor is permitted under applicable zoning ordinances. The applicant is entitled to possession of the premises and there is not an undue concentration of taverns or liquor stores in the neighborhood. The applicant is not a peace officer employed with the City of Loveland or the State Licensing Authority or any of its inspectors or employees. The applicant possesses a State and City Sales Tax License; is 21 years of age or older; is not prohibited to obtain a license due to multiple owner restrictions; and is of good moral character. The neighborhood boundaries were determined by considering rural, urban, residential, shopping, traffic flow, access roads, geography, and terrain. The Fire Marshal and the Chief Building Official indicate that the premises is in compliance with all Fire and Building Codes. The background investigation is complete and 25% of gross sales will be from sales of food. The adult inhabitants of the neighborhood desire the issuance of the license; the reasonable requirements of the neighborhood do not preclude the issuance of the license; and the applicant is qualified to conduct the type of business proposed. The Authority approved the issuance of the new license upon obtaining the final inspection of the premises by the Police Department.

- c. Oceans Bistro Inc. dba Oceans Bistro  
1525-1535 West Eisenhower Blvd.

The application was filed for a new Hotel and Restaurant License. The premises was posted with a sign advertising the Public Hearing and a notice was published in the Reporter Herald as the law requires. The Secretary connected with Tele-Language to provide an interpreter for Ms. Xian. The Authority read the procedures to be followed for the hearing and asked the Cantonese Chinese interpreter to translate the procedures for Ms. Xian and translate as needed throughout the hearing. The neighborhood boundaries were identified as: N – E 29th St.; S – E. 1st St.; E – Garfield Avenue; and W – Walnut Street. The Secretary's files were admitted into the record. Shuai Ya Xian and Max Scott appeared to address the Authority and answer questions. The Public Hearing was opened and Ms. Xian and Max Scott of Oedipus, Inc., were sworn in to testify. Mr. Scott testified about the measurement of the distance to a school and submitted an original affidavit and map as evidence for the record. The exhibits were accepted and marked Exhibits 1 & 2. Mr. Junglas questioned Mr. Scott about the training class offered by his company. Mr. Scott stated that it is a State-Certified Trainor and if hired, the company would hold it for Ms. Xian and her staff. Mr. Junglas asked Ms. Xian if she had attended the City's alcohol server training class. Ms. Xian said that she had attended but didn't take the test at the end. Mr. Junglas asked if she would be willing to take Mr. Scott's class. Ms. Xian said she would be willing to take Mr. Scott's class and would send any other employees to the City of Loveland class. Mr. Junglas asked Ms. Xian if she had addressed the concerns of the Fire Department. Ms. Xian stated that before they opened, they notified both the Building Division and Fire Department and the restaurant opened for business serving soft drinks only. The Public Hearing was closed and the Authority's findings were translated as follows: The establishment is not within 500' of any public or parochial school or the campus of any college, university, or seminary. A license was not denied within the previous two years for the same location and the sale of liquor is permitted under applicable zoning ordinances. The applicant is entitled to possession of the premises and there is not an undue concentration of taverns or liquor stores in the neighborhood. The applicant is not a peace officer employed with the City of Loveland or the State Licensing Authority or any of its inspectors or employees. The applicant possesses a State and City Sales Tax License; is 21 years of age or older; is not prohibited to obtain a license due to multiple owner restrictions; and is of good moral character. The neighborhood boundaries were determined by considering rural, urban, residential, shopping, traffic flow, access roads, geography, and terrain. The needs of the neighborhood and the desires of the adult inhabitants dictate the issuance of the license; the Fire Marshal and the Chief Building Official indicate that the premises is in compliance with Fire and Building Codes. The background investigation is complete; 25% of gross sales will be from sales of food; and the applicant must comply with the Police Department's final inspection. The Authority emphasized the importance of alcohol server training for herself and for her employees. The Authority approved the license for Ocean's Bistro Inc. dba Oceans Bistro and thanked the interpreter for her service to Ms. Xian.

#### **5. OLD BUSINESS/NEW BUSINESS**

None

#### **6. ADJOURNMENT**

The next regularly scheduled Local Licensing Authority Meeting will be **September 17, 2015 at 8:30 AM** in the City Council Chambers.

Having no further business to come before the Authority, the meeting was adjourned at 11:10 A.M.

Respectfully submitted,

Local Licensing Authority  
August 20, 2015

*Jeannie M. Weaver*  
Jeannie M. Weaver, Secretary



Approved:

*Gerri R. Joneson*  
Gerri R. Joneson, Municipal Judge  
Liquor Licensing Authority