

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; Officer Jeff Mayers; and Secretary, Jeannie Weaver.

1. **MINUTES** The minutes of the November 19, 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. Mazuma Restaurants LLC. dba Pourhouse Bar and Grill
 124 East 4th Street
 Hotel and Restaurant License Renewal
 January 9, 2016 to January 9, 2017 **RENEWED**

- b. Loveland Black Steer Restaurant Inc. dba Black Steer
 436 North Lincoln Avenue
 Hotel and Restaurant License Renewal
 December 27, 2015 to December 27, 2016 **RENEWED**

- c. Thunder Mountain Hooters LLC dba Thunder Mountain Hooters
 4230 Byrd Drive
 Hotel and Restaurant License Renewal
 January 22, 2016 to January 22, 2017 **RENEWED**

- d. World Beverage, Inc. dba World Beverage
 3655 North Garfield Avenue
 Retail Store License and Tastings Permit Renewal
 January 29, 2016 to January 29, 2017 **BOTH RENEWED**

- e. B & E LLC dba Bentley's Liquor
 1775 Rocky Mountain Avenue
 Retail Store License Renewal
 December 7, 2015 to December 7, 2016 **RENEWED**

- f. S.I. Flats Inc. dba Mrs. Torrelli's Wine Flat
 534 North Cleveland Avenue
 Retail Store License and Tastings Permit Renewal
 January 22, 2016 to January 22, 2017 **BOTH RENEWED**

- g. Biaggi's Ristorante Italiano LLC dba Biaggi's Ristorante Italiano
 5929 Sky Pond Drive
 Hotel and Restaurant License Renewal
 January 22, 2016 to January 22, 2017 **RENEWED**

- h. Maggie and Kat LLC dba Boise Tavern
 1475 Boise Avenue #4

Tavern License Renewal
January 11, 2016 to January 11, 2017 **RENEWED**

- i. OJ & Kan, Inc. dba Sushi Zensai
 198 East 29th Street
 Hotel and Restaurant License Renewal
 January 25, 2016 to January 25, 2017 **RENEWED**

3. REGULAR AGENDA - (Appearance Required)

The Authority considered the items out of order from the Agenda in order to accommodate the applicants.

NEW LICENSES

- b. R & A, LLC dba Blue Fin Sushi & Japanese Cuisine
 6055 Sky Pond Drive, Ste. P-136

The application was filed for a new Hotel and Restaurant license. The neighborhood boundaries are as follows: N-Crossroads Blvd; S-E. Hwy 34; E-N. Ward Ave/S. Larimer 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. Sung Min Kim appeared to address the Authority and answer questions. The Authority asked Mr. Kim if he would prefer to have an interpreter for the hearing. Mr. Kim responded that he would like an interpreter. A brief recess was taken to connect with Tele-Language and a Korean interpreter. The Public Hearing was opened and the Authority read the procedures for the hearing into the record. The Secretary's files were admitted into the record. The Authority asked if Mr. Kim intended to testify or if his presentation was just the application itself. Mr. Kim stated he would only be making statements and no one else would be testifying. The Authority stated that she had reviewed the application and opened the matter to the City Attorney for questioning Mr. Kim. The Secretary swore in Mr. Kim to testify. Mr. Junglas asked Mr. Kim if the premises were in compliance with the Fire Code. Mr. Kim responded that the General Contractor will comply with all inspections required by the City and expects completion in mid-January. Mr. Junglas questioned Mr. Kim about his experience in alcohol service and how his employees would be trained. Mr. Kim stated that he has been in the restaurant business and worked in a retail liquor store for 17 years where he received alcohol server training. He has not taken the City's class. The Authority questioned Mr. Kim about the survey of the neighborhood. Mr. Kim stated that a petition was circulated and contained 139 signatures with zero signatures in opposition to the license. 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 not 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 conditionally approved the issuance of the new Hotel and Restaurant license with the following conditions: 1) The premises must be in compliance with all Building and Fire Codes upon completion of the building permit requirements and prior to opening for business; 2) Mr. Kim should not contact the Police Department for a final premises inspection until the construction is complete and all the required inspections have been completed; and 3) Mr. Kim and his employees are required to obtain and successfully complete responsible alcohol vendor training.

- a. E & K Enterprises, LLC dba Garlic Jim's Famous Gourmet Pizza
1433 North Denver Avenue

The application was filed for a new Beer and Wine license. The neighborhood boundaries are as follows: North-E. 29th Street; South-E. 1st Street; East-Boyd Lake Avenue; and West-North Silverleaf Dr./S. St. Louis 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. Eric and Kimberly Neeper appeared to address the Authority and answer questions. The Authority incorporated the previously read procedures into the record noting the different neighborhood boundaries and admitting the Clerk's files into the record. The Public Hearing was opened and Mr. Neeper was sworn in to testify. There were no other parties in interest appearing. Mr. Junglas questioned Mr. Neeper about his experience in the business, the percentage of alcohol sales anticipated and explanation of any alcohol server training he has received. The preliminary investigation indicates that the premises is not in compliance with all Building and Fire Codes at this time. Mr. Neeper stated that he anticipates completion of construction by mid-January when all required inspections will be completed for the building permit process. The Authority stated that the petition submitted showed overwhelming support for issuance of the license. Mr. Neeper stated that all managers and employees serving alcohol would attend training. There were no other parties in interest appearing and 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 not in compliance with all Fire and Building Codes. The background investigation is complete. 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 conditionally approved the issuance of the new Beer and Wine license with the following conditions: 1) The premises must be in compliance with all Building and Fire Codes upon completion of the building permit requirements and prior to opening for business; 2) Mr. Neeper should not contact the Police Department for a final premises inspection until the construction is complete and all the required inspections have been completed. Although not a condition of licensure, the Authority encouraged Mr. Neeper and his employees to obtain and successfully complete responsible alcohol vendor training.

4. OLD BUSINESS/NEW BUSINESS

Local Licensing Authority
December 17, 2015

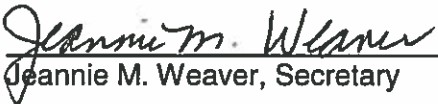
The Authority spoke about the collaboration with the Clerk's office to review and update the Rules of Procedure and consideration by the Authority. The new rules were adopted and become effective on January 1, 2016.

5. ADJOURNMENT

The next regularly scheduled Local Licensing Authority Meeting will be **January 21, 2016 at 8:30 AM** in the City Council Chambers.

Having no further business to come before the Authority, the meeting was adjourned at 9:45 A.M.

Respectfully submitted,


Jeannie M. Weaver, Secretary



Approved:


Geri R. Joneson, Municipal Judge
Liquor Licensing Authority