Thursday, September 30, 2010

Meeting

The Local Liquor Licensing Authority of the City of Golden, County of Jefferson, State of Colorado, met in the Council Chambers, City Hall, at 911 10th Street, Golden, Colorado at the hour of 2:00 p.m.

Hearing Officer Kendra L. Carberry, presiding, called the meeting to order. Deputy City Clerk Andrea L. Banks was also present.

Approval of Minutes of August 30, 2010

The Authority approved the minutes of August 30, 2010.

Modification of Premises – Chapter 2 Hospitality, Inc. d/b/a Briarwood Restaurant, 1630 8th Street, Golden

The Authority accepted and approved the application for Modification of Premises for Chapter 2 Hospitality, Inc. d/b/a Briarwood Restaurant, 1630 8th Street, Golden, to add an outdoor patio area for dining, weddings and other events, which will be fenced in on one side and bordered by natural barriers on the other three sides.

Acceptance of Application for New Hotel & Restaurant Liquor License from Windy Saddle LLC d/b/a Windy Saddle Café, 1110 Washington Avenue, Golden, CO 80401. Set the public hearing date for November 18, 2010, establish the neighborhood to be surveyed and approve concurrent review of the application

Brett and DeAnn Wieber, owners, were present and stated they agreed with the designated survey area.

The Authority stated that the application was accepted, approved for concurrent review, the neighborhood to be surveyed was established as indicated on the submitted map, and the public hearing would be set for November 18, 2010 at 2:00 p.m.

Public Hearing - New Hotel & Restaurant Liquor License - Maverick’s Oakpit Grill LLC, 1301 Washington Avenue, Golden, CO 80401

Hearing Officer Carberry called the public hearing to order.

Jose Manuel Serrano Mora, owner, and Francis Joseph Apicella, registered manager, were sworn in and available to answer questions. They stated that Maverick’s is a family-oriented restaurant, not a bar, and will maintain reasonable hours. There will be no live or outdoor music. Mr. Mora noted that customers are asking for alcohol service, and stated he has worked in and managed restaurants since age 14. Mr. Apicella stated he has 15 years experience serving alcohol. Their ID policy is to check anyone under age 35. Staff is TIPs trained. Mr.
Mora noted that patrons will be offered rides when necessary.

Hearing Officer Carberry invited any interested parties in the audience to comment on the application, provided that they are an adult residing for at least six months in the relevant neighborhood; or they are an owner or manager of a business located in the relevant neighborhood.

Kelly Pietsr, owner of and petition circulator for Esquire Petitioning Services, 2792 S. Race Street, was sworn in and described the procedures for circulating the petitions. Residents were informed of the public hearing.

Hearing Officer Carberry closed the public hearing and reviewed the applicant’s request.

The Local Licensing Authority of the City of Golden, Colorado, based on the evidence presented at the public hearing, adopted the following Findings and Conclusions:

1. That the Local Licensing Authority finds that the applicant is qualified to hold a Hotel and Restaurant Liquor License.

2. That the Local Licensing Authority finds that the needs of the neighborhood are not currently being satisfied.

3. That the Local Licensing Authority finds that the inhabitants of the relevant neighborhood desire that this license be granted.

Based on the foregoing Findings and Conclusions, Kendra Carberry as Hearing Officer for the Local Licensing Authority for the City of Golden, Colorado, granted approval for the issuance of the license herein applied for.

Request for Issuance of Order to Show Cause to Marleez, Inc. d/b/a The Buffalo Rose, 1119 Washington Ave., Golden

The Authority reviewed the memorandum provided by Assistant City Attorney Mary Lynn Benham, which stated that the facts in the proposed Order to Show Cause are legally sufficient to establish probable cause that the licensee has violated Colorado Liquor Code Regulation 40-900(A), “Conduct of Establishment,” by permitting “rowdiness, undue noise, or other disturbances or activity offensive to the senses of the average citizen, or to the residents of the neighborhood in which the licensed establishment is located.

The Authority approved the issuance of a Notice of Order to Show Cause to Marleez, Inc. d/b/a The Buffalo Rose, 1119 Washington Ave., Golden, for hearing on October 27, 2010.

Request for Issuance of Order to Show Cause to YDF Enterprises LLC d/b/a Foss Building Wine & Spirits, 1224 Washington Avenue, Golden

The Authority reviewed the memorandum provided by Assistant City Attorney Mary Lynn
Benham, which stated that the facts in the proposed Order to Show Cause are legally sufficient to establish probable cause that the licensee has violated Colorado Liquor Code Sections 12-47-901(1)(a) and (5)(a)(I), which make it unlawful for any person, or person licensed to sell at retail under the Colorado Liquor Code, to sell an alcohol beverage to a known habitual drunkard or to a visibly intoxicated person.

The Authority approved the issuance of a Notice of Order to Show Cause to YDF Enterprises LLC d/b/a Foss Building Wine & Spirits, 1224 Washington Avenue, Golden, for hearing on October 27, 2010.

Adjournment

There being no further business to come before the Authority, the meeting adjourned at 2:23 p.m.

Susan M. Brooks, MMC
City Clerk

______________________________
Andrea L. Banks, Deputy City Clerk
Secretary to the Local Licensing Authority

Approved by Licensing Authority:

______________________________
Kendra L. Carberry
Hearing Officer