Local Liquor Licensing Authority - Minutes
Thursday, November 18, 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. City Clerk Susan M. Brooks and Associate City Attorney Mary Lynn Benham were also present.

Consent Matters

a. Approval of Minutes of September 30, 2010

b. Change of Registered Manager to Amy K. Anderson at Table Mountain Inn Inc. d/b/a Table Mountain Inn, 1310 Washington Avenue, Golden

The Authority approved the consent matters.

Acceptance of Application for New Retail Liquor Store License from Heritage Liquor LLC d/b/a Heritage Liquor, 750 Heritage Road, Golden, CO 80401. Set the public hearing date for January 26, 2011, establish the neighborhood to be surveyed and approve concurrent review of the application

Gurdeep Kumar, owner, was present and stated he 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 January 26, 2011 at 2:00 p.m.

Public Hearing - New Hotel & Restaurant Liquor License - Windy Saddle LLC d/b/a Windy Saddle Café, 1110 Washington Avenue, Golden, CO 80401

Hearing Officer Carberry called the public hearing to order.

Brett and DeAnn Wieber, owners, were present and available to answer questions. They stated that the Windy Saddle is a family-oriented restaurant. They noted that customers and inhabitants of the surrounding neighborhood have indicated a desire for alcohol service through the survey they conducted and stated that staff has been or is being TIPs trained. They also noted they have previous experience overseeing the service of alcohol. At the request of the hearing officer, the Wiebers responded they would provide a letter stating that their lease would be renewed in March 2011 for another five years.

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. No one from the audience came forward.

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.

Show Cause Hearing - YDF Enterprises LLC d/b/a Foss Building Wine & Spirits, 1224 Washington Avenue, Golden

City Prosecutor Benham stated that the City and the Licensee have reached a stipulation and that the licensee admits to the sale of alcohol to a person who was visibly intoxicated. She noted there have been no prior violations during the 3 years the licensee has held the license. She reviewed the proposed conditions stated in the stipulation agreed to by the licensee, stating that the stipulation would serve the interests of the City and the licensee.

Gerald J. Devitt, attorney for the licensee, stated that the owner recognizes the seriousness of the violation and agrees with the terms of the stipulation. He noted that the licensee will participate in further training. The employee who committed the violation was a 30 year employee of the original drugstore owners. He also noted that the licensee passed a compliance check yesterday. He explained that there are surveillance video cameras which are viewed by the manager to monitor activity and that the manager did not see anything that appeared to be a problem at the time of the sale.

The Authority accepted the Joint Stipulation Agreement and its stated conditions as submitted by the City and YDF Enterprises LLC d/b/a Foss Building Wine & Spirits, 1224 Washington Avenue, Golden, and ordered that the licensee receive 3 days suspension with all 3 days being held in abeyance for 12 months, with the condition that no other violations occur within the next 12 months.
Adjournment

There being no further business to come before the Authority, the meeting adjourned at 2:25 p.m.

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Susan M. Brooks, MMC
Secretary to the Local Licensing Authority

Approved by Licensing Authority:

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Kendra L. Carberry
Hearing Officer