

**MINUTES FOR
LIQUOR AUTHORITY MEETING**

**CITY OF WHEAT RIDGE, COLORADO
7500 West 29th Avenue, Municipal Building**

November 30, 2017

Chair Worth called the Liquor Authority Meeting to order at 9:00 a.m.

Liquor Authority Members present:

Robert Alldredge
Paul Shaver
Bruce McIntyre
Carolyn Peterson
Claudia Worth

Absent: John Miks, Anthony Davia, Elizabeth Nazarene

Also present: Deputy City Clerk Robin Eaton; City Clerk Janelle Shaver; Police Officers Steve Berkowitz and Betsy Sailor; Jess Harris, Applicant: Max Scott (Oedipus).

APPROVAL OF MINUTES OF November 9, 2017

Motion by Peterson to approve the minutes of November 9, 2017; seconded by Mr. McIntyre; Motion carried 3-2 with abstaining votes from Ms. Peterson and Mr. Alldredge.

Item 1. Introduced by Chair Worth; a New Application for a Beer & Wine License
Application for B &B Colorado Ventures LLC, dba Books and Brews located
at 7172 W. 38th Avenue, Wheat Ridge CO 80033.

Deputy Eaton gave the initial findings for the staff report and entered Exhibits 1-6 into the record, showing the applicant has fulfilled all of the requirements to hold a liquor license. He explained that Books and Brews is a new Beer & Wine applicant, being a franchise and wishing to start an establishment that caters to people wanting to read and relax.

Deputy Eaton introduced Max Scott, Oedipus Inc. along with Jess Harris, the applicant.

Chair Worth swore in Mr. Scott and Mr. Harris.

Max Scott spoke about Oedipus, Inc. and stated that Wheat Ridge has a wonderful reputation as a good place for businesses. He incorporated his testimony from past hearings as to the methods Oedipus uses to conduct the surveys.

Survey was conducted in a one-mile radius with the applicant business at center. Both residences and businesses were surveyed in the blue area of the map of the survey.

He described on page two of the survey that 179 of those surveyed were in favor of issuance of new liquor license, while there were 10 that were opposed to it, including 1 business.

Mr. Shaver asks why more local residents weren't petitioned in a closer proximity to this new establishment.

Mr. Scott responds that the neighborhood petitioned is within the required one mile radius that has been set by the City and suggests that the City change it to a one half mile radius for future petitioning. He further explained that overall, the results wouldn't change that much except for the percentages. His companies petitioning has stood up to legal challenges in the past and will as well for future challenges, if any.

Officer Berkowitz adds that during the Riffs liquor license petitioning, that none of the apartment residents that live outside the front door of the establishment were ever contacted during the petition process.

Mr. Scott responded that some of those types of facilities have posted no soliciting signs and they are unable to enter because of it.

The applicant Jess Harris spoke about the business being mostly for new Craft beers and some wines where people can come in a relax. His will be the first Franchise location out of the State of Indiana where this concept was first realized and it's because his deceased wife had a love of books. It will be a place for "people without a place", to come enjoy some drinks, food and conversation. Mr. Harris searched for months for the proper place before stumbling upon this Wheat Ridge location and it just felt right.

Chair Worth asks for any questions.

Ms. Peterson asks what was in the building prior to him occupying it.

Mr. Harris responds that there were two businesses, one a gelato store and a boutique. The owner that bought the building knocked a wall out to combine the units and he took over both areas. His concept will have both old and new books, with 10% of the profits being donated to Judy's house for grief counselling and also for breast cancer awareness.

Ms. Peterson asks when he plans on opening this establishment.

Mr. Harris responds as soon as possible and that he still has some work to be done by the Landlord.

Ms. Worth asked where this business was located.

Mr. Harris responds on the north side of 38th Avenue, east of Teller Street and next to Right Coast Pizza.

Mr. Shaver gives his condolences to Mr. Harris and asks if he has contacted West Metro Fire Department for an inspection.

Mr. Harris replies that no he has not, but they have walked through the space and plan another walk through prior to the business being opened.

Mr. Shaver states that he drove by the establishment on Saturday night and the parking lot that the licensee will share with Right Coast was full. The question was asked to Mr.

Harris if he thinks there is adequate parking for this type of establishment, along with the three air B&B's that are located upstairs.

Mr. Harris responded that he cannot give an answer to the parking issue concern but the parking spaces should be equally divided. He wants a local neighborhood gathering spot where most people could walk to and not have to drive.

Mr. Alldredge asks about the hours of service and what alcohol will be sold there.

Mr. Harris responds that he will have five regular beers in bottles, along with up to seven taps for local breweries. His hours of service will be Sunday 11am – 9pm; Mon-Wednesday 11am – 10pm; Thursday 11am-11p and Friday – Saturday 11am-12am.

When asked about if he had any concerns about the school across the street and looking out for children.

Mr. Harris responds not at all, and he welcomes them at his place. He wouldn't want to have a place that his own children wouldn't want to go. There will be a special place inside the building especially just for kids to go to and have fun.

When asked about the food that will be served at his establishment Mr. Harris responded that it will be mostly flat breads, Paninis and chips.

Chair Worth ask about what other types of beverages will be dispensed at this location.

Mr. Harris answers that there will be some wines but basically it will be juices for the kids, bottles of soda and other non-alcohol drinks along with espresso, and coffee. He will not be serving any liquor and is not looking for that type of atmosphere. There will also be book readings and trivia, along with an annual Harry Potter event

Chair Worth asks if anybody else has any questions with no reply.

Motion by Mr. Alldredge to approve the issuance of a new a Beer & Wine License for B & B Colorado Ventures LLC dba Books & Brews, at 7172 W. 38th Avenue, Wheat Ridge CO 80033 on the basis of the following findings:

1. Public Notice of the hearing on the Application was published and posted on the property as required by Colorado law;
2. The applicant is qualified to obtain a liquor license pursuant to C.R.S. Section 12-47-307;
3. The premises is in a location eligible to conduct the proposed liquor licensed business pursuant to C.R.S. Section 12-47-313 and the zoning laws of the City;
4. The applicant is entitled to possession of the premises for which the application is made;
5. The neighborhood under consideration is considered to be within a one-mile circumference around the proposed licensed premises;
6. The inhabitants of the neighborhood desire an additional establishment that serves liquor;
7. The needs of the neighborhood are not met by the existing outlets."

Mr. Shaver voices concerns with the close proximity of the school and will be voting no on issuance of this license.

Mr. Alldredge states that he will be voting yes to approve the license

Seconded by Mr. McIntyre: motion carries 4-1 with Mr. Shaver voting no

CITY CLERK'S MATTERS

Deputy Clerk Eaton spoke on the following items:

- The Transfer application for dba Violets Venue- the old Riffs-was administratively approved and sent to the State LED for processing. This after receiving go-aheads from both the Asst. City Attorney and PD.
- Transfer applications for both the Old Prospector Liquor Store and Apro 4999 on 38th Avenue are still pending approval from the LED.
- Renewals for Safeway, Luke's Steak place, King Soopers, EL Aguascalientes, Paramount Bowl, Clancy's, Amici's, PrknPik, Clancy's, 3 margarita's and Wilmore liquor are still pending from the State; some of the last for over two months
- Corporate change for D&S Liquors and a similar application is pending being submitted from Lil' Nicks pizza.
- Probable new applications for one brew-pub, dba New Image Brewing, whom already has a brew-pub in Arvada and one Beer and Wine for dba Bardos Coffee. Hearing TBD but not until at least Jan. 11, 2018.
- Received the Stipulation agreement for the State Liquor Authorities showing PrknPik liquors, located at 9345 W. 44th Ave, will pay a fine in the amount of \$2,165 for selling to a minor, to avoid being shut down for 5 days in December. They will still have 5 days held in abeyance for one year.
- Boards and Commission expiring term coming up in March 2018; Liquor Authority will have 4 candidates set for re-appointment. Carolyn Peterson, Elizabeth Nazarenus, Paul Shaver, and Anthony Davis.

CITY ATTORNEY'S MATTERS - none

POLICE DEPARTMENT MATTERS

Officer Berkowitz introduced Detective Betsy Sailor who works in the Vice and Intelligence Division and will be working with her as well. She previously worked in the West Metro Drug Task Force and that she is a good detective.

LIQUOR AUTHORITY MEMBERS MATTERS

Mr. Shaver asks that from the last meeting, learning that the State Liquor Enforcement Division has been busting so many of our liquor licensees, why isn't the city doing more compliance checks.

Officer Berkowitz responds that WRPD takes turns with the state investigators and that they are a huge help to us with the limited resources that we have. They have investigators that go out and do random checks and it probably was just "our turn" for them to do the checks here. We have a good relationship with the LED and compliance with our licensees.

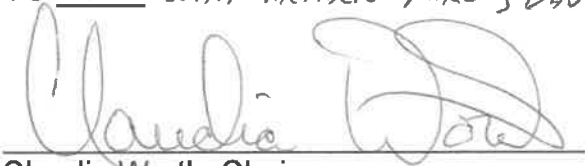
Merry Christmas and Happy Hanukah are wished to all from Mr. Shaver.

Meeting adjourned at: 9:50 a.m.



Robin Eaton, Deputy City Clerk

APPROVED BY LIQUOR AUTHORITY ON JANUARY 11, 2018 BY A VOTE OF 3
TO 3 with members MIKS, DAVIA AND NAVARENUS abstaining



Claudia Worth, Chair