



CITY OF IDAHO SPRINGS
1711 Miner Street
P.O. Box 907
Idaho Springs, CO 80452-0907
Telephone (303) 567-4421
FAX (303) 567-4955

NOTICE AND AGENDA
SPECIAL Meeting
Idaho Springs City Council
1711 Miner Street, City Hall
Tuesday, May 31, 2022, 7:00 p.m.

1. CALL TO ORDER

2. ROLL CALL

3. PLEDGE OF ALLEGIANCE

4. AGENDA APPROVAL

- a) Move to approve the agenda for the May 31, 2022 meeting

5. CONFLICT OF INTEREST

6. PUBLIC COMMENT

7. LIQUOR LICENSING AUTHORITY

- a) **Public Hearing** : Application for a Modification of Premise of Beau Jo's Pizza 1517 Miner Street

- b) **Public Hearing** : Application for a Modification of Premise of Slaymaker Cellars 1535 Miner Street

- c) **Public Hearing** : Application for a Modification of Premise of MTN Prime 1600 Miner Street

- d) **Public Hearing** : Application for a Modification of Premise of The Buffalo Bar & Restaurant 1609 & 1617 Miner Street

- e) **Public Hearing** : Application for a Modification of Premise of Tommyknocker Brewery & Pub 1401 Miner Street

- f) **Public Hearing** : Application for a Modification of Premise of Clear Creek Cidery Tavern & Taps 1438, 1440, 1146 Miner Street and 215 15th Avenue

- g) **Public Hearing** : Application for a Modification of Premise of Azteca Mexican Restaurant 1628 Miner Street

- h) **Public Hearing** : Application for a Modification of Premise of The Vintage Moose 123 16th Avenue

- i) **Public Hearing** : Application for a Modification of Premise of Two Brothers Deli 1424 Miner Street

- j) **Public Hearing** : Application for a Modification of Premise of The Bee's Knees 1430 Miner Street

- k) **Public Hearing** : Application for a Modification of Premise of Pick Axe Pizza 1640 Miner Street

- l) **Public Hearing** : Application for a Modification of Premise of Main Street Restaurant 1518 Miner Street

8. MAYOR / COUNCIL

9. ADJOURN

- a) Next regular meeting on Monday, June 13, 2022

IN-PERSON AND REMOTE MEETING PUBLIC ATTENDANCE AND PARTICIPATION INSTRUCTIONS

The Public is able to view and hear this meeting remotely at the following address on the City's website:

<https://www.colorado.gov/pacific/idahosprings/city-council-live>

To appear on the agenda as Scheduled Public Comment (in person or remote), you must fill out the form at the following link and return to the Deputy City Clerk no later than Noon (12 p.m.) the Thursday before the meeting date:

<https://www.colorado.gov/pacific/sites/default/files/Fillable%20Council%20Public%20Comment%201.pdf>. For remote Public Comment, please use this link to join the meeting: <https://us02web.zoom.us/j/88123857147>

To provide in-person Unscheduled public comment, please sign-in at the entrance to the Council Chambers. To provide remote unscheduled comment, please use this link to join the meeting: <https://us02web.zoom.us/j/88123857147>.

You will need to identify yourself when joining the Zoom meeting with an accurate first and last name. You will then need to raise your hand to be recognized for public comment at the designated time on the agenda.

Each Scheduled/Unscheduled Public Comment is limited to three (3) minutes.

**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **Beau Jo's Pizza 1517 Miner Street**. The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
4. Any "party in interest" may present evidence and testimony.

*Under State and Local Law, a "party in interest" includes:

- An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now _____ :P.M. and I open the public hearing on an application for a modification of premises for the address of 1517 Miner Street. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at _____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for Beau Jo's Pizza LTD, dba Beau Jo's Pizza located at 1517 Miner Street, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

In accordance with C.R.S. §§ 44-3-312 and 1 CCR 203-2, Reg. 47-302, City Staff has conducted an investigation of the criteria for a modification of premise of a liquor license proposed by the application. The results of such investigation are as follows:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1517 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for Beau Jo's Pizza LTD, dba Beau Jo's Pizza located at 1517 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

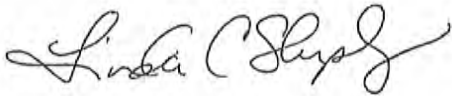
Exhibit
A

City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

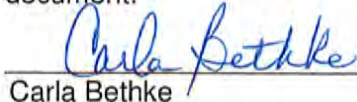
This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke

Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022 to consider an application for a Modification of Premise for Beau Jo's Pizza LTD, dba Beau Jo's Pizza located at 1517 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/27/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.

/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC354
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Sent to D.O.R. 04/28/2022

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a ☒ Corporation ☐ Individual				License Number	
☐ Partnership ☐ Limited Liability Company				03-02686	
2. Name of Licensee Beau's PIZZA LTD			3. Trade Name of Establishment (DBA) Beau's PIZZA		
4. Address of Premises (specify exact location of premises) 1517 Miner Street			5. Business Email Address IdahoSprings@beauspizza.com		
City Idaho Springs	County Clear Creek	State CO	ZIP 80452	Business Phone Number 303-567-4376	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.					
Section A – Manager Reg/Change			Section C		
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE			☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00		
			☒ Change, Alter or Modify Premises \$150.00 x Total Fee:		
			☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee:		
			☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee:		
Section B – Duplicate License			☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00		
☐ Duplicate License \$50.00					

Do Not Write in This Space – For Department of Revenue Use Only

Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$.00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

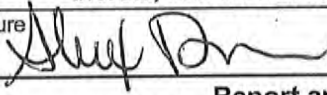
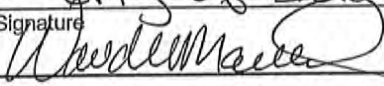
Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 50%; padding: 5px;">Old Trade Name</td><td style="width: 50%; padding: 5px;">New Trade Name</td></tr> <tr> <td style="padding: 5px;">Old Corporate Name</td><td style="padding: 5px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change	8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change Select the option that applies to your situation: ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2). (a) Address of Location 1: _____ City _____ County _____ ZIP _____ (b) Address of Location 2: _____ City _____ County _____ ZIP _____
Change of Manager	9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S. (a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only) Former manager's name _____ New manager's name _____ (b) Date of Employment _____ Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ No Does manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No If yes, give name and location of establishment _____
Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>extended patio for outdoor seating</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☒ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature 	Print name and Title Alexandra Dunn GM	Date 4/27/22
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County) City of Idaho Springs		Date filed with Local Authority 04/27/2022
Signature 	Title Deputy City Clerk	Date 04/27/2022
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date

Beau Jo's Ltd
Beau Jo's Pizza
1517 Miner Street

Control Plan for Sidewalk Mall and Miner Street Service

Patrons will be greeted by a service staff member and asked if they prefer indoor or outdoor seating. If we are on a wait, patrons will be added to our reservation/wait list and be directed to wait in their car for a text message. When their table/reservation is ready they will receive a text message notification to see the host/hostess to be seated at a sanitized table.

Service staff will access the outside dining areas from the front and rear entrance doors to the main restaurant. Service staff will enter the outside areas by a designated entrance in the fencing/barrier.

After the patron is seated and drink orders are placed appropriate id checking will occur. Beau Jo's Pizza has a zero tolerance policy on service of adult beverages to underage persons. All service staff is TIPS certified. Service staff will require verification ID of any patron suspected to be under the age of 40.

The fencing/barrier around the service areas will be plastic/rope material. "No Alcohol Beyond This Point" signs will be conspicuously posted.

Sanitizer will be available to patrons at all times. Service staff is trained to sanitize tables, chairs and racks before every seating. Single use packets and disposable menus and napkins will be offered to patrons.

I-70



AFTER-BACK MALL
WALKWAY ADDED

Parking
Lot

Dumpsters

Island

15th
Street

7'±

Wall

Pedestrian Walk Space

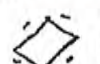
7'±

Walkway

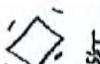
Service
Area



6'±



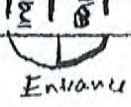
6'±



6'±



6'±



Restaurant

fencing

fencing

Rope Barrier

Miner Street

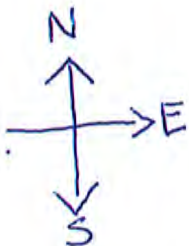
86 Feet

*Will be using rope, barrel and planters for our barrier

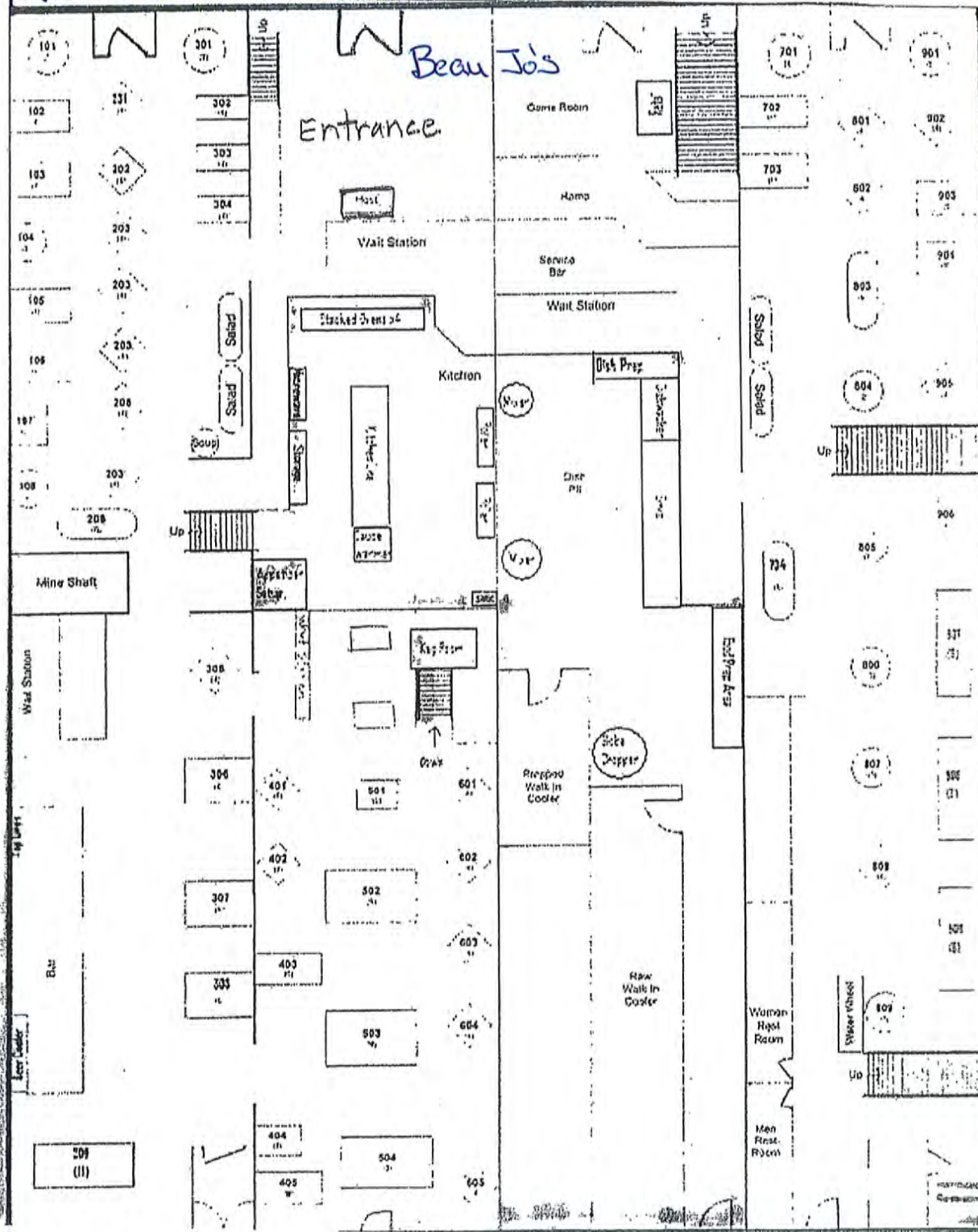
13 Feet

-rope Barrier

Pedestrian Sidewalk



N



**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **Slaymaker Cellars 1535 Miner Street**. The City Council serves as the Local Liquor Licensing Authority.

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- An adult resident of the City;
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***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at _____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for Slaymaker Cellars PBC,
dba Slaymaker Cellars located at 1535 Miner Street, Idaho Springs,
CO 80452

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2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1535 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

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SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for Slaymaker Cellars PBC, dba Slaymaker Cellars located at 1535 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

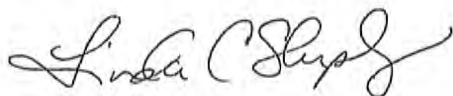
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
A

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

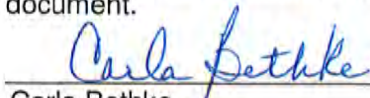
This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for Slaymaker Cellars PBC, dba Slaymaker Cellars located at 1535 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/27/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.

/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC360
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Sent to DOR 4-28-2022

DR 8442 (01/14/22)
 COLORADO DEPARTMENT OF REVENUE
 Liquor Enforcement Division
 (303) 205-2300

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a ☒ Corporation ☐ Individual ☐ Partnership ☐ Limited Liability Company		License Number 03-12699	
2. Name of Licensee Slaymaker Cellars, PBC		3. Trade Name of Establishment (DBA) Slaymaker Cellars	
4. Address of Premises (specify exact location of premises) 1535 Miner St		5. Business Email Address Kent@SlaymakerCellars.com	
City Idaho Springs	County Clear Creek	State CO	ZIP 80452
Business Phone Number 720-432-0133			
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.			
Section A – Manager Reg/Change		Section C	
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE		☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x 1 Total Fee: 150 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00	
Section B – Duplicate License			
☐ Duplicate License \$50.00			

Do Not Write in This Space – For Department of Revenue Use Only			
Date License Issued	License Account Number	Period	
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE	\$00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

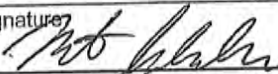
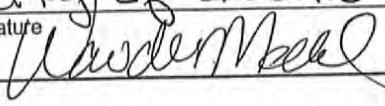
Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

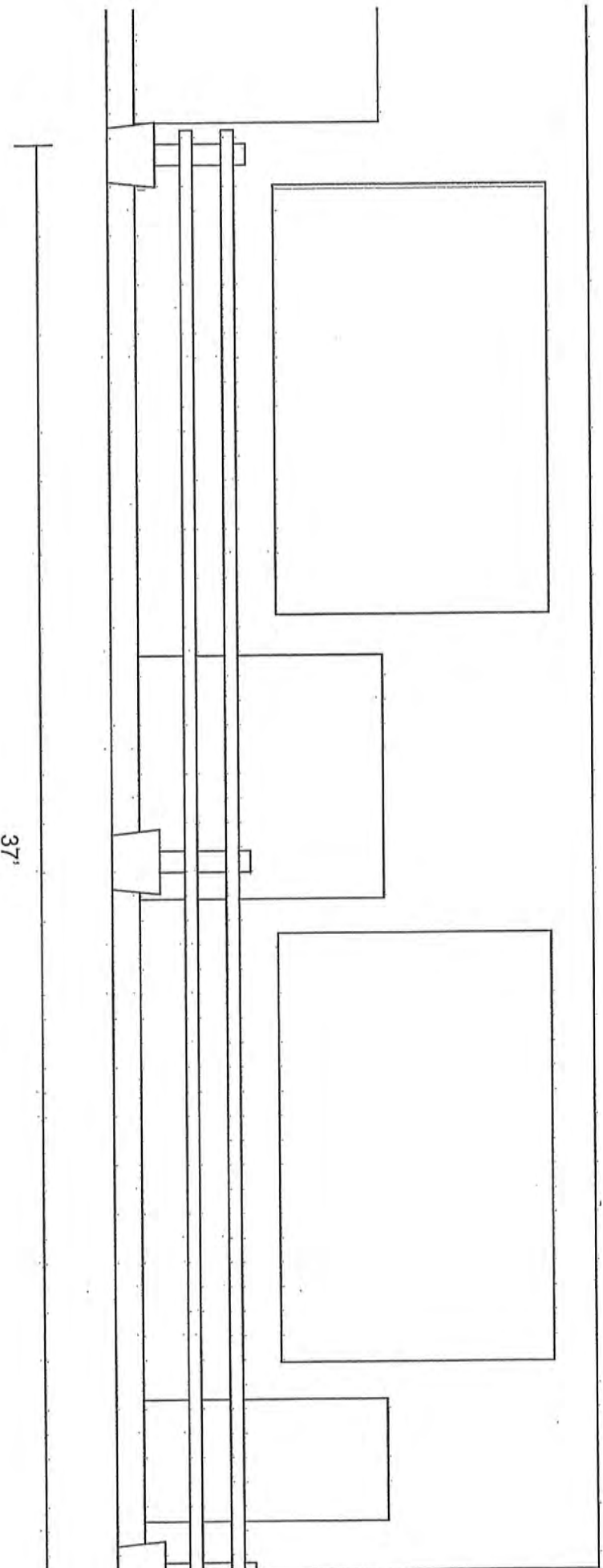
Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 50%; padding: 5px;">Old Trade Name</td><td style="width: 50%; padding: 5px;">New Trade Name</td></tr> <tr> <td style="padding: 5px;">Old Corporate Name</td><td style="padding: 5px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change	8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change Select the option that applies to your situation: ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2). (a) Address of Location 1: _____ City _____ County _____ ZIP _____ (b) Address of Location 2: _____ City _____ County _____ ZIP _____
Change of Manager	9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S. (a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only) Former manager's name _____ New manager's name _____ (b) Date of Employment _____ Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ No Does manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No If yes, give name and location of establishment _____
Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>Add an outside seating area on the street in front</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

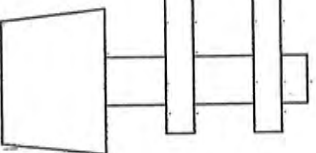
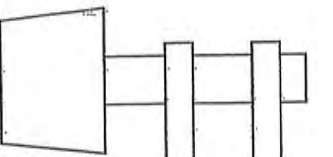
Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature 	Print name and Title Kent Slaymaker - Owner	Date 4/27/22
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County) City of Idaho Springs	Date filed with Local Authority 04/27/2022	
Signature 	Title Deputy City Clerk	Date 04/27/2022
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date

Slaymaker Cellars
Sales Room Street Encroachment
1535 Miner St, Idaho Springs, CO 80452
Proposed Premises Elevation - North



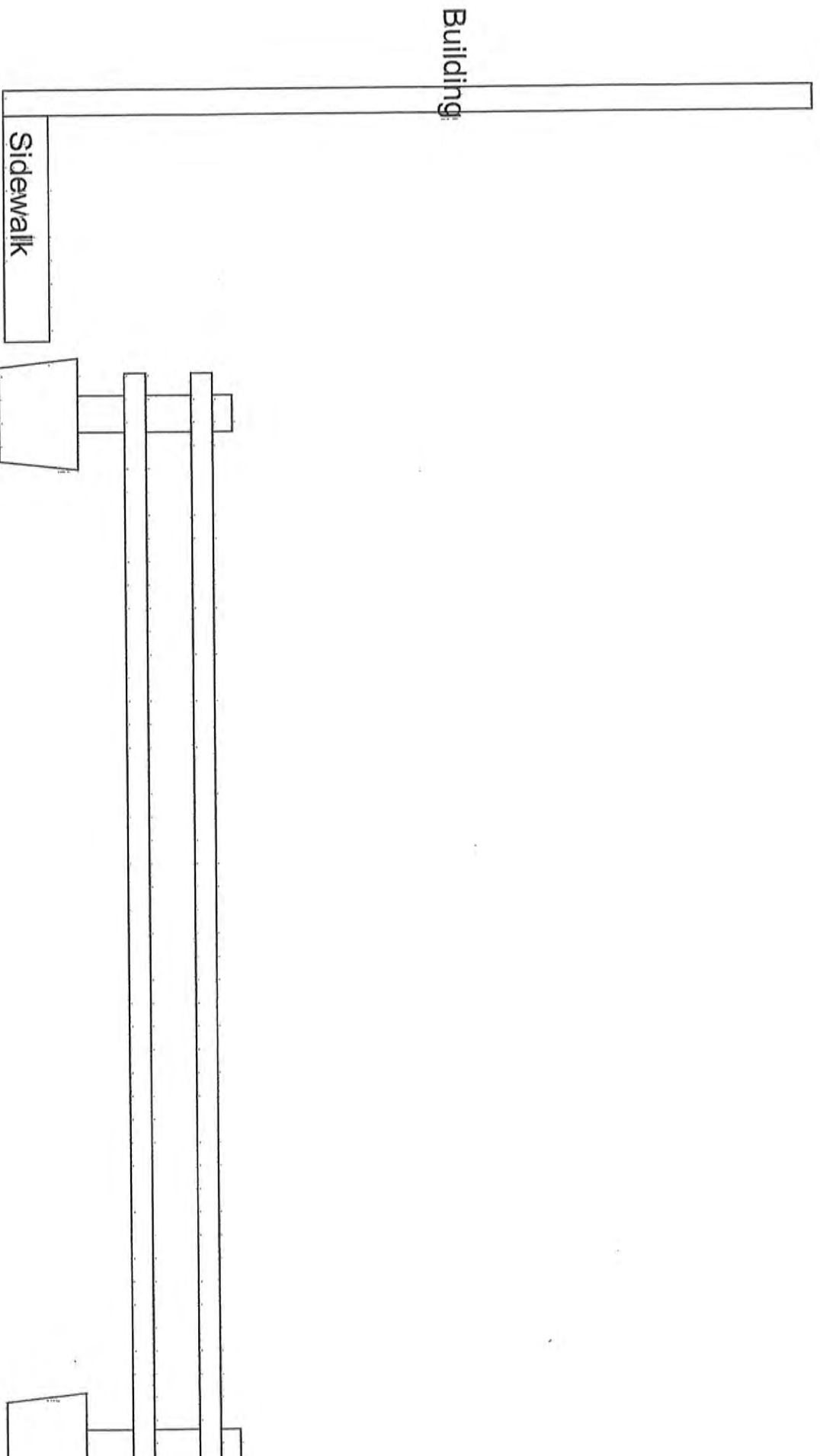
Slaymaker Cellars
Sales Room Street Encroachment
1535 Miner St, Idaho Springs, CO 80452
Proposed Premises Elevation - West



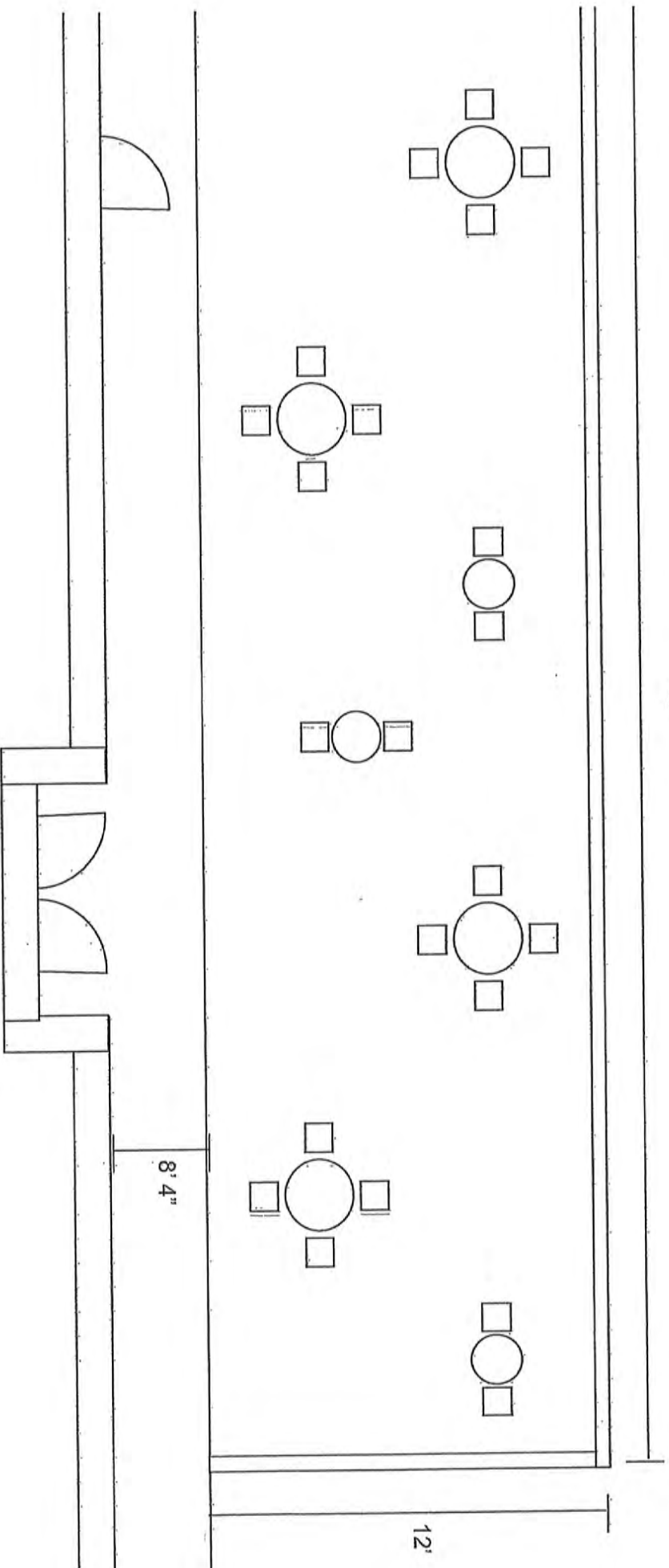
Sidewalk

Building

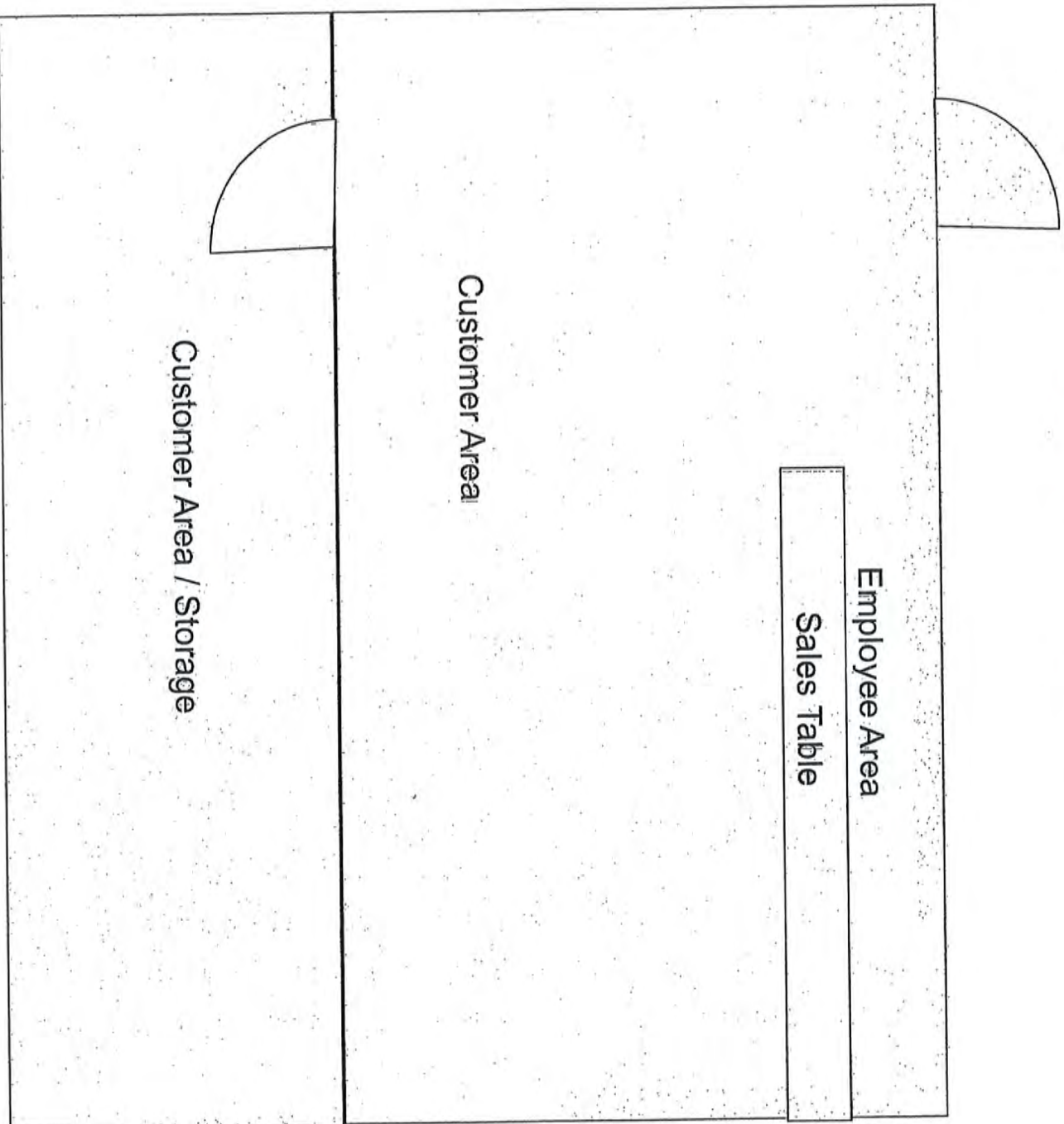
Slaymaker Cellars
Sales Room Street Encroachment
1535 Miner St, Idaho Springs, CO 80452
Proposed Premises Elevation - East



Slaymaker Cellars
Sales Room Street Encroachment
1535 Miner St, Idaho Springs, CO 80452
Diagram of Proposed Premises



Slaymaker Cellars
Sales Room
1535 Miner St, Idaho Springs, CO 80452
Diagram of Current Premises





1535 Miner Street Premises Control Plan

1. All mead sales will be of the following
 - a. Closed containers for off premise consumption
 - b. 16oz pours of 3% - 8% ABV session mead for on premise consumption
 - c. 10oz pours of 8.1% - 10% ABV session mead for on premise consumption
 - d. 5oz pours of 10.1% - 13.5% ABV wine-style mead for on premise consumption
 - e. 2.5oz pours of 16% ABV wine-style mead for on premise consumption
2. There will be sampling of no more than .5oz per person
3. IDs will be checked on 100% of customers
4. We will only serve one drink per customer per visit to the bar. Each individual in a group must be served individually.
5. Employees are trained to watch for adults who appear to be purchasing for minors and not to sell to them
6. Employees are trained to watch for customers who appear to be intoxicated and not to serve them
7. The typical legal disclaimer sign will be on display (The one that says "It is illegal to purchase for minors....")
8. Customers will be informed that they cannot open the containers on the premises
9. There will be a fence around the premises with a "No open alcohol beyond this point" sign

Jack Salewski, CPA

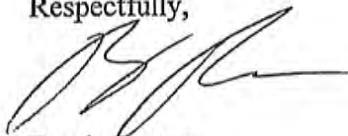
Randy Rogers, EA

July 13, 2021

To whom it may concern,

Slaymaker Cellars is allowed to place an encroachment on the street in front of 1535 Miner St. as described in the permit application.

Respectfully,

A handwritten signature in black ink, appearing to be 'Randy Rogers', written over a horizontal line.

Randy Rogers

**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at MTN Prime 1600 Miner Street. The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
4. Any "party in interest" may present evidence and testimony.

*Under State and Local Law, a "party in interest" includes:

- An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now _____ :P.M. and I open the public hearing on an application for a modification of premises for the address of 1600 Miner Street. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at _____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for Idaho Springs Hospitality LLC, dba MTN Prime located at 1600 Miner Street, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

In accordance with C.R.S. §§ 44-3-312 and 1 CCR 203-2, Reg. 47-302, City Staff has conducted an investigation of the criteria for a modification of premise of a liquor license proposed by the application. The results of such investigation are as follows:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1600 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for Idaho Springs Hospitality LLC, dba MTN Prime located at 1600 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

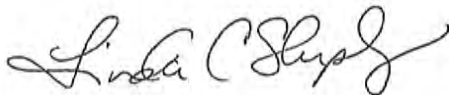
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

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AFFIDAVIT OF PUBLICATION

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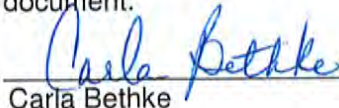
This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for Idaho Springs Hospitality LLC, dba MTN Prime at 1600 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/29/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.

/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CC353
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a ☐ Corporation ☐ Individual ☐ Partnership ☒ Limited Liability Company				License Number 03-12468	
2. Name of Licensee Idaho Springs Hospitality LLC			3. Trade Name of Establishment (DBA) MTN Prime		
4. Address of Premises (specify exact location of premises) 1600 Miner St			5. Business Email Address cveritas@gmail.com		
City Idaho Springs	County Clear Creek	State CO	ZIP 80482	Business Phone Number 720 428 8515	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.					
Section A – Manager Reg/Change			Section C		
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE			☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x 1 Total Fee: 150.00 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00		
Section B – Duplicate License					
☐ Duplicate License \$50.00					

Do Not Write in This Space – For Department of Revenue Use Only			
Date License Issued	License Account Number	Period	
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE	\$00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

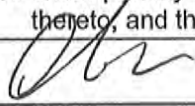
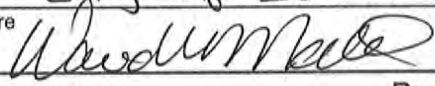
Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width: 50%; padding: 5px;">Old Trade Name</td><td style="width: 50%; padding: 5px;">New Trade Name</td></tr> <tr> <td style="padding: 5px;">Old Corporate Name</td><td style="padding: 5px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
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Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

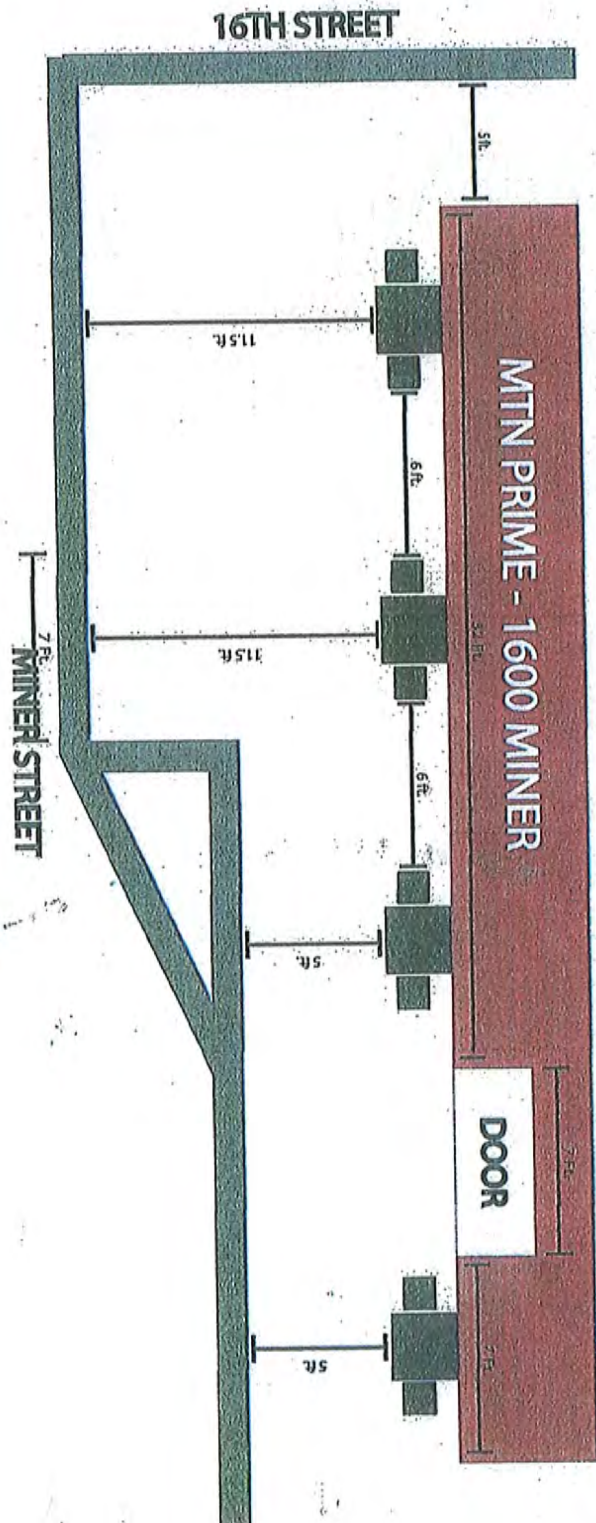
Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change	8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change Select the option that applies to your situation: ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2). (a) Address of Location 1: _____ City _____ County _____ ZIP _____ (b) Address of Location 2: _____ City _____ County _____ ZIP _____
Change of Manager	9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S. (a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only) Former manager's name _____ New manager's name _____ (b) Date of Employment _____ Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ No Does manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No If yes, give name and location of establishment _____
Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>Dining on Miller St.</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

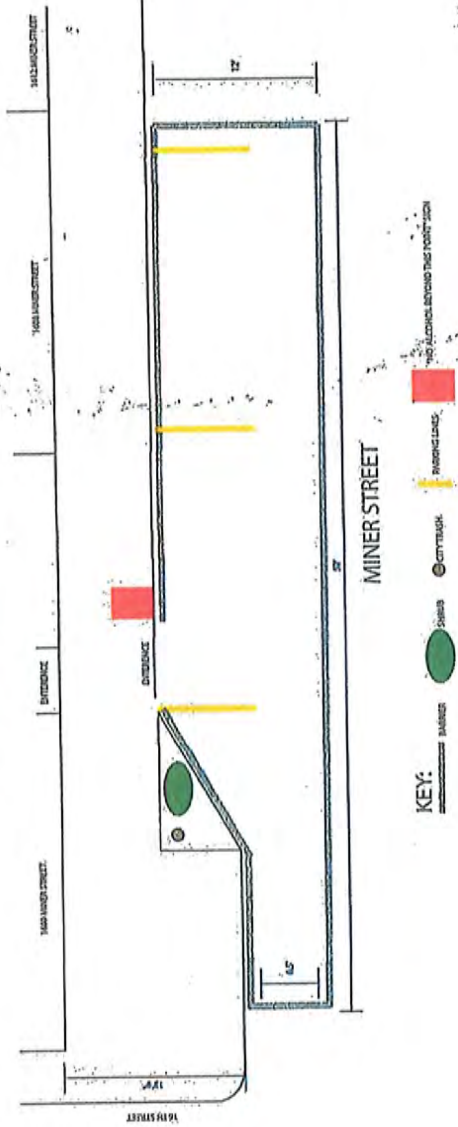
Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature	Print name and Title	Date
	Chris Verikas M.P.	4/28/2022
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County)		Date filed with Local Authority
City of Idaho Springs		04/29/2022
Signature	Title	Date
	Deputy City clerk	04/29/2022
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date

MTN PRIME CONTROL PLAN

- HOURS OF OPERATION
 - MONDAY - THURSDAY
 - 11:00 AM - 10:00 PM
 - FRIDAY
 - 11:00 AM - 10:30 PM
 - SATURDAY
 - 9:30 AM - 10:30 PM
 - SUNDAY
 - 9:30 AM - 10:30 PM
- AREAS CONTROLLED
 - A three foot high lattice fence around the entire area herein;
 - One entrance and exit point aligned with the front entrance;
 - Signage in all directions indicating that no alcohol shall enter or exit the premises
- ALTERNATIVE USE
 - Consumption of alcohol may exist on very limited basis, including events such as Music on Miner or 4th of July;
 - MTN Prime is committed to adhering to all standards within the CODA.



PROPOSAL FOR 1600 MINER ST. (MTN PRIME)



**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at Tommyknocker Brewery & Pub 1401 Miner Street. The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
4. Any "party in interest" may present evidence and testimony.

*Under State and Local Law, a "party in interest" includes:

- An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now _____ :P.M. and I open the public hearing on an application for a modification of premises for the address of 1401 Miner Street. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at _____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for Mother Lode Brewing LLC, dba Tommyknocker Brewery & Pub located at 1401 Miner Street, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

In accordance with C.R.S. §§ 44-3-312 and 1 CCR 203-2, Reg. 47-302, City Staff has conducted an investigation of the criteria for a modification of premise of a liquor license proposed by the application. The results of such investigation are as follows:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1401 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for Mother Lode Brewing LLC, dba Tommyknocker Brewery & Pub located at 1401 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

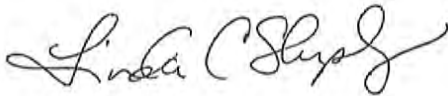
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
A

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

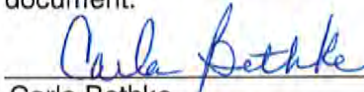
This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for Mother Lode Brewing LLC, dba Tommyknocker Brewery & Pub located at 1401 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/28/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.

/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC362
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

DR 8442 (01/14/22)
 COLORADO DEPARTMENT OF REVENUE
 Liquor Enforcement Division
 (303) 205-2300

Permit Application and Report of Changes

All Answers Must Be Printed In Black Ink or Typewritten

1. Applicant is a		License Number	
☐ Corporation ☐ Individual ☐ Partnership ☒ Limited Liability Company		0036398-0011 LQR	
2. Name of Licensee		3. Trade Name of Establishment (DBA)	
Mother Load Brewing LLC		Tommyknocker Brewery & Pub	
4. Address of Premises (specify exact location of premises)		5. Business Email Address	
1401 Miner St			
City	County	State	ZIP
Idaho Springs	Clear Creek	CO	80452
		Business Phone Number	
		303-567-4414	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.			
Section A – Manager Reg/Change		Section C	
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE		☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x Total Fee: 150.00 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00	
Section B – Duplicate License			
☐ Duplicate License \$50.00			

Do Not Write in This Space – For Department of Revenue Use Only		
Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$.00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☒ **Section C**

Check the appropriate box in section C and proceed below.

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Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>Modification of Premises</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

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Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature	Print name and Title	Date
<i>Steve Endrichus</i>	Steve Endrichus President	4-28-22
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
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Local Licensing Authority (City or County)		Date filed with Local Authority
City of Idaho Springs		04/28/2022
Signature	Title	Date
<i>Cheryl Mauer</i>	Deputy City Clerk	04/28/2022
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date



April 27, 2022

To whom it may concern,

Please find below the Control Plan for Mother Load Brewing, LLC. Dba Tommyknocker Brewery and Pub.
License# 00363398-011

Control Plan:

Hours of Operations: 11:00 AM – 9:00 PM

Boundary: Boundary perimeter will be clearly defined using 4'x 2' oak BBL with two runs of ¾" manila rope.

Customers will check in at our host station and asked if they will be dinning out door in our controlled area. If so, they will be informed of the rules pertaining to alcohol staying with in our designated area.

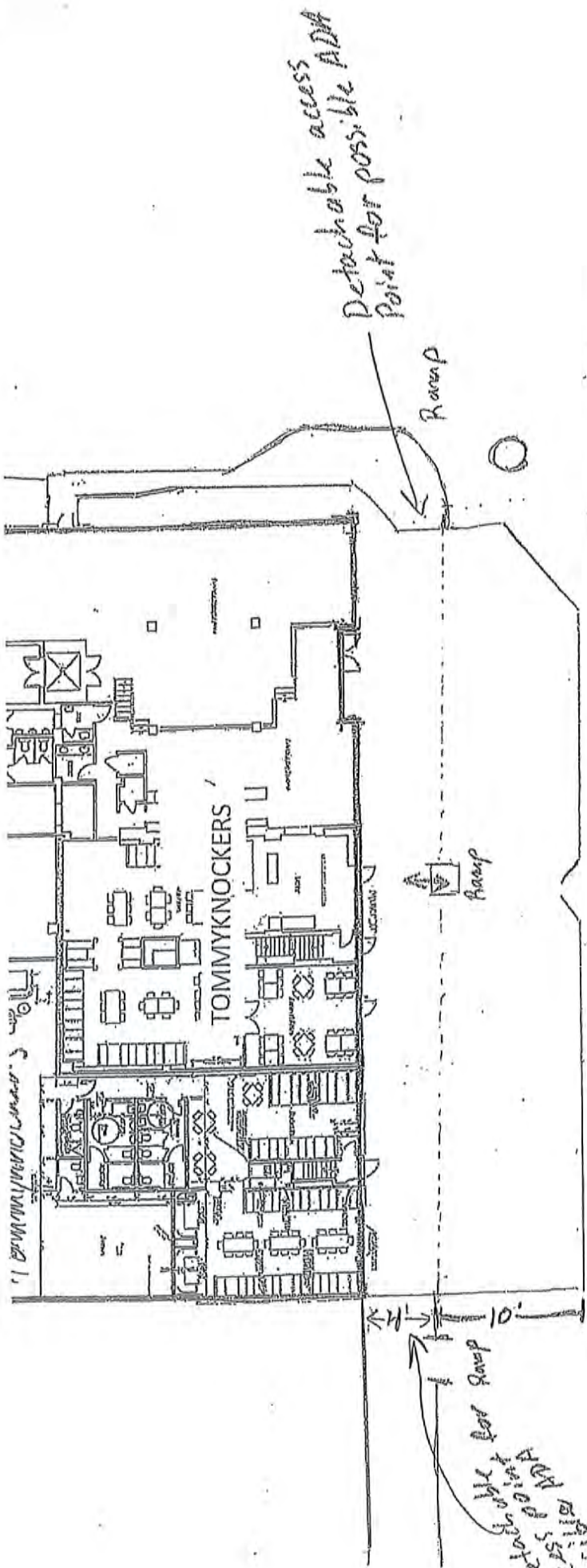
Signage is placed at exits stating "No alcohol beyond this point".

TIPS trained managers and staff will be present in this area to oversee that the rules are being adhered to.

We strive to communicate with all parties concerned to create a safe positive experience.

Sincerely,

Steve Indrehus
President
Tommyknocker Brewery and Pub
303-567-4419



Detachable access
Point for possible ADA

Ramp

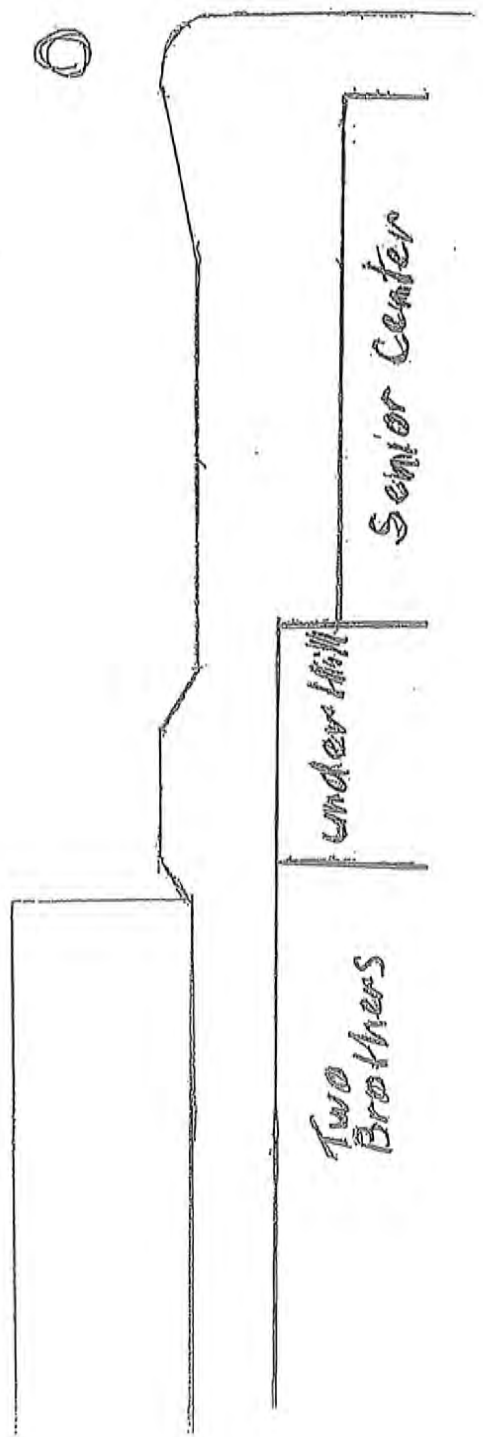
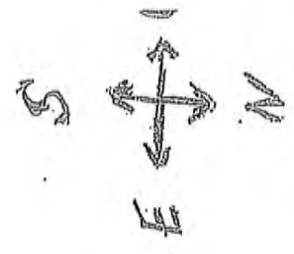
Ramp

14th Ave

main entrance
straight shot to ramp
and front door

Miner St.

Detachable access point
for ramp



Senior Center

Two Brothers

Under Hill

**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **The Buffalo Bar & Restaurant 1609 & 1617 Miner Street.** The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
4. Any "party in interest" may present evidence and testimony.

*Under State and Local Law, a "party in interest" includes:

- An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now _____ :P.M. and I open the public hearing on an application for a modification of premises for the address of 1609 & 1617 Miner Street. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at _____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for DBC Trading Post No. 2 LLC, dba The Buffalo Bar & Restaurant located at 1609 & 1617 Miner Street, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

In accordance with C.R.S. §§ 44-3-312 and 1 CCR 203-2, Reg. 47-302, City Staff has conducted an investigation of the criteria for a modification of premise of a liquor license proposed by the application. The results of such investigation are as follows:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1609 & 1617 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for DBC Trading Post No. 2, dba The Buffalo Bar & Restaurant located at 1609 & 1617 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

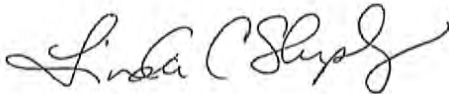
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
A

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for DBC Trading Post No. 2 LLC, dba The Buffalo Bar & Restaurant located at 1609 & 1617 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/27/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.
/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC355
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Sent to D.D.R 4/28/2022

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a ☐ Corporation ☐ Individual ☐ Partnership ☒ Limited Liability Company				License Number 03-03861	
2. Name of Licensee DBC Trading Post No. 2 LLC			3. Trade Name of Establishment (DBA) The Buffalo Bar & Restaurant		
4. Address of Premises (specify exact location of premises) 1609 + 1617 Miner Street			5. Business Email Address Managersprings@westboulderdd.com		
City Idaho Springs	County	State CO	ZIP 80452	Business Phone Number 720-502-3121	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.					
Section A – Manager Reg/Change			Section C		
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE			☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x 1 Total Fee: \$150.00 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00		
Section B – Duplicate License					
☐ Duplicate License \$50.00					

Do Not Write in This Space – For Department of Revenue Use Only		
Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$.00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change	8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change Select the option that applies to your situation: ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2). (a) Address of Location 1: _____ City _____ County _____ ZIP _____ (b) Address of Location 2: _____ City _____ County _____ ZIP _____
Change of Manager	9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S. (a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only) Former manager's name _____ New manager's name _____ (b) Date of Employment _____ Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ No Does manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No If yes, give name and location of establishment _____
Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>Locating Public dining on front & back of building on public Right of way.</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

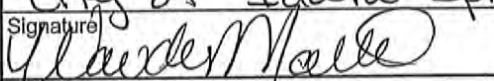
Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge

Signature 	Print name and Title Stephanie Blacher GM	Date 4/26/2022
---	--	-------------------

Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. **Therefore, This Application is Approved.**

Local Licensing Authority (City or County) City of Idaho Springs	Date filed with Local Authority 04/27/2022
Signature 	Title Deputy City Clerk
	Date 04/27/2022

Report of STATE Licensing Authority

The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.

Signature	Title	Date
-----------	-------	------



1617 Miner Street
PO Box 1543
Idaho Springs,
CO 80452

May 22, 2020

To whom it may concern,

Below is our Control Plan for DBC trading post #2 LLC (License# 03-03861)

Control Plan:

Hours of Operation: 8am to 8pm

Boundary: Boundaries will be marked off with yellow plastic chains on stanchions.

Ingress and Egress: Staff will be placed within area to enforce social distancing and to prohibit guests from leaving area with alcohol.

Signage: "No alcoholic beverages beyond this point" signage will be placed on stanchions at boundaries of areas and all staff is trained to tell all guests that are served alcohol what the rules and boundaries are.

Responsible Service: Staff has taken advantage of TIPS training online while we are closed and all of staff have worked in a responsible environment with no violations for the past 4 years.

I hope this fulfills all of the requirements, thank you for all of your work during this time to help us get through it!

Best Regards,

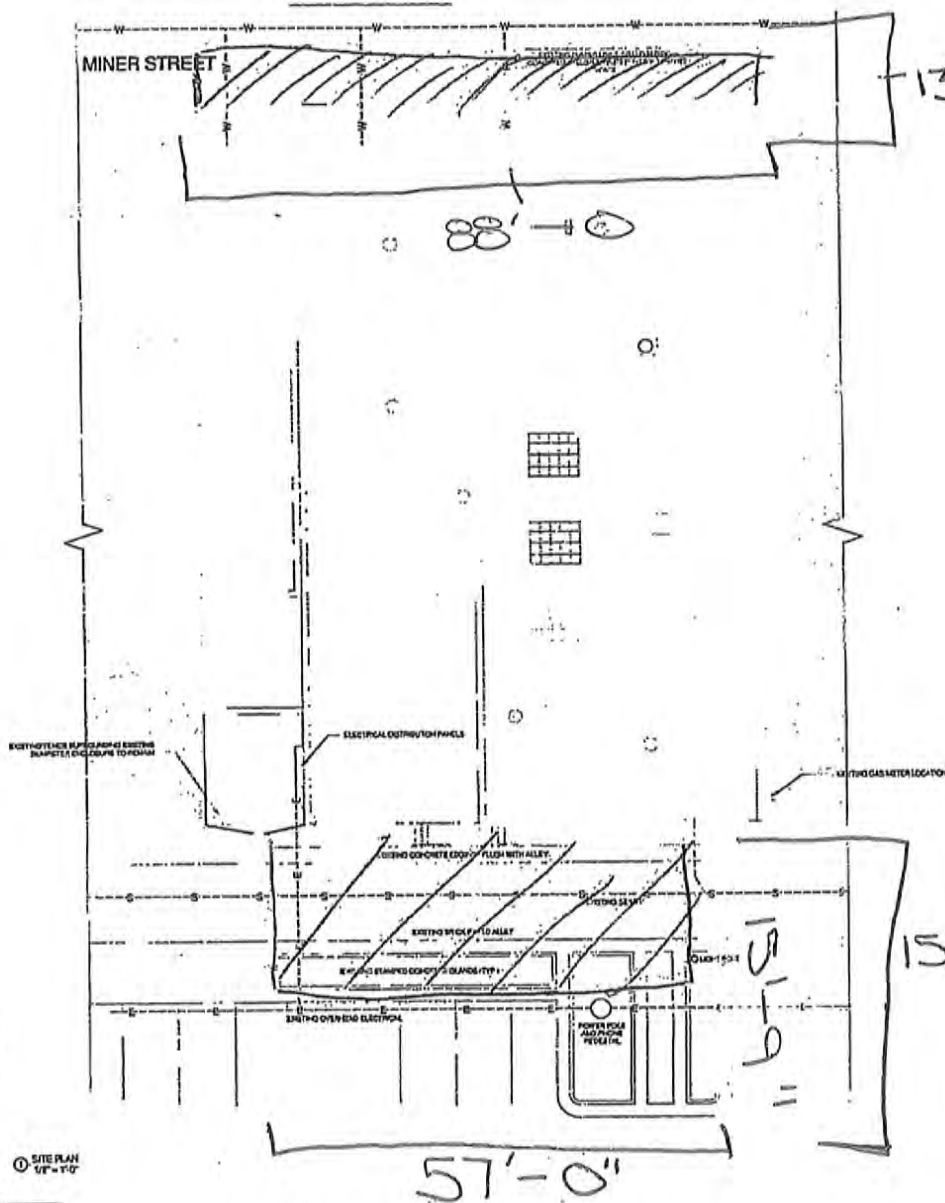
Marcel Templet General
Manager

Westbound&DownBrewingCo

303-396-9055

Revised A/27/22

nguyen
lawrence



wasted
e roped
sns
beyond

bers will
= to

PROJECT DIRECTORY

CLIENT

W&D Knife Shop
1617 Miner Street
Idaho Springs, CO

ARCHITECT

Nguyen Lawrence, LLC
1617 Miner Street
Idaho Springs, CO 80430
(303) 440-0000
www.nguyenlawrence.com

Mechanical, Electrical, and Plumbing

DESIGNER

Nguyen Lawrence, LLC
1617 Miner Street
Idaho Springs, CO 80430
(303) 440-0000
www.nguyenlawrence.com

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NO.	DESCRIPTION	DATE
1	Initial Design	11/28/2018
2	Design Development	11/28/2018
3	Final Design	11/28/2018

W&D KNIFE SHOP

1617 MINER ST.
IDAHO SPRINGS, CO

DESIGN DEVELOPMENT
11-28-2018

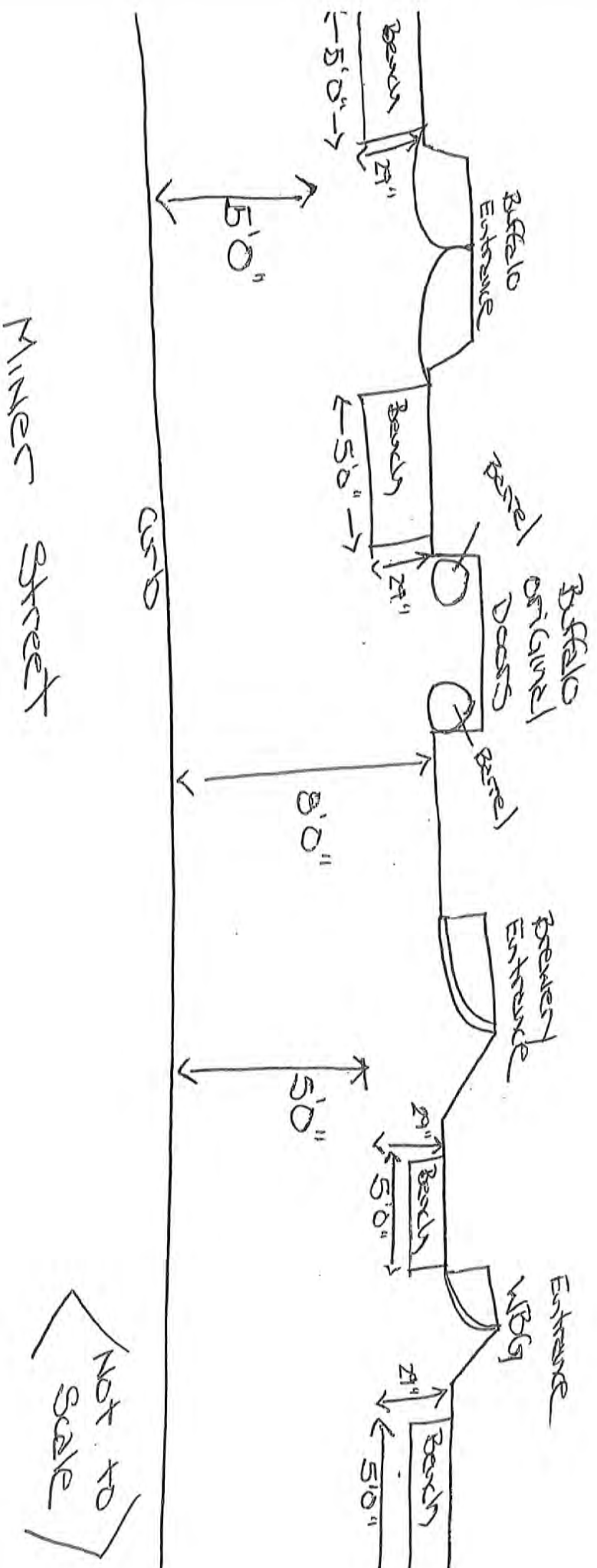
Drawn by: Author
Checked by: Author

SITE PLAN

A003

1/8" = 1'-0"

Westbound & Down Breunig Company



Barrels on each
end of far
Barrels with
Alcohol Signage
"NO Alcohol
Beyond This
Point"

Not to
Scale

**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **Clear Creek Cidery Tavern & Taps 1438, 1440, 1446 Miner Street and 215 15th Avenue.** The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

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1. The Deputy City Clerk presents her reports and findings.
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- An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now ____:P.M. and I open the public hearing on an application for a modification of premises for the address of 1438, 1440, 1446 Miner Street and 215 15th Avenue. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at ____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for Clear Creek Cidery LLC, dba Clear Creek Cidery Taverns & Taps located at 1438, 1440, 1446 Miner Street and 215 15th Avenue, Idaho Springs, CO 80452

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Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1438, 1440, 1446 Miner Street and is 215 15th Avenue is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

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SUGGESTED MOTION:

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"I move to approve the application for Modification of Premise for Clear Creek Cidery LLC, dba Clear Creek Cidery Taverns & Taps located at 1438, 1440, 1446 Miner Street and 215 15th Avenue, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

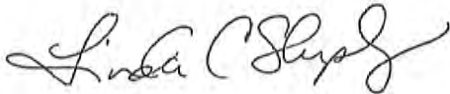
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
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AFFIDAVIT OF PUBLICATION

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County of Clear Creek } ss

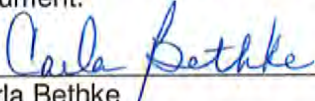
This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for Clear Creek Cidery LLC, dba Clear Creek Cidery Taverns & Taps located at 1438, 1440, 1446 Miner Street and 215 15th Avenue, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/29/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.
/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC356
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Sent to DOR 4.29.2022

DR 8442 (01/14/22)
COLORADO DEPARTMENT OF REVENUE
 Liquor Enforcement Division
 (303) 205-2300

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a		License Number	
☐ Corporation ☐ Individual ☐ Partnership ☒ Limited Liability Company		03-15936	
2. Name of Licensee		3. Trade Name of Establishment (DBA)	
Clear Creek Ciderly LLC		Clear Creek Ciderly Tavern & Taps	
4. Address of Premises (specify exact location of premises)		5. Business Email Address	
146, 140, 1438 Minor St / 15th Street		Evan@ccider.com / Greg@ccider.com	
City	County	State	ZIP
Idaho Springs	Clear Creek	CO	80456
		Business Phone Number	
		703-567-2158	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.			
Section A – Manager Reg/Change		Section C	
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE		☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x Total Fee:	
Section B – Duplicate License		☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee:	
☐ Duplicate License \$50.00		☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee:	
		☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00	

Do Not Write in This Space – For Department of Revenue Use Only

Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$.00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

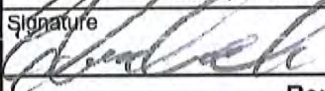
Winery/Limited Winery/Noncontiguous or Primary Manufacturing Location Change	8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change Select the option that applies to your situation: ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2). (a) Address of Location 1: _____ City _____ County _____ ZIP _____ (b) Address of Location 2: _____ City _____ County _____ ZIP _____
Change of Manager	9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S. (a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only) Former manager's name _____ New manager's name _____ (b) Date of Employment _____ Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ No Does manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No If yes, give name and location of establishment _____
Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>Summer Miner Street Dining in front of (South)</u> <u>Clear Creek Cidery LLC 1446, 1440, 1438 Miner Street</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☒ Yes ☐ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

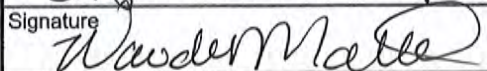
Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge

Signature 	Print name and Title Ann C. Lombardi	Date 04/29/2022
--	---	--------------------

Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. **Therefore, This Application is Approved.**

Local Licensing Authority (City or County) City of Idaho Springs		Date filed with Local Authority 04/29/2022
Signature 	Title Deputy City Clerk	Date 04/29/2022

Report of STATE Licensing Authority

The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.

Signature	Title	Date
-----------	-------	------

Clean Creek Gordy TAVERN & TAPS

MAY 31/22 - MAY 31/2023

Control Plan for Sidewalk Mall and Miner Street Service

Patrons will be greeted by a service staff member and asked if they prefer indoor or outdoor seating. If we are on a wait, patrons will be added to our reservation/wait list and be directed to wait in their car for a text message. When their table/reservation is ready they will receive a text message notification to see the host/hostess to be seated at a sanitized table.

Service staff will access the outside dining areas from the front entrance doors to the main restaurant.

After the patron is seated and drink orders are placed appropriate ID checking will occur. Clean Creek Gordy has a zero tolerance policy on service of adult beverages to underage persons. All service staff is TIPS certified. Service staff will require verification ID of any patron suspected to be under the age of 40.

The fencing/barrier around the service areas will be a fabric material. "No Alcohol Beyond This Point" signs will be conspicuously posted throughout service area and at exits.

Sanitizer will be available to patrons at all times. Service staff is trained to sanitize tables, chairs and racks before every seating.

IBBULS VANIN

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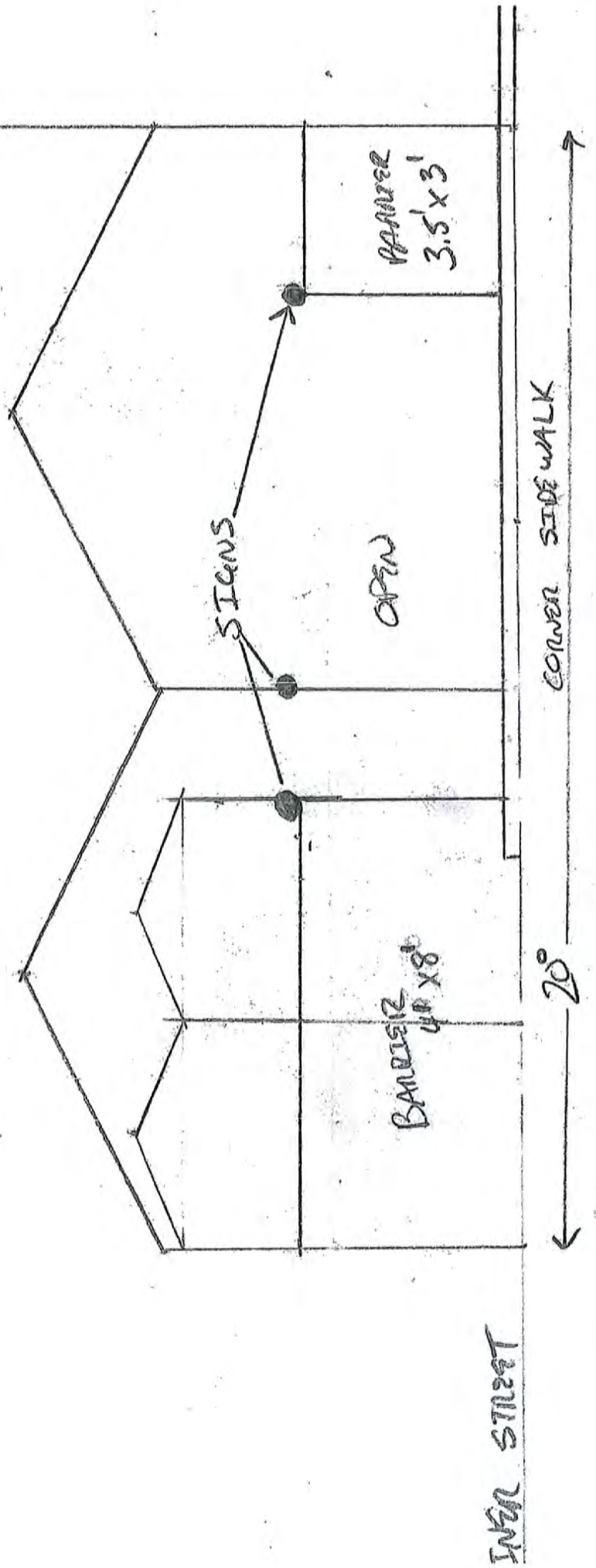
Dr. J. H. H. H.

3) 24/11/23

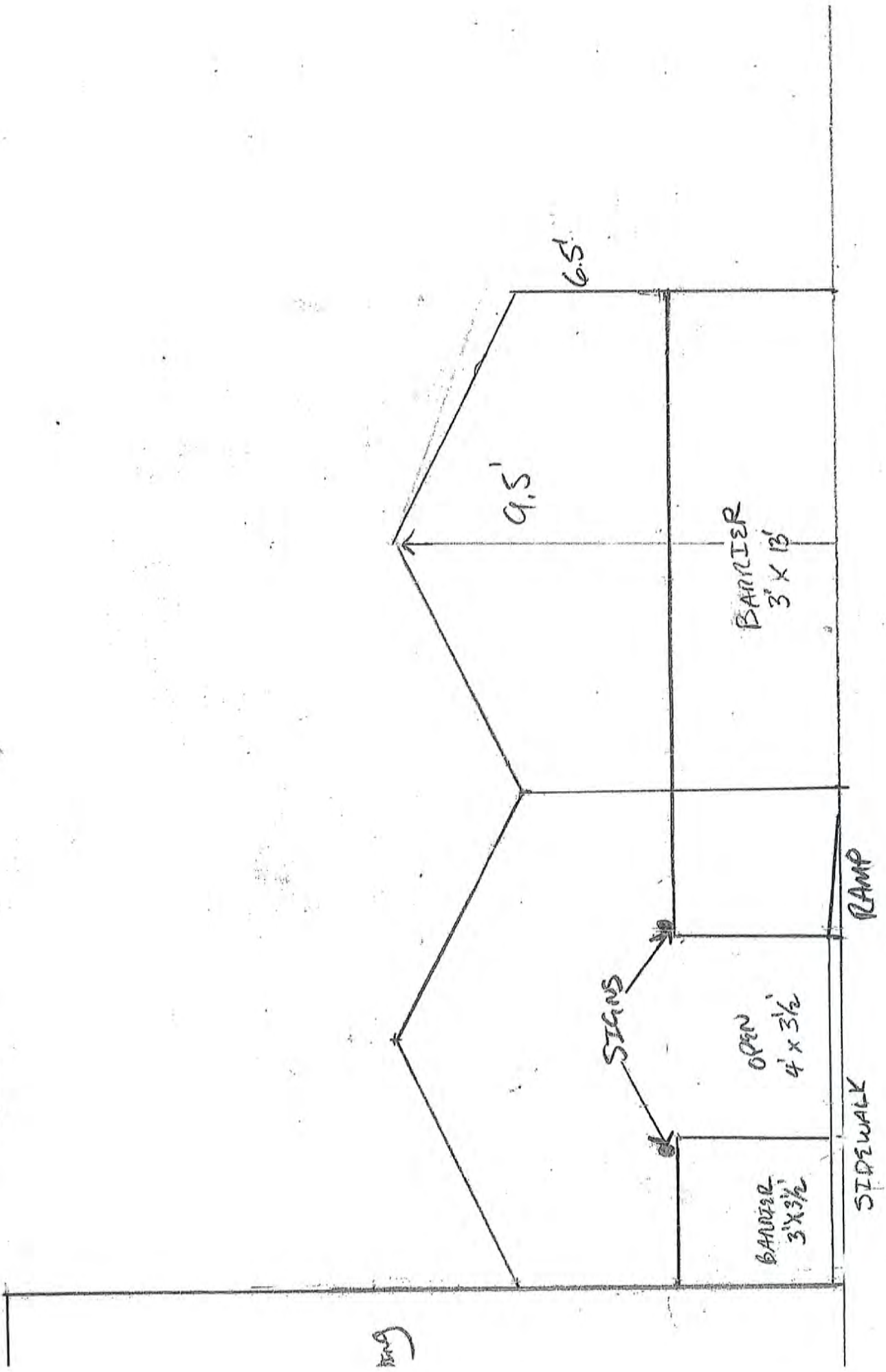
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Deliver to GDalrymple
Idaho Spr... 80452

Garden & Outdoor ▾ 4 x 6 canopy tent.

Hello, G
Account

Subtotal: **\$459.75**

All Prime Video Today's Deals Customer Service Buy Again Amazon Basics Amazon Business ▾ Coupons

Amazon Home Shop by Room Discover Shop by Style Home Décor Furniture Kitchen & Dining Bed & Bath

1 recent change in Cart

Proceed to checkout

☐ This order contains a gift

Back to results



Gazebo E-Z Up Tent with Carry Bag RED Roof and White

6'x4'

IRA Store
93 ratings

\$64⁹⁹

Best price **S+**

Month for 6 months, interest-free with
Prime Rewards Visa Card

Roll over image to zoom in



Enhance your purchase

Monthly payments

From \$10.83/mo (6 mo) with 0% APR

Brand	SORARA
Material	Alloy Steel
Style	Gazebo
Item Dimensions LxWxH	71 x 49 x 85 inches
Item Weight	6.5 Pounds

[See more](#)

About this item

- 1. Pop-up tent (Red); Very suitable for family gatherings, sporting events, picnics, and other outdoor gatherings.
- 2. Canopy roof made of Oxford fabric with a silver coating; PU coating underneath offers UV protection; taped stitching and heat-sealed seams provide waterproof protection.
- 3. Adjustable - Four gear adjustment. It works well in all kinds of situations.
- 4. Includes 4 guy-ropes and 8 pegs for attaching the freestanding structure to the ground; also includes a carry bag for easy transport and compact storage.
- 5. Measure: 6'x4', the top is the same as the bottom.

Customer ratings by feature

\$64

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LAUSANT HOME 10'x10' Gazebo...

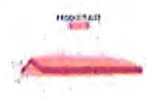
228

\$169.00

prime

Sponsored

3+ day shipping



Reduced price



Options

+5 options

From \$67.99

Ainfox Slant Leg 10 x 10 Pop Up Canopy Tent with Portable Handbag Commercial Instant

Reduced price

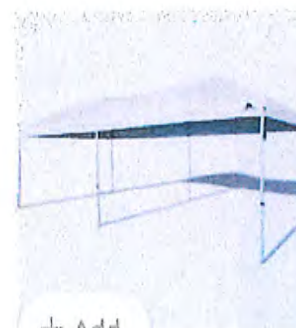


+ Add

Sponsored

\$279.99 ~~\$539.99~~

Z-Shade 20' x 10' Everest Instant Canopy Outdoor Patio Shelter, White



+ Add

\$199.00

Ozark Trail 20' x 10' Straight Coverage), White, Outdoor

**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **Main Street Restaurant 1518 Miner Street.** The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
4. Any "party in interest" may present evidence and testimony.

*Under State and Local Law, a "party in interest" includes:
 - An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now ____ :P.M. and I open the public hearing on an application for a modification of premises for the address of 1518 Miner Street. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at ____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for DuBien Family Ventures LTD, dba Main Street Restaurant located at 1518 Miner Street, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

In accordance with C.R.S. §§ 44-3-312 and 1 CCR 203-2, Reg. 47-302, City Staff has conducted an investigation of the criteria for a modification of premise of a liquor license proposed by the application. The results of such investigation are as follows:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1518 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for DuBien Family Ventures LTD, dba Main Street Restaurant located at 1518 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

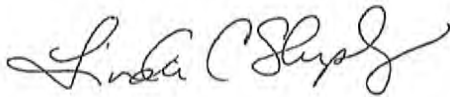
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
A

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for DuBien Family Ventures LTD, dba Main Street Restaurant located at 1518 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/27/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.
/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC358
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Sent to DOR 4/28/2020

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a ☒ Corporation ☐ Individual ☐ Partnership ☐ Limited Liability Company		License Number 28562940000	
2. Name of Licensee DuBien Family Ventures LTD		3. Trade Name of Establishment (DBA) Main Street Restaurant	
4. Address of Premises (specify exact location of premises) 1518 Miner street		5. Business Email Address	
City Idaho Springs	County Clear Creek	State CO	ZIP 80452
		Business Phone Number 303-567-2788	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.			
Section A – Manager Reg/Change		Section C	
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE		☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x 1 Total Fee: \$150.00 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00	
Section B – Duplicate License			
☐ Duplicate License \$50.00			

Do Not Write in This Space – For Department of Revenue Use Only

Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$.00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

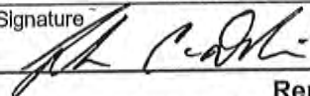
Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change	8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change Select the option that applies to your situation: ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2). (a) Address of Location 1: _____ City _____ County _____ ZIP _____ (b) Address of Location 2: _____ City _____ County _____ ZIP _____
Change of Manager	9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S. (a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only) Former manager's name _____ New manager's name _____ (b) Date of Employment _____ Has manager ever managed a liquor licensed establishment? ☐ Yes ☒ No Does manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☒ No If yes, give name and location of establishment _____
Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>Additional seating area on the Miner Street marketplace</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☒ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

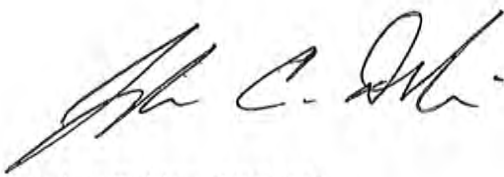
Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature 	Print name and Title Joshua F. Dubien, President	Date 04/27/22
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County) City of Idaho Springs		Date filed with Local Authority 04/27/2022
Signature 	Title Deputy City Clerk	Date 04/27/2022
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date

Main Street Restaurant Control Plan For Outdoor Dining On Miner Street *at 1514, 1516, 1520 Miner St*

1. Hours of operation: Monday-Friday 7AM-2:30PM, Saturday and Sunday 7AM-3:00PM
2. Designated service area will be surrounded by a four foot high barrier made from wooden posts, nautical rope and string lights with assorted plants and flowers
3. Ingress to the designated service area will be from the north side sidewalk in front of 1518 Miner Street, egress will be through an opening on the south side of the service area, opening onto the open section of Miner Street.
4. Signs will be posted at both the ingress and egress locations warning guests not to exit the designated service area with alcohol. All other relevant signage required will be posted by the ingress location.
5. Key staff members have been trained in alcohol service guidelines; company policy will be used to adhere to all relevant liquor laws.

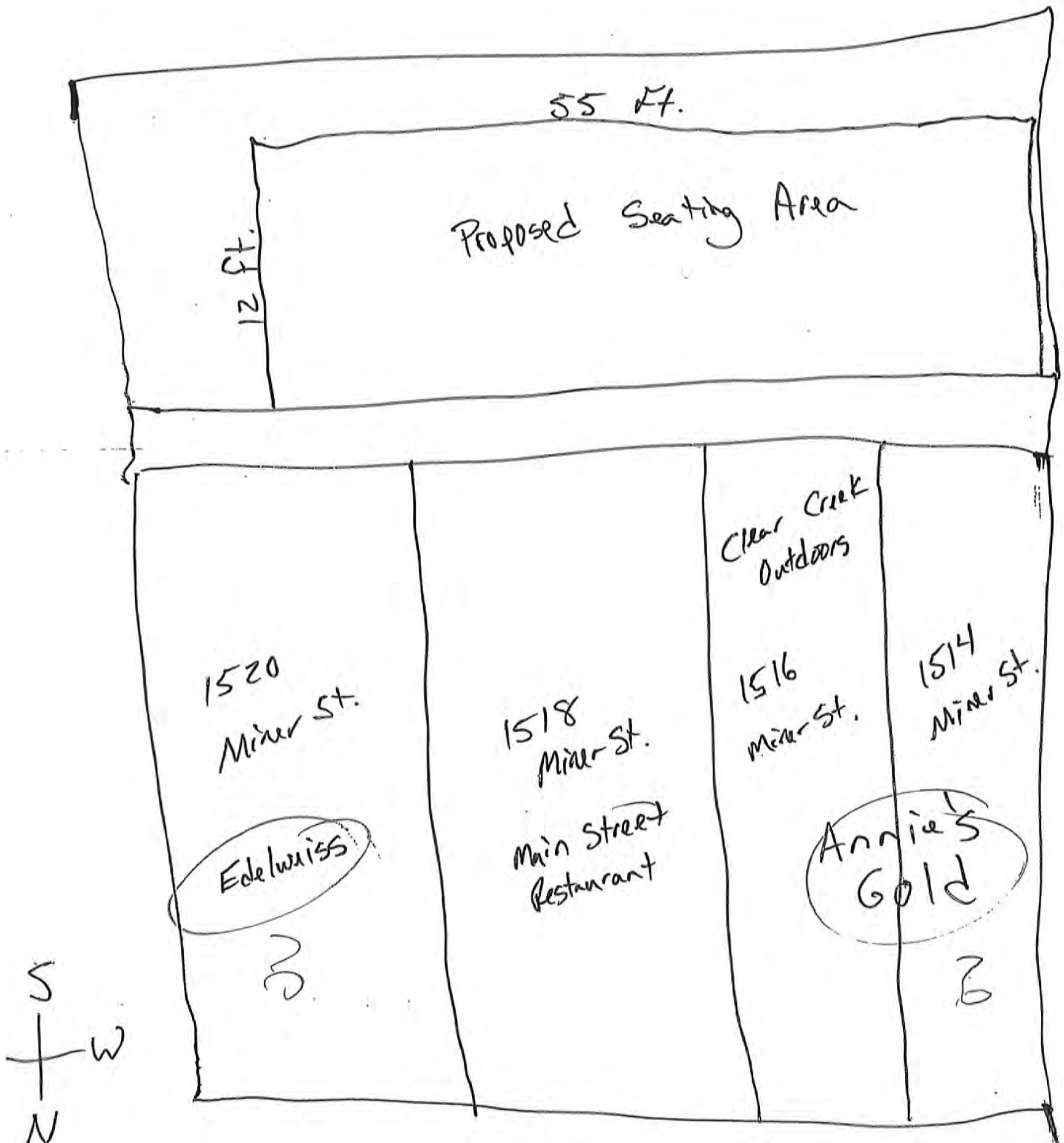
Main Street Restaurant 1518 Miner Street Idaho Springs Colorado 80452 (303) 567-2788
owner@mainstrerestaurant.com

 06/02/2020

Joshua DuBien, President

EXHIBIT A

[illustration of Private Improvements, City ROW and encroachment area(s)]



04/27/2022

Main Street Restaurant has my permission to use the western 11 feet of Miner Street in front of my business at 1520 Miner Street to seat tables from May 15, 2022 until November 1, 2022.

Lawrence Dungan

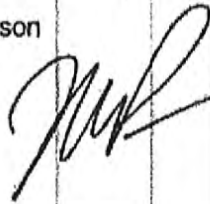


4-27-22

04/27/2022

Main Street Restaurant has my permission to use the space in front of my business at 1514
Miner Street to seat tables from May 15, 2022 until November 1, 2022.

Michael Patterson

A handwritten signature in black ink, appearing to read 'MP', with a long horizontal line extending to the right.

**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **The Bee's Knees 1430 Miner Street.** The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
4. Any "party in interest" may present evidence and testimony.

*Under State and Local Law, a "party in interest" includes:

- An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now ____:P.M. and I open the public hearing on an application for a modification of premises for the address of 1430 Miner Street. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at ____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022
TO: Idaho Springs Liquor Authority
FROM: Wonder Martell, Deputy City Clerk
SUBJECT: Application for Modification of Premise for Goodfellow Antiques LLC, dba The Bee's Knees located at 1430 Miner Street, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

In accordance with C.R.S. §§ 44-3-312 and 1 CCR 203-2, Reg. 47-302, City Staff has conducted an investigation of the criteria for a modification of premise of a liquor license proposed by the application. The results of such investigation are as follows:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1430 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for Goodfellow Antiques LLC, dba The Bee's Knees located at 1430 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

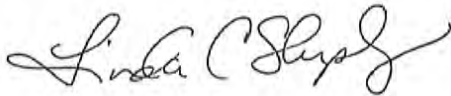
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
A

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

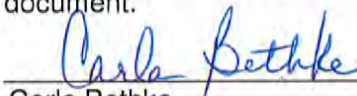
This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for Goodfellow Antiques LLC, dba The Bee's Knees located at 1430 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/29/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.

/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC361
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Sent to D.D.R 04/21/2022

DR 8442 (01/14/22)
 COLORADO DEPARTMENT OF REVENUE
 Liquor Enforcement Division
 (303) 205-2300

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a		License Number	
☐ Corporation ☐ Individual ☐ Partnership ☒ Limited Liability Company		03-14208	
2. Name of Licensee		3. Trade Name of Establishment (DBA)	
Good Fellow Antiques LLC		The Bee's Knees	
4. Address of Premises (specify exact location of premises)		5. Business Email Address	
1430 Miner Street		P.O. Box 627	
City	County	State	ZIP
Idaho Springs	Clear Creek	CO	80452
		Business Phone Number	
		720-998-0624	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.			
Section A – Manager Reg/Change		Section C	
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE		☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x Total Fee: 150.00 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00	
Section B – Duplicate License			
☐ Duplicate License \$50.00			

Do Not Write in This Space – For Department of Revenue Use Only

Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$.00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
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Winery/Limited Winery Noncontiguous or
Primary Manufacturing Location Change**8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**

Select the option that applies to your situation:

- ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or
- ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2).

(a) Address of Location 1: _____

City _____ County _____ ZIP _____

(b) Address of Location 2: _____

City _____ County _____ ZIP _____

Change of Manager

9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S.

(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only)

Former manager's name _____

New manager's name _____

(b) Date of Employment _____

Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ NoDoes manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No

If yes, give name and location of establishment _____

Modify Premises or Addition of Optional
Premises, Related Facility, or Sidewalk Service Area**10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area****NOTE:** Licensees may not modify or add to their licensed premises until approved by state and local authorities.(a) Describe change proposed Selling up outdoor service space on Miner Street in front of current business.

(b) If the modification is temporary, when will the proposed change:

Start _____ (mo/day/year) End _____ (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

(If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No(d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☒ No(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

(h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature <i>Mariah S. White</i>	Print name and Title <i>Mariah S. White Owner</i>	Date <i>4/28/22</i>
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County) <i>City of Idaho Springs</i>	Date filed with Local Authority <i>04/29/2022</i>	
Signature <i>[Signature]</i>	Title <i>Deputy City Clerk</i>	Date <i>04/29/2022</i>
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date

The Bee's Knees
1430 Miner St., Idaho Springs, CO
Control Plan for Outdoor Sale of Beer & Wine

- 1) Hours of Operation: 11:00 AM to 9:00 PM, 7 days a week
- 2) Service Area: @ 20 feet, East – West & 10 feet from curb, North – South on Miner St.
- 3) Perimeter of Service Area will be cordoned off using stacked concrete blocks and 2"x4"x10' wooden boards. Additionally, decorations, such as plants, flags, and lighting may be incorporated.
- 4) Ingress and egress will be through an opening, located on the North side of the Service Area, and accessed from the sidewalk.
- 5) Required alcohol-related warning signs, will be posted near the ingress/egress. Relevant liquor laws will be strictly enforced.

Margaret I. Smith

Margaret I. Smith - Owner

5-26-21

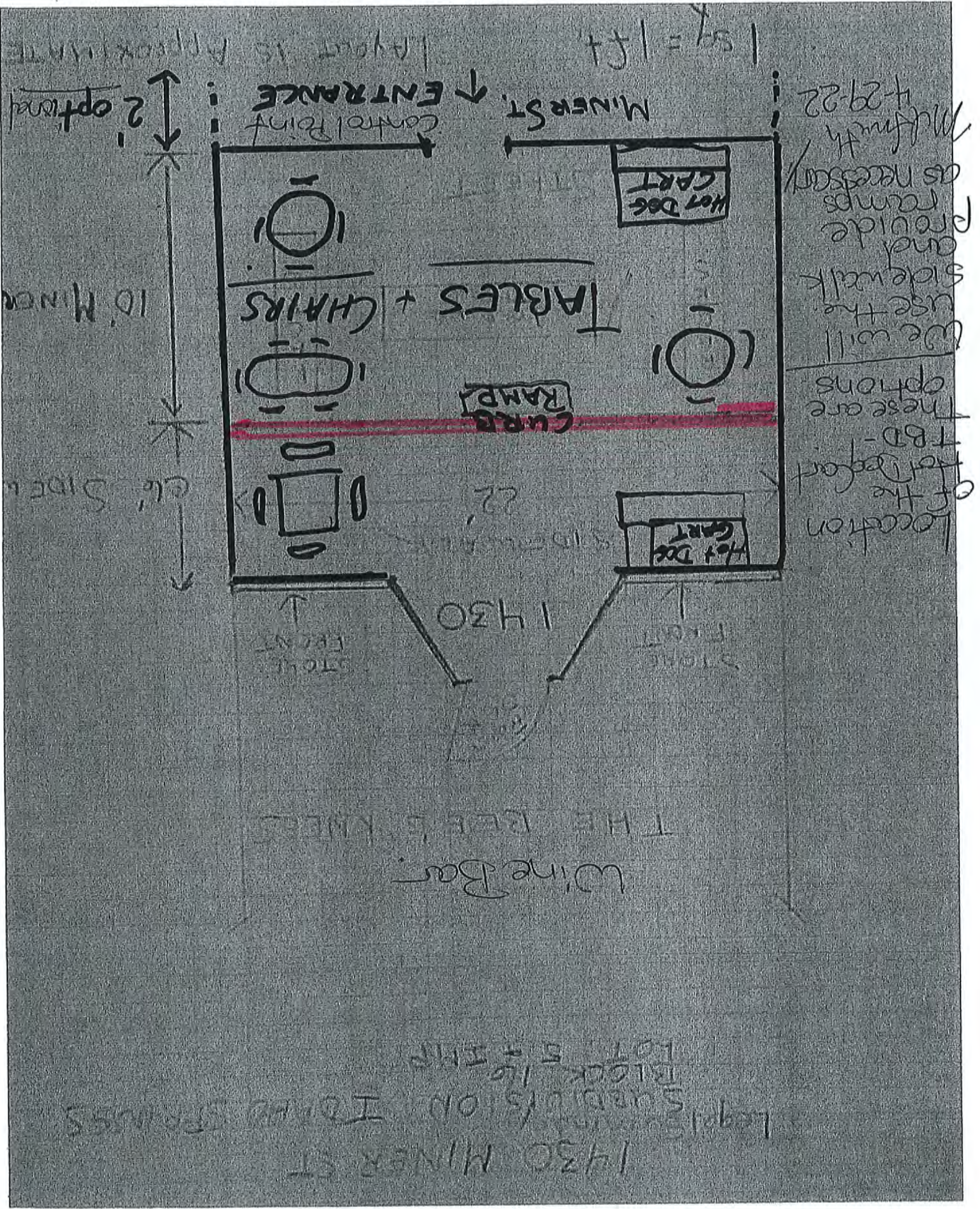
Date

Mariah S. White

Mariah S. White - Owner

5/26/21

Date



**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **Two Brothers Deli 1424 Miner Street.** The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
4. Any "party in interest" may present evidence and testimony.

*Under State and Local Law, a "party in interest" includes:
 - An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now ____ :P.M. and I open the public hearing on an application for a modification of premises for the address of 1424 Miner Street. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at ____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for Valdez Bros, LLC, dba Two Brothers Deli located at 1424 Miner Street, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

In accordance with C.R.S. §§ 44-3-312 and 1 CCR 203-2, Reg. 47-302, City Staff has conducted an investigation of the criteria for a modification of premise of a liquor license proposed by the application. The results of such investigation are as follows:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1424 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for Valdez Bros LLC, dba Two Brothers Deli located at 1424 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

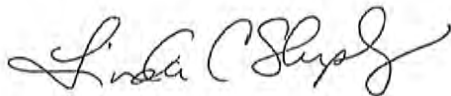
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
A

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for Valdez Bros, LLC, dba Two Brothers Deli located at 1424 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/29/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.

/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC363
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

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Sent to D.D.R. 4/29/2022

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a ☐ Corporation ☐ Individual ☐ Partnership ☒ Limited Liability Company				License Number 03-11921	
2. Name of Licensee Valdez Bros, LLC			3. Trade Name of Establishment (DBA) Two Brothers Deli		
4. Address of Premises (specify exact location of premises) 1424 Minor St.			5. Business Email Address twobrosdeli@gmail.com		
City Delta Springs	County Clear Creek CO	State CO	ZIP 80452	Business Phone Number 303-567-2438	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.					
Section A – Manager Reg/Change			Section C		
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE			☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x 1 Total Fee: 150.00 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00		
Section B – Duplicate License					
☐ Duplicate License \$50.00					

Do Not Write in This Space – For Department of Revenue Use Only		
Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$.00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

Winery/Limited Winery/Noncontiguous or
Primary Manufacturing Location Change**8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**

Select the option that applies to your situation:

- ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or
- ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2).

(a) Address of Location 1: _____

City _____ County _____ ZIP _____

(b) Address of Location 2: _____

City _____ County _____ ZIP _____

Change of Manager

9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S.

(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only)

Former manager's name _____

New manager's name _____

(b) Date of Employment _____

Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ NoDoes manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No

If yes, give name and location of establishment _____

Modify Premises or Addition of Optional
Premises, Related Facility, or Sidewalk Service Area**10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area****NOTE:** Licensees may not modify or add to their licensed premises until approved by state and local authorities.(a) Describe change proposed GOING INTO THE STREET

(b) If the modification is temporary, when will the proposed change:

Start _____ (mo/day/year) End _____ (mo/day/year)

NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00

(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?

(If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No(d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No

(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.

(g) Attach any existing lease that is revised due to the modification.

(h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

Oath of Applicant

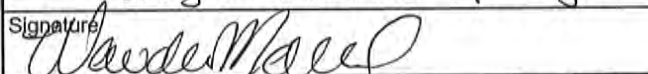
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge

Signature 	Print name and Title Troy Denison GM	Date 4-27-22
---	---	-----------------

Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)

The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. **Therefore, This Application is Approved.**

Local Licensing Authority (City or County) City of Idaho Springs	Date filed with Local Authority 04/29/2022
---	---

Signature 	Title Deputy City Clerk	Date 04/29/2022
---	----------------------------	--------------------

Report of STATE Licensing Authority

The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.

Signature	Title	Date
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Valdez Bros, LLC
DBA Two Brothers Deli
303-567-2439

Hours of Operation:

Monday thru Sunday
7:00 am to 8:00 pm

Boundary: The outdoor seating area is enclosed with stained wooden pallets on their sides and screwed together. We will screw down a 1 x 8 stained, to the top all the way around for extra stability. The pallets will be held in place with weighted water kegs.

Ingress & Egress: The seating area includes a twelve-foot-wide entrance/exit with signage posted. There is a camera installed focusing on this enclosed area that is viewable from the main office inside the deli. This is to further ensure alcohol does not leave the area.

Signage: Signage is posted stating "No Alcoholic beverages beyond this point" at the ingress/egress point. There will also be age restricted signage posted in this area if required.

Bound:

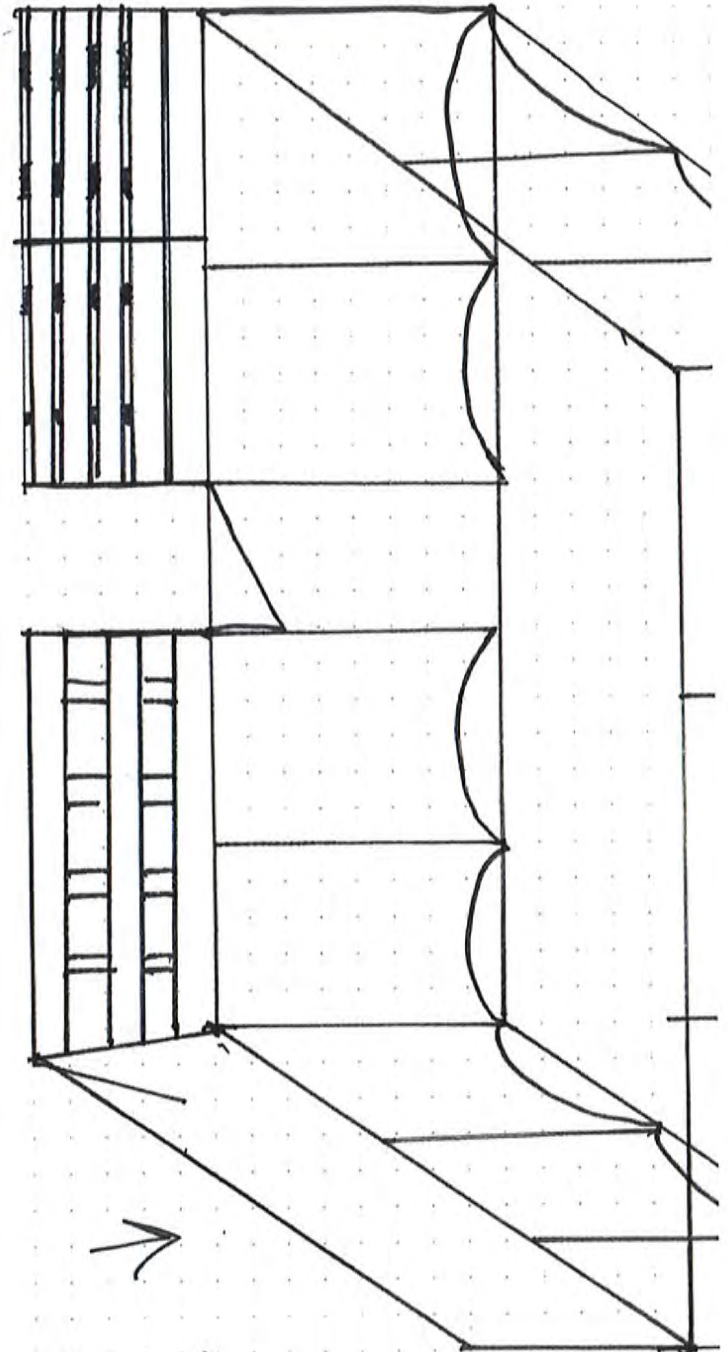
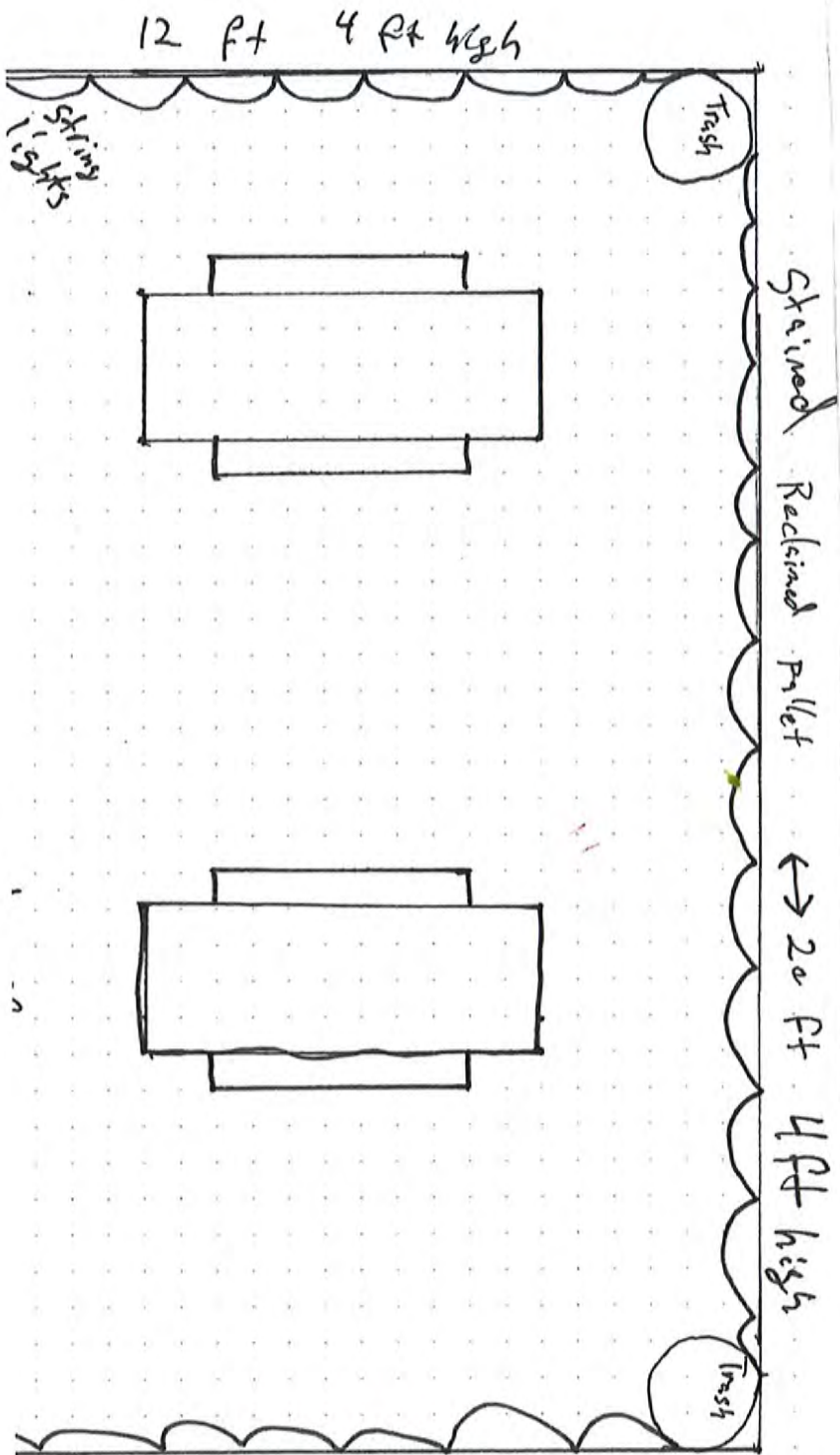
Responsible Services: Staff (over 21) have all been trained in "**responsible selling of alcoholic beverages**". Only certain employees are permitted to sell any alcoholic beverages. The General Manager currently also holds an alcoholic servers permit valid in the state of New Mexico and takes precautions to ensure alcoholic beverages are not sold to minors or any visibly intoxicated individuals.

For additional information, please contact:

Lindsey Valdez, Owner
Indshill@gmail.com
720-261-9088

Troy Denison, General Manager
twobrosdeli@gmail.com
303-567-2439 work
505-718-6996

Bound:
Resor:
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**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **Vintage Moose 123 16th Avenue**. The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
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- An adult resident of the City;
 - An owner or business manager of a business located in the City;
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5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now _____ :P.M. and I open the public hearing on an application for a modification of premises for the address of 123 16th Avenue. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at _____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022
TO: Idaho Springs Liquor Authority
FROM: Wonder Martell, Deputy City Clerk
SUBJECT: Application for Modification of Premise for Vintage Moose II, dba
Vintage Moose located at 123 16th Avenue, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

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1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
123 16th Avenue is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the

modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for Vintage Moose II, dba Vintage Moose located at 123 16th Avenue, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

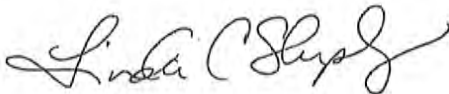
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
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AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for Vintage Moose II, dba Vintage Moose located at 123 16th Avenue, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/28/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.

/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC364
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a ☒ Corporation ☐ Individual					License Number	
☐ Partnership ☐ Limited Liability Company					03-04793	
2. Name of Licensee Vintage Moose II			3. Trade Name of Establishment (DBA) Vintage Moose			
4. Address of Premises (specify exact location of premises) 123 16th Ave			5. Business Email Address VintageMoose1@gmail.com			
City Idaho Springs	County Clear Creek	State CO	ZIP 80452	Business Phone Number 303-567-2375		
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.						
Section A – Manager Reg/Change				Section C		
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE				☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x Total Fee: \$150.00 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00		
Section B – Duplicate License						
☐ Duplicate License \$50.00						

Do Not Write in This Space – For Department of Revenue Use Only

Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

Check the appropriate box in section C and proceed below.

- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
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- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

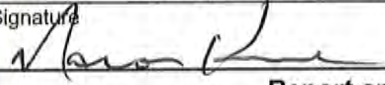
Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
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Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change	8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change Select the option that applies to your situation: ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2). (a) Address of Location 1: _____ City _____ County _____ ZIP _____ (b) Address of Location 2: _____ City _____ County _____ ZIP _____
Change of Manager	9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S. (a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only) Former manager's name _____ New manager's name _____ (b) Date of Employment _____ Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ No Does manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No If yes, give name and location of establishment _____
Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>See exhibit A</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

Oath of Applicant

I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge

Signature 	Print name and Title Mason Keene President	Date 4-28-22
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY) The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County) City of Idaho Springs		Date filed with Local Authority 04/28/2022
Signature 	Title Deputy City Clerk	Date 04/28/2022

Report of STATE Licensing Authority

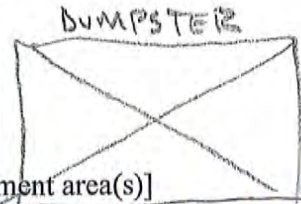
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.

Signature	Title	Date
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W ↑

EXHIBIT A

[Illustration of Private Improvements, City ROW and encroachment area(s)]



SINGLE
PARKING
SPACE

- NEW ENCROACHMENT -

TABLE SEATING

TABLE SEATING

IDAHO

WALL

CURRENT ENCROACHMENT AGREEMENT

9'

GATE

EXISTING PATIO

EXISTING STRUCTURE

24'

FRONT
DOOR

10'

RIGHT OF WAY PARKING LOT SOUTH

POTENTIAL TABLE SEATING

6'

75'

Control Plan Starting May 9th-October 31st 2022

123 16th Ave

Idaho Springs, Idaho Springs CO 80452

Hours of Operation:

Mon - Sun 11 a.m. - 1:00 a.m.

Boundaries of our dining area will be clearly marked as per the CODA security plan. We will also have signage "no alcoholic beverages beyond this point" will be posted within the area, as well as at the entry and exit point.

All staff will be trained to tell customers that no alcohol can leave the designated area unless it is an approved CODA block party night.

All staff is responsible, and TIPS trained, as well as they are aware of the CODA security plan.

**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **Azteca Mexican Restaurant 1628 Miner Street.** The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
4. Any "party in interest" may present evidence and testimony.

*Under State and Local Law, a "party in interest" includes:

- An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now _____ :P.M. and I open the public hearing on an application for a modification of premises for the address of 1628 Miner Street. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at _____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for El Azteca Mexican Restaurant, dba Azteca Mexican Restaurant located at 1628 Miner Street, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

In accordance with C.R.S. §§ 44-3-312 and 1 CCR 203-2, Reg. 47-302, City Staff has conducted an investigation of the criteria for a modification of premise of a liquor license proposed by the application. The results of such investigation are as follows:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1628 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for El Azteca Mexican Restaurant, dba Azteca Mexican Restaurant located at 1628 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

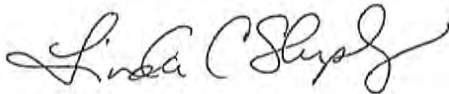
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
A

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for El Azteca Mexican Restaurant, dba Azteca Mexican Restaurant located at 1628 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/28/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.
/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC357
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Sent to DOR 04/28/2020

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a ☐ Corporation ☐ Individual ☐ Partnership ☒ Limited Liability Company		License Number 42-80916-0000	
2. Name of Licensee #1 Azteca Mexican Restaurant		3. Trade Name of Establishment (DBA) Azteca Mexican Restaurant	
4. Address of Premises (specify exact location of premises) 1628 Winer St		5. Business Email Address	
City Idaho Springs	County Clear Creek	State CO	ZIP 80452
Business Phone Number 303 567 2933			
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.			
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For All Sections, Complete Questions 1-5 Located on Page 1

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☐ **Section C**

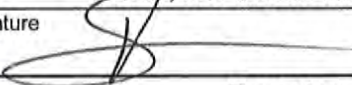
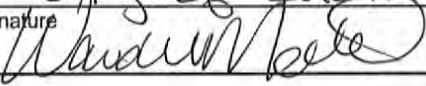
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Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>activation street for out door dinnings on City Ringt away</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature 	Print name and Title Urbano Salinas owner	Date 4-28-22
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County) City of Idaho Springs		Date filed with Local Authority 04/28/2022
Signature 	Title Deputy City Clerk	Date 04/28/2022
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date

El Azteca
303-396-9055
1628 Miner Street
PO Box 1287
Idaho Springs,
CO 80452

June 2, 2020

To whom it may concern,

Before is our Control Plan for ~~Azteca Mexican Restaurant~~

1628 Miner St. & ~~1630~~ Miner St.

1620

~~XXXXXXXXXXXXXXXXXXXX~~

Control Plan:

Hours of Operation: Sunday-Thursday: 11:00 a.m. - 9:00 p.m., Friday & Saturday: 11:00 a.m. - 10:00 p.m.

Boundary: Boundaries will be marked off with ~~a yellow chain~~ ^{barrels + rope} on stanchions.

Ingress and Egress: Staff will be placed within the area to ~~enforce social distancing and~~ prohibit customers from leaving the area with alcohol.

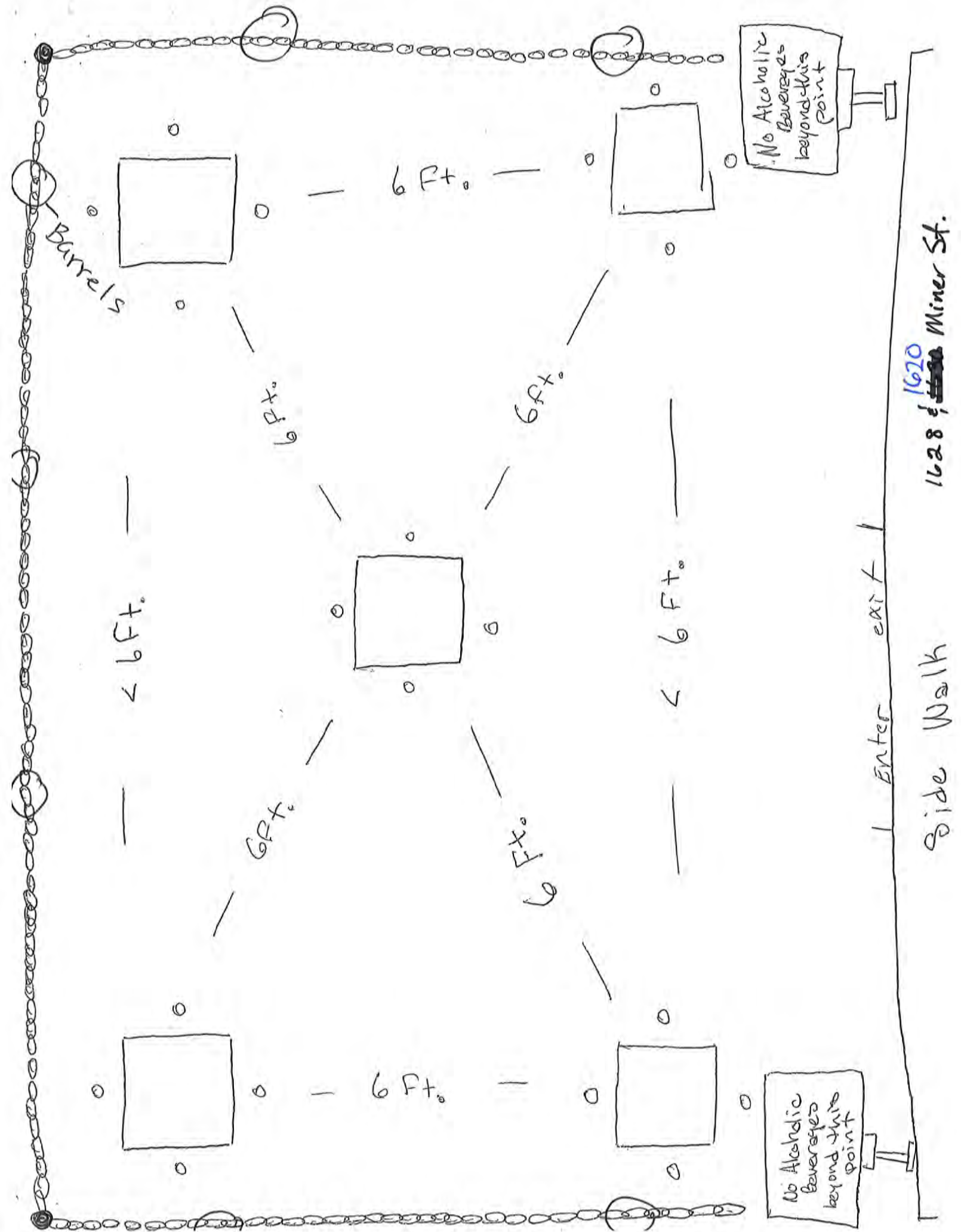
Signage: "No alcoholic beverages beyond this point" on stanchions at the boundaries of the area and all staff will be trained to tell all customers that are served alcohol what the rules and boundaries are.

Responsible service: staff has taken advantage of TIPS training online while we are closed and all the staff have worked in a responsible environment with no violation for the past 4 years.

I hope this fulfills all of the requirements, thank you for all of your work during this time to help us get through it.

Best Regards,
Urbano Salinas

720-490-0642



**MODIFICATION OF PREMISES HEARING
IDAHO SPRINGS LIQUOR AUTHORITY
May, 31, 2022**

"This is a public hearing before the Idaho Springs Liquor Licensing Authority on an application for a modification of premises for the existing license at **Pick Axe Pizza 1640 Miner Street.** The City Council serves as the Local Liquor Licensing Authority.

This is a public hearing. Witnesses will be sworn in before offering testimony. While strict rules of evidence do not apply to this hearing, I do have the authority as the Chair of this hearing to limit testimony or evidence that is irrelevant, repetitive or cumulative.

The order of this public hearing will be as follows:

1. The Deputy City Clerk presents her reports and findings.
2. The Chief of Police and any other City Staff may present their recommendations.
3. The Applicant may present evidence and testimony.
4. Any "party in interest" may present evidence and testimony.

*Under State and Local Law, a "party in interest" includes:

- An adult resident of the City;
 - An owner or business manager of a business located in the City;
 - A representative of a school located within 500 feet of the licensed location; and
 - A representative of an organized neighborhood group within the City.
5. The Applicant may then present any rebuttal evidence, in response to any other testimony given.

Throughout this process, the Authority may ask questions.

After all evidence and testimony has been received, I will close the public hearing. The Authority will then begin its deliberations and will make a decision by motion and roll call vote.

OPEN THE HEARING: "It is now _____ :P.M. and I open the public hearing on an application for a modification of premises for the address of 1640 Miner Street. I invite the Deputy City Clerk to give her presentation to the Authority..."

***[Mayor – follow Steps 1 through 5 above – when done with all 5 steps -
CLOSE THE HEARING]***

"I now close this public hearing at _____ P.M. Councilors, you may begin your deliberations."

CLERK'S ADMINISTRATIVE REPORT

DATE: May 31st, 2022

TO: Idaho Springs Liquor Authority

FROM: Wonder Martell, Deputy City Clerk

SUBJECT: Application for Modification of Premise for Hard Luck Colorado Division LLC, dba Pick Axe Pizza located at 1640 Miner Street, Idaho Springs, CO 80452

NOTICE OF PUBLIC HEARING AND POSTING

In accordance with C.R.S. § 44-3-311, the Notice of Public Hearing to be held by the Liquor Authority concerning the above-referenced application (the "Application") was published in the Clear Creek Courant on May 12, 2022 (Exhibit A) and was posted on the premises on May 18 2022.

RESULTS OF INVESTIGATION:

In accordance with C.R.S. §§ 44-3-312 and 1 CCR 203-2, Reg. 47-302, City Staff has conducted an investigation of the criteria for a modification of premise of a liquor license proposed by the application. The results of such investigation are as follows:

1. The reasonable requirements of the neighborhood and the desires of the adult inhabitants.
Liquor Establishments in the neighborhood are as follows: Hotel and Restaurant, 11; Brew Pub, 2; Beer and Wine, 2; Retail Liquor Stores, 2; 3.2% off premise, 5; Club License, 1; Limited Winery, 1; Tavern, 3; Vintners, 1
2. The possession, by the licensee, of the changed premises by encroachment license and agreement.
3. Compliance with the applicable zoning laws of the City.
1640 Miner Street is zoned HD, which permits the sale of alcohol beverages.
4. Compliance with applicable distance restrictions of the Colorado Liquor Code and the Idaho Springs Municipal Code.
No distance restrictions apply to this application. See, ISMC § 9-35.
5. The legislative declaration that the Colorado Liquor and Beer Codes are an exercise of the police powers of the state for the protection of the economic and social welfare and the health, peace, and morals of the people of this state.

If there is evidence presented at the hearing that the licensee operates or operated its business in a manner detrimental to the health, peace and morals of the public, the Council may consider that evidence. However, Staff's preliminary investigation has not revealed any such evidence.

*You may note that the above list of criteria is shorter than the list of approval criteria you are required to apply to a new liquor license application. In the context of the modification of an already-licensed premise, questions of the applicant's character and the original location of the establishment have already been considered and approved. Therefore, this application focuses only on the needs and desires of the community, the applicant's possession of the property, zoning, and distance restrictions.

SUGGESTED MOTION:

Staff recommends that the application be approved and suggests the following motion

"I move to approve the application for Modification of Premise for Hard Luck Colorado Division LLC, dba Pick Axe Pizza located at 1640 Miner Street, Idaho Springs, CO 80452, based upon the finding that the applicant meets all criteria set forth in Colorado Liquor Regulation 47-302."

DENIAL

The Authority may deny the application if it finds that any of the above requirements have not been met. It is possible that the hearing on this matter could produce evidence that the applicant fails to meet one or more of the relevant criteria and about which Staff is not currently aware. If the Authority determines that one of the five criteria set forth above is not met, an Authority member may move to deny the application.

A motion to deny the application must explicitly state which of the five criteria are not met and why. The City Attorney can assist you with the procedural aspects of making a motion to deny at the hearing.

Colorado Community Media
750 W. Hampden Ave. Suite 225
Englewood, CO 80110

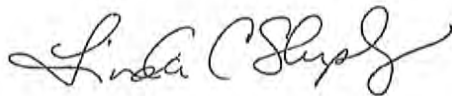
City of Idaho Springs ***
PO Box 907
Idaho Springs CO 80452

Exhibit
A

AFFIDAVIT OF PUBLICATION

State of Colorado }
County of Clear Creek } ss

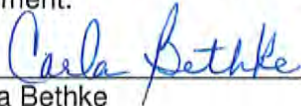
This Affidavit of Publication for the Clear Creek Courant, a weekly newspaper, printed and published for the County of Clear Creek, State of Colorado, hereby certifies that the attached legal notice was published in said newspaper once in each week, for 1 successive week(s), the last of which publication was made 5/12/2022, and that copies of each number of said paper in which said Public Notice was published were delivered by carriers or transmitted by mail to each of the subscribers of said paper, according to their accustomed mode of business in this office.



For the Clear Creek Courant

State of Colorado }
County of Arapahoe } ss

The above Affidavit and Certificate of Publication was subscribed and sworn to before me by the above named Linda Shapley, publisher of said newspaper, who is personally known to me to be the identical person in the above certificate on 5/12/2022. Linda Shapley has verified to me that she has adopted an electronic signature to function as her signature on this document.



Carla Bethke
Notary Public
My commission ends April 11, 2026

CARLA BETHKE
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20004025550
MY COMMISSION EXPIRES APRIL 11, 2026

Public Notice

Notice of Public Hearing Idaho Springs Liquor Licensing Authority

Pursuant to the liquor laws of Colorado, the Idaho Springs Liquor Licensing Authority will hold a public hearing on May 31, 2022, to consider an application for a Modification of Premise for Hard Luck Colorado Division LLC, dba Pick Axe Pizza located at 1640 Miner Street, Idaho Springs, CO 80452. The public hearing will be held in City Hall, 1711 Miner St., at 7:00 p.m. Date of application: 04/28/2022. The application is available for inspection during normal business hours in the office of the City Clerk. Interested persons may appear at the hearing and voice their opinion in favor of or in opposition to the applications.
/s/Wonder Martell
Deputy City Clerk

Legal Notice No. CCC359
First Publication: May 12, 2022
Last Publication: May 12, 2022
Publisher: Clear Creek Courant

Sent to D.O.R. 04/28/2022

DR 8442 (01/14/22)
COLORADO DEPARTMENT OF REVENUE
 Liquor Enforcement Division
 (303) 205-2300

Permit Application and Report of Changes

All Answers Must Be Printed in Black Ink or Typewritten

1. Applicant is a		☐ Corporation ☐ Individual ☐ Partnership ☒ Limited Liability Company		License Number	
				03-06916	
2. Name of Licensee			3. Trade Name of Establishment (DBA)		
Hard Luck Colorado Division LLC			Pick Axe Pizza		
4. Address of Premises (specify exact location of premises)			5. Business Email Address		
1640 Miner St			PickAxePizzaSocial@gmail.com		
City	County	State	ZIP	Business Phone Number	
Idaho Springs	Clear Creek	CO	80452	3035672148	
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.					
Section A – Manager Reg/Change			Section C		
☐ Manager's Registration (Hotel & Restr.) \$75.00 ☐ Manager's Registration (Tavern) \$75.00 ☐ Manager's Registration (Lodging & Entertainment) \$75.00 ☐ Change of Manager (Other Licenses pursuant to section 44-3-301(8), C.R.S.) NO FEE			☐ Retail Warehouse Storage Permit (ea) \$100.00 ☐ Wholesale Branch House Permit (ea) \$100.00 ☐ Change Corp. or Trade Name Permit (ea) \$50.00 ☐ Change Location Permit (ea) \$150.00 ☐ Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change \$150.00 ☒ Change, Alter or Modify Premises \$150.00 x Total Fee: 150.00 ☐ Addition of Optional Premises to Existing H/R \$100.00 x Total Fee: ☐ Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x Total Fee: ☐ Campus Liquor Complex Designation No Fee ☐ Sidewalk Service Area \$75.00		
Section B – Duplicate License					
☐ Duplicate License \$50.00					

Do Not Write in This Space – For Department of Revenue Use Only		
Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$00

Instruction Sheet

For All Sections, Complete Questions 1-5 Located on Page 1

☐ **Section A**

To Register or Change Managers, check the appropriate box in section A and complete question 9 on page 4. Proceed to the Oath of Applicant for signature. Submit to State Licensing Authority for approval.

☐ **Section B**

For a Duplicate license, be sure to include the liquor license number in section B on page 1 and proceed to page 5 for Oath of Applicant signature.

☐ **Section C**

Check the appropriate box in section C and proceed below.

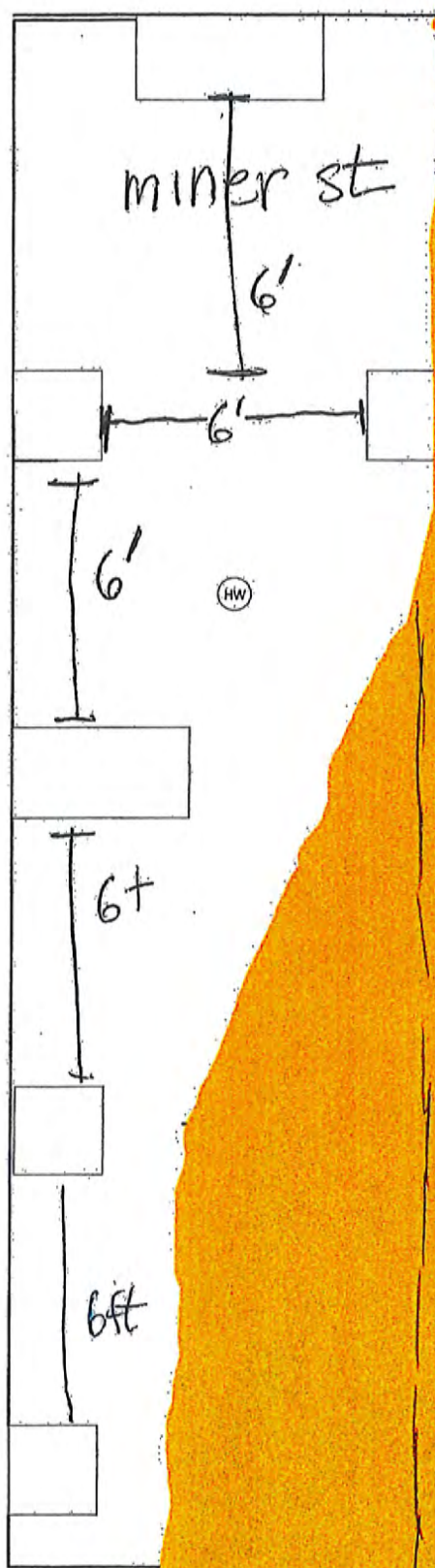
- 1) **For a Retail Warehouse Storage Permit**, go to page 3 complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 2) **For a Wholesale Branch House Permit**, go to page 3 and complete question 5 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Submit to State Licensing Authority for approval.
- 3) **To Change Trade Name or Corporation Name**, go to page 3 and complete question 6 (be sure to check the appropriate box). Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 4) **To modify Premise, or add Sidewalk Service Area**, go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 5) **For Optional Premises** go to page 4 and complete question 10. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County).
- 6) **To Change Location**, go to page 3 and complete question 7. Submit the necessary information and proceed to page 5 for Oath of Applicant signature. Retail Liquor License submit to Local Liquor Licensing Authority (City or County). Manufacturer, Wholesaler and Importer's Liquor Licenses submit to State Liquor Licensing Authority.
- 7) **Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change**, go to page 4, and complete question 8. Use this section to make a current Noncontiguous Manufacturing Location into a Primary Manufacturing Location, or a Primary Manufacturing Location into a Noncontiguous Manufacturing Location. To be eligible for a Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change, you must be a Colorado state licensed manufacturer of vinous liquor pursuant to section 44-3-402 or 44-3-403, C.R.S.
- 8) **Campus Liquor Complex Designation**, go to page 5 and complete question 11. Submit the necessary information and proceed to page 5 for Oath of Applicant signature.
- 9) **To add another Related Facility** to an existing Resort or Campus Liquor Complex, go to page 5 and complete question 12.

Storage Permit	5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit ☐ Retail Warehouse Permit for: ☐ On-Premises Licensee (Taverns, Restaurants etc.) ☐ Off-Premises Licensee (Liquor stores) ☐ Wholesalers Branch House Permit Address of storage premise: _____ City _____, County _____ ZIP _____ Attach a deed/lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.				
Change Trade Name or Corporate Name	6. Change of Trade Name or Corporation Name ☐ Change of Trade name/DBA only ☐ Corporate Name Change (Attach the following supporting documents) 1. Certificate of Amendment filed with the Secretary of State, or 2. Statement of Change filed with the Secretary of State, <u>and</u> 3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement. <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name				
Old Corporate Name	New Corporate Name				
Change of Location	7. Change of Location NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held. Date filed with Local Authority _____ Date of Hearing _____ (a) Address of current premises _____ City _____ County _____ ZIP _____ (b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee) Address _____ City _____ County _____ ZIP _____ (c) New mailing address if applicable. Address _____ City _____ County _____ State _____ ZIP _____ (d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.				

Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change	8. Winery/Limited Winery Noncontiguous or Primary Manufacturing Location Change Select the option that applies to your situation: ☐ Make a current Primary Manufacturing Location (Location 1) into a Noncontiguous Location (Location 2); or ☐ Make a current Noncontiguous Manufacturing Location (Location 1) into a Primary Manufacturing Location (Location 2). (a) Address of Location 1: _____ City _____ County _____ ZIP _____ (b) Address of Location 2: _____ City _____ County _____ ZIP _____
Change of Manager	9. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8), C.R.S. (a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only) Former manager's name _____ New manager's name _____ (b) Date of Employment _____ Has manager ever managed a liquor licensed establishment? ☐ Yes ☐ No Does manager have a financial interest in any other liquor licensed establishment? ☐ Yes ☐ No If yes, give name and location of establishment _____
Modify Premises or Addition of Optional Premises, Related Facility, or Sidewalk Service Area	10. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities. (a) Describe change proposed <u>ACTIVATING OUTDOOR DINING ON MAIN STREET</u> <u>RIGHT OF WAY</u> (b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (mo/day/year) NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00 (c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary? (If yes, explain in detail and describe any exemptions that apply) ☐ Yes ☒ No (d) Is the proposed change in compliance with local building and zoning laws? ☒ Yes ☐ No (e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? ☐ Yes ☒ No (f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. (g) Attach any existing lease that is revised due to the modification. (h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), 1 C.C.R. 203-2, include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.

Campus Liquor Complex Designation	11. Campus Liquor Complex Designation An institution of higher education or a person who contracts with the institution to provide food services (a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex ☐ Yes ☐ No
Additional Related Facility	12. Additional Related Facility To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises. (a) Address of Related Facility _____ (b) Outlined diagram provided ☐ Yes ☐ No

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature _____	Print name and Title Bruce Boynton owner	Date 4/28/22
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County) City of Idaho Springs		Date filed with Local Authority 04/28/2022
Signature Cecilia Malle	Title Deputy City Clerk	Date 04/28/2022
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date



miner st

6'

6'

6'

HW

6+

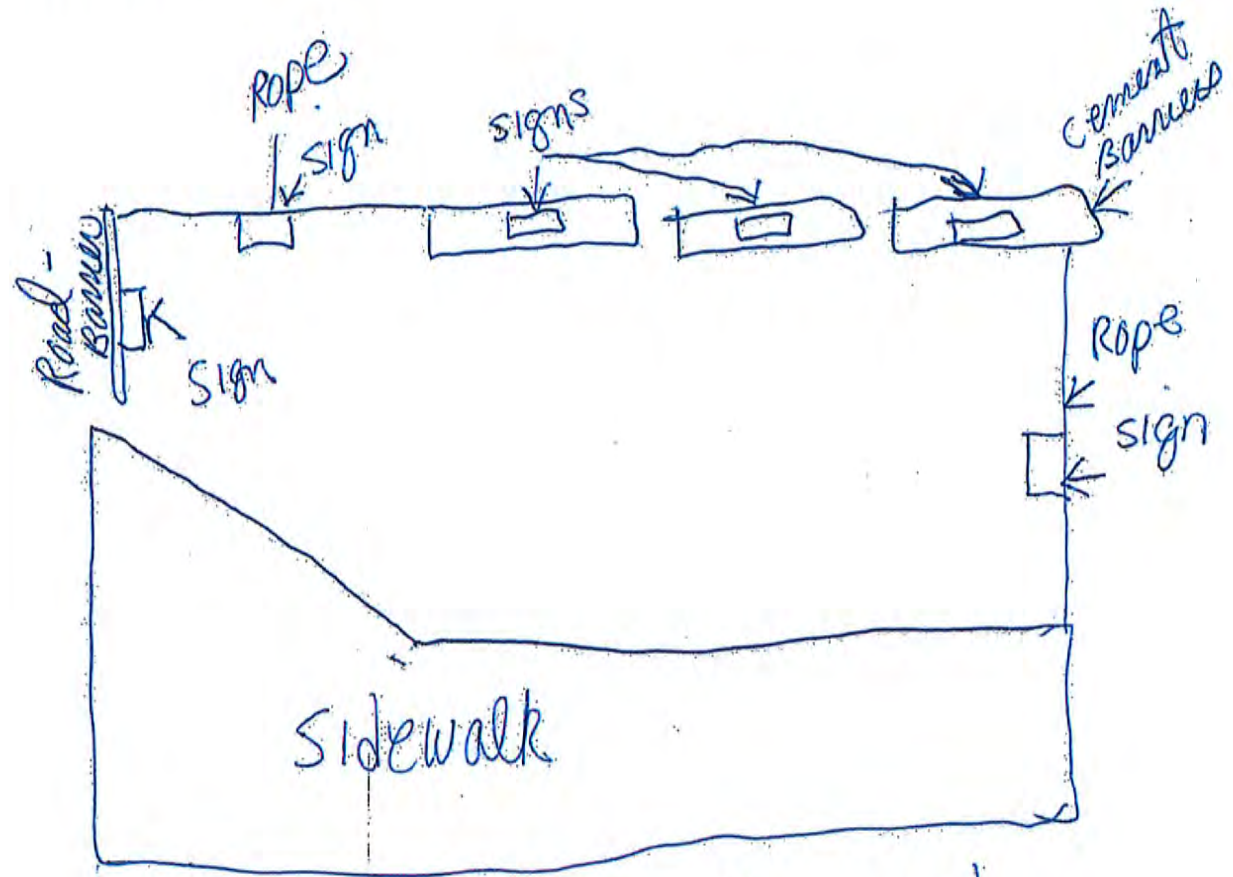
6ft

sidewalk

Pick Axe
Pizza

17th st

Hard Luck Colorado Division, LLC
16a Pick Ave Pizza
0306916



 signs read
no Alcohol
beyond this point

NOTE:

BLANKED THE

NO ALCOHOL

SIGN THE AREA

Control Plan Starting May 9th-October 31st 2022

Pick Axe

1640 Miner St, Idaho Springs CO 80452

Hours of Operation:

Boundaries of our dining area will be clearly marked as per the CODA security plan. We will also have signage "no alcoholic beverages beyond this point" will be posted within the area, as well as at the entry and exit point.

All staff will be trained to tell customers that no alcohol can leave the designated area unless it is an approved CODA block party night.

All staff is responsible, and TIPS trained, as well as they are aware of the CODA security plan.