



## LIQUOR LICENSE AUTHORITY REGULAR MEETING

October 8, 2020 // 4:00 p.m. Via Zoom

Zoom Meeting, Click on the link

<https://windsorgov.zoom.us/j/96222953567?pwd=bnJKeFVGMD0RORHU1VTByTzY2Wk5uQT09>

OR join by phone 888-788-0099 or 877-853-5247 Webinar ID: 962 2295 3567

### MINUTES

A. CALL TO ORDER

Hearing Officer Ablao called the hearing to order at 4:02 p.m.

B. CONSENT CALENDAR

1. Approval of the September 10, 2020 regular meeting minutes of the Liquor License Authority

The Authority has reviewed the minutes and approves them as written.

C. ACTION ITEMS

1. **Promotional Association/Common Consumption Area**

The W Entertainment District, Inc.  
6461 Hwy 392  
Windsor, CO 80550

Hearing Officer Ablao stated that this is a public hearing for the approval of a promotional association and common consumption area. Hearing Officer Ablao swore in Mr. Patrick Weakland to provide testimony on behalf of the applicant. Brandon Sandberg, attorney hired to represent the applicant, The W Entertainment District, Inc stated that the applicant has submitted an application to the Town of Windsor for a promotional association common consumption area certification request for the premises that is located at 6461 Highway 392. Pat Weakland stated that he and his wife formed the W Entertainment District and he is the owner of High Hops Brewery and part owner of the Heart Distillery, the licensed establishments that are attached to the proposed common consumption area. The proposed common consumption area is located where High Hops Brewery, the Heart Distillery, and Windsor Gardner are located in a ten-acre facility. The whole property is surrounded by a pipe fence and there is a separate gate that can be locked that allows people to enter and exit the facility. Mr. Weakland provided a description of both High Hops Brewery and The Heart Distillery businesses. Mr. Weakland stated that there have been no liquor violations at either business since opening. The State has already granted a modification of premises for each of the wholesale licenses. Mr. Weakland stated that it is his understanding that the properties are consistent with the request for common consumption area. Mr. Weakland stated that he is requesting the common consumption area because people are not allowed to bring a beer into the area where spirits are at and vice versa, so when you have patrons who are visiting the establishment together but want different types of beverages, they can't consume together. The common consumption area will allow to satisfy the needs and request of their patrons. Mr. Weakland stated that there will be between eight to ten employees who service the High Hops Brewery and The Heart Distillery that will go back and forth. The employees are all TIPS trained and all have certified licenses to serve beverages. Mr. Weakland stated that the hours selected was 8 a.m. to 2 a.m. in order to have maximum flexibility to hold events. Mr. Weakland provided a description of what would be staff duties, including checking ID's, serve beer and alcohol, sell packaged products, monitoring tables and answering

questions, and promoting the brewery and distillery. Mr. Weakland stated that there are around sixteen different security cameras throughout the facility. Mr. Weakland also stated that if he were to have an employee that failed to follow his outlined policies and procedures or failed a compliance check or served a minor or intoxicated person, immediate termination would be the result in which all staff is aware of the zero tolerance policy. The W Entertainment district is properly insured as required. Mr. Weakland provided a detailed explanation of how the property is delineated. Mr. Weakland describe the process of petitioning for this common consumption and stated that he did so himself.

Hearing Officer Ablao asked Mr. Weakland how large the actual area is that is being requested to be in the common consumption area? Mr. Weakland responded around seven acres. Hearing Officer Ablao asked how many staff would be working between eight and two in the morning every day? Mr. Weakland stated that the whole area would not be used at the same time, but there would be between fourteen to sixteen employees working during events. Hearing Officer Ablao asked what the sales room hours are currently. Mr. Weakland responded that High Hops Brewery is 10 a.m. to 5:30 p.m. on Wednesday and Thursday, 10 a.m. to 7 p.m. on Friday, 10 a.m. to 6:00 p.m. on Saturday and 10 a.m. to 5:30 p.m. on Sunday. The Distillery is open from 12 p.m. to 7 p.m. on Friday, 12 p.m. to 6:00 p.m. on Saturday and 12 p.m. to 5:30 p.m. on Sunday. Hearing Officer Ablao asked if garden center employees separate from the distillery and brewery employees, Mr. Weakland responded yes. Hearing Officer Ablao asked if the garden center was intended to be included into the garden center. Mr. Weakland responded they want it to be included so they can have events there also. Hearing Officer Ablao asked when there is not an event happening in the garden center, how will people know there is no alcohol allowed in the area? Mr. Weakland stated that as of now, when the garden center is closed, there are walls, doors, and partitions to close it off. Hearing Officer Ablao asked if the security cameras are monitored at all times, to which Mr. Weakland replied they are. Hearing Officer Ablao stated that typically a private property entertainment district and common consumption area is much smaller than seven acres, are much more contained, have smaller hours, and do not include things like a garden center included. Mr. Sandberg stated that there is already an entertainment district at the premise that has already been approved by the town in which according to the code says the size of no more than one-hundred acres. The area is not heavily dense so there is the ability to hold certain types of events. The seven acres will be clearly delineated meets the statutory requirements. The staff is approximately either to ten employees, however, when they do anticipate having larger events they will have double the staff. The fact that Mr. Weakland has asked for 8:00 a.m. to 2:00 a.m. is just for flexibility purposes. Mr. Weakland did testify that he has staff that not only monitors security cameras but will also be walking around and to make sure there is compliance with the alcohol laws.

Hearing Officer Ablao stated that at this time she will take the application under advisement as it is significantly different that other consumption areas that she has looked at and examined in the past. If the garden center could be addressed and why it is contained in the common consumption area when it's a retail area. Mr. Weakland stated that the garden center will not be open during events when having the common consumption area. Hearing Officer Ablao stated that she is going to take this application under advisement and provided Mr. Sandberg the opportunity to submit a brief addressing the concerns within fourteen days and Hearing Officer Ablao will provide a written finding and ruling. Mr. Sandberg asked if the authority would accept modifications to the hours of operation if submitted in writing? Hearing Officer Ablao stated that she would.

2. **New License**

Mash Lab, LLC  
DBA Mash Lab Brewing  
4395 Highland Meadows Parkway  
Windsor, CO 80550  
*Brew Pub (City)*

Hearing Officer Ablao stated that there are quite a few issues that she will need clarification on the application that was submitted. One of the things that was not complete was the leases were not signed and it is not real clear who are the actual applicants and new owners. There were some discrepancies on the percentages contained in the purchase agreement for purchasing shares and what was actually submitted on the applications. The hearing was already posted and published, however would like to continue the hearing in order to clear up some of the issues with the application. Mr. Boockoldt stated that the percentages that are in question, initially when he and his wife joint with Eric and Kristen, they purchased forty percent of Mash Lab. Since there Eric and Kristin have given another nine percent, however have not been able to get to the attorney's to change the agreements to the correct percentages. Hearing Officer Ablao stated that another thing that needs to be clarified as well is if NoCo Commercial Investment LLC will be an owner in Mash Lab. Mr. Boockoldt stated that NoCo Commercial Investment is a LLC that was started by his wife and himself along with Eric and Kristin to purchase the new building and will lease the building to Mash Lab. Mr. Boockoldt stated that the reason for seeking the brew pub is they also want to be a larger part of the community and have a restaurant as well that will have craft food as well. Hearing Officer Ablao asked if the Boockoldt family trust going to be part owner? Mr. Boockoldt stated that the Boockoldt Family Trust is going to be the owner for his wife and his percentage. Hearing Officer Ablao asked how soon the new building is expected to be complete. Mr. Boockoldt responded that he is expecting they will be open for business by February first. Hearing Officer Ablao asked if in the interim if he will continue to use a brewing license that they have for the old location. Hearing Officer Ablao stated that she would put together a list of items that she is concerned with and have the secretary send it out and will continue the hearing so it will not have to be reposted and republished. The hearing will be continued to November 20<sup>th</sup> at 9:00 a.m.

D. COMMUNICATIONS

- The Authority vacated the regularly scheduled meeting on November 12, 2020 and rescheduled to November 20, 2020 at 9:00 a.m.

E. ADJOURN

Having no further business, the hearing was adjourned at 5:15 p.m.



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Karen Frawley, Town Clerk