



## LIQUOR LICENSE AUTHORITY REGULAR MEETING

February 11, 2021 // 9:00 a.m. Via Zoom

Zoom Meeting, Click on the link: <https://windsorgov.zoom.us/j/91528112723>

OR join by phone 888-788-0099 or 877-853-5247

Webinar ID: 915 2811 2723

### MINUTES

A. CALL TO ORDER

Hearing Officer Ablao called the meeting to order at 9:00 a.m.

B. CONSENT CALENDAR

1. Approval of the December 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. **RENEWAL – Tavern Liquor License**  
Patti-Sox, LLC  
DBA Eagles Nest @ NOCO Ice Center  
7900 Fairgrounds Avenue  
Windsor, CO 80528

Hearing Officer Ablao stated that this is a public hearing for the renewal approval of a Tavern license. Hearing Officer Ablao swore in Mr. Adam Visocky to provide testimony as the applicant and owner of Patti-Sox, LLC DBA Eagles Nest @ NOCO Ice Center.

Mr. Visocky reported there have been no changes to the premise, or the corporate partners since the original application. The lease is current expiring in 2025, and Mr. Visocky is the registered manager.

Kim Emil, Assistant Town Attorney reported that yesterday afternoon all past due sales tax has been received, and the account is in good standing. The next filing date is February 22<sup>nd</sup>, and Mr. Visocky has registered online through Muni-revs to process those payments monthly.

Mr. Visocky reported he set-up monthly payments with an automatic withdrawal.

The Authority finds that the evidence presented at the hearing today supports the approval of the renewal of the Tavern liquor license of Patti-Sox, LLC, and therefore approves the granting of the license with the following conditions: Compliance with the state liquor code, rules, regulations and all municipal ordinances and regulations concerning the operation of a liquor licensed business; and Timely filing of all required state and local tax payments, including penalties and interest, and reporting. Failure to maintain compliance with such reporting and payments will result in disciplinary action, after notice and opportunity for hearing, including but not limited to revocation, suspension, or denial of this liquor license.

## 2. **NEW – Tavern Liquor License**

Charlie Bar LTD  
The 408 Exchange  
408 Main Street  
Windsor, CO 80550

Hearing Officer Ablao stated that this is a public hearing for the approval of a Tavern license. Appearing today on behalf of Charlie Bar, Ltd. DBA The 408 Exchange is Jonathan Hitchcock, Owner; Robert Clendenin, Owner; Lamar Watson, Owner; Eva Garretson, Liquor Professionals Survey Company.

Hearing Officer Ablao opened the public hearing for comment. There was an unidentified caller, but they did not respond as a party of interest to actively participate in the hearing.

Hearing Officer Ablao swore in Mr. Jonathan Hitchcock to provide testimony as the applicant and owner of Charlie Bar Ltd. DBA The 408 Exchange.

Mr. Hitchcock reported the Tavern will be a bistro, and bar concept coming to the downtown district. Offering a brick and motor Tavern style environment with a walk-up window for take-out orders. There will also be delivery options, along with catering, and bulk meat similar to a deli. Mr. Hitchcock stated that they feel with an unproven concept the model fits with a Tavern license vs Hotel & Restaurant license. It is not the intention to bring a family dining option to the Town of Windsor, however the interior space will be full service.

The interior space is 568 square feet with additional exterior space on the back patio. There will be an interior, and an exterior full-service kitchen. The interior space is limited to capacity of 4 patrons. The backdoor is glass to monitor outdoor patio consumption along with security cameras, controlled by a black iron and redwood fence. Access to the patio will be available through the front door of the premise.

Mr. Hitchcock reported alcohol will be stored behind the counter in a locked cabinet. The hours of operation will be Monday-Sunday for interior dining from 10:00a.m.-11:00p.m., hosting a walkup window for breakfast starting at 6:00a.m. Mr. Hitchcock stated they plan on employing 6-10 employees depending on the volume. All employees will be over 21 years old, and receive their TIPS training certification. Everyone that enters the establishment will have I.D.'s checked, and a violation of any State or local liquor code rules or regulations would lead to immediate termination.

Mr. Hitchcock commented he was the owner of Anthony's Pizza & Pasta since 2018, recently sold in 2020. That business operated without any State or local disciplinary actions. He estimates at this location 25% of sales will come from food, and 75% from alcohol sales.

Hearing Officer Ablao reported the menu has been entered into the record.

Hearing Officer Ablao swore in Mr. Robert Clendenin to provide testimony as the applicant and owner of Charlie Bar Ltd. DBA The 408 Exchange. Mr. Clendenin reported he's the sole member of another business, Culinary Delights.

Hearing Officer Ablao swore in Mr. Lamar Watson to provide testimony as the applicant and owner of Charlie Bar Ltd. DBA The 408 Exchange. Mr. Watson reported he's the sole member of another business, Data Hayes.

Mr. Hitchcock reported he's the sole member of another business, Lee Enterprise Holdings.

Hearing Officer Ablao swore in Ms. Eva Garretson, Liquor Licensing Professionals to

provide testimony as to the survey results. Liquor Pros conducted the needs and desires survey regarding the new Tavern liquor license for Charlie Bar Ltd, DBA The 408 Exchange located at 408 Main Street in Windsor, Colorado. 99 signatures were received with 90 signing in favor at 93%, and 7% were opposed with 3 mail-in surveys in opposition stating that it was enough or too many in the area.

Hearing Officer Ablao opened the hearing for public comment, which there was none.

Hearing Officer Ablao stated for the record she has reviewed the letter of opposition denoting the fact that there are quite a few liquor license premises in the area. Also noting the article submitted on whether or not the area was already saturated.

Ms. Emil Assistant Town Attorney reported she did speak with the Chief of Police, and they have no law enforcement concerns about the business.

The Authority finds that the application, together with all previous submissions, and the evidence presented today supports: Though there were 7 adult inhabitants of the neighborhood who opposed the issuance of the license, the majority of those adult inhabitants of the neighborhood who responded to the Liquor Pros survey desire the issuance of the license; Though there are other liquor licensed establishments in the neighborhood, the applicant presented sufficient evidence that the reasonable requirements of the neighborhood for the type of license (Tavern) being sought are not currently being met; There was no evidence presented that the addition of this Tavern license would cause additional law enforcement resources nor that the addition would result in an undue concentration of licenses in the community; The number, type and availability of liquor outlets located in or near the neighborhood do not preclude the issuance of the license; All other statutory requirements and ordinance requirements have been met; That the granting of this license would not restrain competition; And the applicant, at this time is qualified to conduct the type of business proposed. Therefore, the Authority approves the granting of the license on the following conditions: issuance of a certificate of occupancy by the Building Department, satisfactory inspection of the premises by police to determine whether the finished premises conforms with the diagram submitted today, satisfactory results of any background checks that have not yet been received, and compliance with the Liquor code, rules, regulations and municipal ordinances.

C. COMMUNICATIONS

- None

D. ADJOURN

Having no further business, the hearing was adjourned at 9:37 a.m.



Trisha Conway, Deputy Town Clerk