




## Memo

To: Avon Local Liquor Licensing Authority  
Thru: Larry Brooks, Town Manager  
From: Patty McKenny, Town Clerk  
Date: October 23, 2008  
Re: Liquor Licensing Applications



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### Summary:

The following establishments have submitted **Renewal Applications** and a **Permit Application** for consideration by the Avon Liquor Licensing Authority as follows:

### Renewals:

- a. Applicant: Vail Valley Mexican Foods, LLC d/b/a Agave  
Address: 1060 W. Beaver Creek Blvd.  
Manager: Richard Wheelock  
Type: Hotel and Restaurant Liquor License
  
- b. Applicant: NOVA Entertainment, LLC d/b/a Loaded Joe's  
Address: 82 E. Beaver Creek Blvd.  
Manager: Kent Beidel  
Type: Tavern Liquor License

### Other Business:

- a. Permit Application & Report of Changes: Retail Warehouse Storage Permit Application  
Applicant: NOVA Entertainment, LLC d/b/a Loaded Joe's  
Address: 82 E. Beaver Creek Blvd.  
Manager: Kent Beidel  
Type: Tavern Liquor License

### Background & Discussion:

Liquor licensed establishments renew the liquor licenses on an annual basis, submitting application materials first to the Local Licensing Authority. Once approved at this level, renewal applications are forwarded to the State of Colorado for review and issuance of the state license as well.

### Discussion:

The Town Clerk, Town Attorney, and Avon Police Department have reviewed the applications submitted; all application materials are in order. A report from the Police Department is attached for each license; this report addresses a background investigation on the applicant, an update on whether or not there have been any incidents reported at this location and any smoking related violations. Both applicants have been invited to attend this meeting.

Also included on this agenda is a Permit Application submitted by Kent Beidel with Loaded Joe's in an effort to obtain a "Retail Warehouse Storage Permit". It should be noted that the Warehouse Storage Permits are issued by the State under Regulation 47-410. A Warehouse Storage Permit allows storage of alcohol beverages in a location other than the "licensed premises". The Licensee may store vinous and spirituous liquors and "a volume of malt liquors that will not interfere with manufactures' freshness standards may be stored for a period of not to exceed ten days after the date of delivery. (Staff assumes that "manufactures' freshness standards" refers to beers that are advertised as brewed cold and shipped cold are presumed to be stored cold until sold). Sales of alcohol beverages can not occur from the permitted warehouse storage area. Upon issuance from the State of Colorado, the Licensee must provide a copy of the Warehouse Storage Permit to the Town as well as display the permit both in the licensed premises and the permitted storage premises.

**Financial Implications:** There are local and state liquor licensing fees associated with renewal applications and the retail permit that have been submitted to the Town.

**Town Manager Comments:**

**Attachments:**

- State of Colorado Renewal Applications
- Memos from Avon Police Department
- Permit Application & Report of Changes

**TOWN OF AVON, COLORADO  
MINUTES OF THE LOCAL LIQUOR LICENSING AUTHORITY MEETING  
HELD OCTOBER 14, 2008**

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The Avon Town Council acting as the Local Liquor Licensing Authority for the Town of Avon, Colorado convened at 5:15 PM at the Avon Municipal Building, 400 Benchmark Road, Avon, Colorado. A roll call was taken and Board members of the Authority present were Ron Wolfe as Chairperson, and Board members Dave Dantas, Kristi Ferraro, Amy Phillips, Brian Sipes, and Tamra Underwood. Rich Carroll was absent.

**RENEWAL OF LIQUOR LICENSES**

- a. Applicant: TCFI, LLC d/b/a Zacca Za  
Address: 0101 Fawcett Road, Unit 100  
Manager: Paul Ferzacca  
Type: Hotel and Restaurant Liquor License

Staff noted that all materials were in order. Board member Dantas moved to approve the renewal of TCFI, LLC d/b/a Zacca Za liquor license; Board member Phillips seconded the motion and it passed unanimously.

- b. Applicant: Fork and Knife, Inc. d/b/a Blue Plate Bistro  
Address: 47 E. Beaver Creek Blvd.  
Manager: Adam Roustom  
Type: Hotel and Restaurant Liquor License

Staff noted that all materials were in order. Board member Underwood moved to approve the renewal of Fork and Knife, Inc. d/b/a Blue Plate Bistro liquor license; Board member Ferraro seconded the motion and it passed unanimously.

- c. Applicant: Pazzo's West, Inc. d/b/a Pazzo's Pizzeria  
Address: 82 E. Beaver Creek Blvd  
Manager: Mark Colwell  
Type: Hotel and Restaurant Liquor License

Staff noted that all materials were in order. Board member Carroll moved to approve the renewal of Pazzo's West, Inc. d/b/a Pazzo's Pizzeria liquor license; Board member Phillips seconded the motion and it passed unanimously.

- d. Applicant: Krusen Inc. d/b/a Avon Liquor  
Address: 100 West Beaver Creek Blvd  
Manager: Brian Kruse  
Type: Retail Liquor Store License

Staff noted that all materials were in order. Board member Ferraro moved to approve the renewal of Krusen Inc. d/b/a Avon Liquor's liquor license; Board member Phillips seconded the motion and it passed unanimously.

- e. Applicant: Avon Properties, LLC d/b/a Village Warehouse Wines  
Address: 100 Fawcett Road  
Manager: Pete Cuccia  
Type: Retail Liquor Store License

Staff noted that all materials were in order. Board member Dantas moved to approve the renewal of Avon Properties, LLC d/b/a Village Warehouse Wines liquor license; Board member Carroll seconded the motion and it passed unanimously.

- f. Applicant: Philips 66
- Address: 46 Nottingham Road
- Manager: Annakut Loya
- Type: 3.2% Beer Retail License (Off Premises)

Staff noted that all materials were in order. Board member Underwood moved to approve the renewal of Philips 66 liquor license; Board member Carroll seconded the motion and it passed unanimously.

**CONSENT AGENDA**

Board member Underwood moved to approve the consent agenda; Board member Carroll seconded the motion and it passed unanimously.

- a. Minutes from September 23, 2008

There being no further business to come before the Board, the meeting adjourned at 5:15 PM.

**RESPECTFULLY SUBMITTED:**

\_\_\_\_\_  
Patty McKenny, Secretary

**APPROVED:**

Rich Carroll  
Dave Dantas  
Kristi Ferraro  
Amy Phillips  
Brian Sipes  
Tamra Underwood  
Ron Wolfe

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## INSTRUCTION SHEET

*For all sections, complete questions 1-4 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 (Please note: Hotel, Restaurant, and Tavern licensees are required to register their managers).

**Section B**

*For a Duplicate license*, be sure to include the liquor license number in section B on page 1 and proceed to page 4 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 4 for Oath of Applicant signature.
- 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 4 for Oath of Applicant signature.
- 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 4 for Oath of Applicant signature.
- 4) *To modify Premise*, go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 5) *For Optional Premises or Related Facilities* go to page 3 and complete question 7. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 6) *To Change Location*, go to page 3 and complete question 8. Submit the necessary information and proceed to page 4 for Oath of Applicant signature.
- 7) *For a Bed and Breakfast Permit*, go to page 4 and complete question 10. Submit the necessary information and proceed to Oath of Applicant signature.

<b>STORAGE PERMIT</b>	<p><b>5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit</b></p> <p><input checked="" type="checkbox"/> Retail Warehouse Permit</p> <p><input type="checkbox"/> Wholesalers Branch House Permit</p> <p>Include full address of storage premises. _____</p> <p>If granted, will the proposed warehouse or branch house be in compliance with local building and zoning laws? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>Name and title of Person in Charge of Premises <u>KENT BEIDEL</u> <input checked="" type="checkbox"/> <input type="checkbox"/></p> <p><input checked="" type="checkbox"/> Attach a lease/deed and a diagram of storage premises.</p>				
<b>CHANGE DBA OR CORP. NAME</b>	<p><b>6. Change of Trade Name or Corporation name</b></p> <p><input type="checkbox"/> Trade/DBA Name Change only</p> <p><input type="checkbox"/> Corporate Name Change (Attach a Certificate of Amendment from Secretary of State)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Old Name</td> <td style="width: 50%;">New Name</td> </tr> <tr> <td> </td> <td> </td> </tr> </table>	Old Name	New Name		
Old Name	New Name				
<b>MODIFY PREMISES OR ADDITION OF OPTIONAL PREMISES OR RELATED FACILITY</b>	<p><b>7. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility</b></p> <p><b>NOTE: LICENSEES MAY NOT MODIFY OR ADD TO THEIR LICENSED PREMISES UNTIL APPROVED BY STATE AND LOCAL AUTHORITIES.</b></p> <p>(a) Describe change proposed</p> <p>(b) <b>If the modification is temporary</b>, when will the proposed change:                  Start _____ (mo/day/year)    End _____ (mo/day/year)</p> <p><b>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</b></p> <p>(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) <span style="float: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></span></p> <p>(d) Is the proposed change in compliance with local building and zoning laws? <span style="float: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></span></p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises? <span style="float: right;">Yes <input type="checkbox"/> No <input type="checkbox"/></span></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.</p> <p>(g) Attach any existing lease that is revised due to the modification.</p>				
<b>CHANGE OF LOCATION</b>	<p><b>8. Change of Location</b></p> <p>(a) Address of current premises _____                  City _____ County _____ ZIP _____</p> <p>(b) Address of proposed New Premises (Attach a copy of the deed or lease that establishes possession of the premises by the licensee)                  Address _____                  City _____ County _____ ZIP _____</p> <p>(c) New mailing address if applicable                  Address _____                  City _____ County _____ ZIP _____</p> <p>(d) Attach a diagram of the premises showing the area where alcohol beverages will be stored, served, possessed or consumed. Include food preparation facilities for Hotel and Restaurants.</p>				



**CHANGE OF MANAGER**

**9. Change of Manager or to Register the Manager of a Tavern or a Hotel and Restaurant liquor license.**

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

Former manager's name \_\_\_\_\_

New manager's name \_\_\_\_\_

(b) Compensation of Mgr. \_\_\_\_\_ Date of Emp. \_\_\_\_\_ Exp. Date \_\_\_\_\_

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 \_\_\_\_\_

**BED AND BREAKFAST PERMIT**

**10. Bed and Breakfast Permit**

- Attach a copy of a deed or lease in the **exact name** of the applicant **only**, reflecting possession of the permitted area for at least the minimum duration of this permit (1 year from date of issuance).
- Attach a diagram of the premises which accurately reflects the area where alcohol beverages will be stored, served, possessed or consumed.

1. Applicant is a:

Corporation  Partnership

Individual  Limited Liability Company

2. Name of Applicant \_\_\_\_\_

3. Trade Name of Establishment (DBA) \_\_\_\_\_

4. Address of Premises (specify exact location) \_\_\_\_\_

5. State Sales Tax Number \_\_\_\_\_ Business Phone \_\_\_\_\_

Pursuant to 12-47-410, C.R.S., Applicant hereby states that it qualifies for a Bed and Breakfast Permit, in order to serve complimentary alcohol beverages, and certifies to the State Licensing Authority:

\_\_\_\_\_ That it has **no more than 20** sleeping rooms, and

\_\_\_\_\_ That it provides at least **1 meal per day at no charge** other than for overnight lodging, and


\_\_\_\_\_ That it **does not** sell alcohol beverages by the drink or in sealed containers, and

\_\_\_\_\_ That it will not serve alcohol beverages for more than **4 hours in any one day**, as follows:

MONDAY HOURS		TUESDAY HOURS		WEDNESDAY HOURS		THURSDAY HOURS		FRIDAY HOURS		SATURDAY HOURS		SUNDAY HOURS	
From:	m.	From:	m.	From:	m.	From:	m.	From:	m.	From:	m.	From:	m.
To:	m.	To:	m.	To:	m.	To:	m.	To:	m.	To:	m.	To:	m.

**OATH OF APPLICANT**

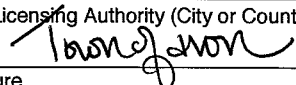
*I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge.*

Signature 	Title MEMBER / MANAGER	Date 10/10/08
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**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 12, Articles 46 and 47, C.R.S., as amended.

**THEREFORE, THIS APPLICATION IS APPROVED.**

Local Licensing Authority (City or County) 	Date filed with Local Authority	
Signature	Title	Date

**REPORT OF STATE LICENSING AUTHORITY**

The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.

Signature	Title	Date
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