



MINUTES

LOCAL LICENSING AUTHORITY

Tuesday March 20th, 2025 – 9:00 A.M.

**City Council Chambers – 500 E. Third Street
Loveland, Colorado**

In Attendance:

**Jennifer Edgley, Municipal Judge/Local Licensing Authority
Michael Bailey, Assistant City Attorney
Sterling Wilson, Local Licensing Authority Secretary
Adriana Mazur, Assistant City Clerk**

CONSENT AGENDA

Approval of Minutes:

- A. Minutes from LLA Meeting on February 20, 2025.**

The Minutes were approved in their current form.

2. PUBLIC HEARING

- A. Tobacco License Show Cause Matter – One Stop Fuel Incorporated LLC dba One Stop**

A motion has been filed, pursuant to the provisions of Loveland Municipal Code § 5.45.120(D), One Stop Fuel Incorporated, LLC. dba One Stop, located at 105 E 37th Street. Findings and Allegations concerning violations of Loveland Municipal Code § 5.45.020(A) – Tobacco Products shall not be sold to any person under the Minimum Legal Sales Age of 21,” and LMC § 5.45.020(B) – “... Tobacco Products may be sold by a Tobacco Product Retailer to customers from a physically non-accessible area behind a sales counter or similar barrier without restricting the age for entry to the Tobacco Product Retailer.” Findings and allegations concerning § 44-7-103(1) C.R.S. “A retailer shall not sell or permit the sale of cigarettes, tobacco products, or nicotine products to a minor,” and §18-13-121(1)(a) C.R.S. “A person shall not give, sell, distribute, dispense, or offer for sale a cigarette, tobacco product, or nicotine product to any person who is under twenty-one years of age,” are to be considered.

No one was present to represent One Stop Fuel Incorporated LLC.

Findings and Action Taken:

This matter was continued to the April Meeting of the Local Licensing Authority.

- B. Show Cause Matter – Cocina and Cantina Mexican Grill Ltd., dba Cocina and Cantina Mexican Grill**

A motion has been filed, pursuant to the provisions of §44-3-901(1)(g), C.R.S. suspension or revocation of the Hotel and Restaurant Liquor License Issued to Cocina

and Cantina Mexican Grill Ltd. dba Cocina and Cantina Mexican Grill, located at 3151 N Garfield Ave. Findings and allegations concerning §44-3-901(1)(g), C.R.S., retail sale of alcoholic beverages without a license, and Colorado Liquor Regulation 47-914, possession of alcoholic beverages for sale without a license to sell said alcoholic beverages in violation of sections § 44-3-901(1)(g) and (h), C.R.S., are to be considered.

No one was present to represent Cocina and Cantina Mexican Grill Ltd.

Findings and Action Taken:

The record reflects that a stipulation was signed, and the matter has been resolved. The matter was vacated from the hearing docket prior to the meeting upon granting of the stipulation.

C. New License – Driven LLC, dba Driven LLC

An application was filed on January 2, 2025, for a new **Hotel & Restaurant License** by Driven LLC., d/b/a Driven LLC, located at 5720 McWhinney Blvd., Building E in Loveland. The neighborhood boundaries were designated as: **(NORTH – Headland Dr.; SOUTH – County Rd 20 E; EAST – Elk River Dr.; and WEST – Hahns Peak Dr.)**. The premise was posted with a sign advertising the Public Hearing and a notice was published in the Reporter Herald as the law requires.

In Appearance:

Robert Runco – Attorney Registration #41932, Runco Profit PC
Thomas Newsted, Executive Chef
Erin McCullough, Oedipus Petitioning (appeared virtually)

Findings and Action Taken:

Erin McCullough of Oedipus Petitioning provided the following testimony: The Neighborhood Needs and Desires Petition was circulated on February 6, February 27, March 4, and March 9, 2025. The petition was circulated amongst businesses and residences within a 3-mile radius around the proposed location. Signatures were collected from 103 individuals, including 84 businesses and 19 residents. All 103 signatures were in favor of this application. Only participants over 21 were asked to participate.

Driven LLC is an upscale steakhouse designed to complement Endless Garage, a luxury car dealership, club for super-car enthusiasts, and maintenance center. Concerns about the intermingling of car culture and alcohol were addressed at the hearing and the applicant described alcohol service policies.

Thomas Newsted will act as both the general manager and executive chef of the establishment. He plans to be on-site at least five days a week and aims to train a staff of 24. He has 23 years of experience in the restaurant industry with 18 years in management with no history of liquor license violations. Mr. Newsted's Criminal History

MINUTES
LOCAL LICENSING AUTHORITY
Tuesday March 20th, 2025 – 9:00 A.M.
City Council Chambers – 500 E. Third Street
Loveland, Colorado

was reviewed at the meeting. He provided an adequate explanation that was reported by the CBI/FBI Screening accompanying his application.

At the time of the hearing, the building was still under construction. The applicants made a record that they expect a Temporary Certificate of Occupancy to be issued between April 8-10, 2025. A Loveland Police Department inspection is pending.

The restaurant will seat 80 patrons and offer reservation-only dining, with an open-seating bar available for 15. The hours of operation were established as 10 am to 2 pm for lunch service, and dinner service from 4pm to 10pm depending on reservations.

The restaurant's alcohol service policies were described: vertical or expired IDs will not be accepted. All patrons will be required to present valid identification. Drinks served to customers will not be permitted to leave the restaurant and cannot be passed from the dining room into the kitchen or staff areas. Alcohol server training will be mandatory for all front-of-house staff. A 3-drink maximum will be established as a threshold for over-service. Although Mr. Newsted planned to provide TIPS-based training, he did not have an alternative program in place. Mr. Bailey informed the applicants that TIPS Training is no longer recognized by the state of Colorado as an approved alcohol server training program. It was debated by Mr. Runco whether the City has the authority to impose a requirement for alcohol server training; Mr. Bailey reviewed applicable statutes and found that in this circumstance, the local Authority *may require* alcohol server training.

No one was present to speak in opposition or favor to the application and the public hearing was closed.

The Assistant City Attorney recommended a conditional approval contingent upon completion of all necessary inspections from the following departments: Building, Fire, and Police.

Pursuant to 44-3-312, the Hotel & Restaurant License Application was made on January 2, 2025. The applicant has been confirmed to be of good moral character and is familiar and qualified to conduct the type of business proposed. All fees and taxes are paid to this date. The Authority has considered elements relevant to the following criteria: The reasonable requirements for the neighborhood for which the application has been made, the desires of the adult inhabitants, the number and type of alcohol beverage outlets have been considered within the neighborhood under consideration, and all other pertinent matters affecting the qualifications of the applicant to hold this type of license have been made.

The Authority has no concern over the applicant's capacity to follow the requirements under Colorado Law and the Loveland Municipal Code.

The Authority will grant this application for a Hotel & Restaurant License upon completion of the following contingencies:

- A Building Inspection (required for a Certificate of Occupancy)
- A Fire Department Inspection (required for a CO)
- A Health Department Inspection
- A Police Inspection for liquor compliance.
- The Applicants must also provide evidence of approved Alcohol Server Training for all servers.

The Authority issued a conditional approval of this application.

D. Special Event Liquor Permit – Thompson Valley Rotary Club Foundation – Governor’s Art Show 2025

An application for a Special Event Liquor Permit was submitted on February 3, 2025. The Thompson Valley Rotary Club will host the 34th annual Governor’s Art Show & Sale featuring local and regional artists. A benefit Gala will be hosted on May 2, 2025, from 2 p.m. to 9 p.m. at the Loveland Museum, 503 N. Lincoln Ave. Proceeds from the event will benefit the Thompson Education Foundation’s Resiliency for Unhoused Youth Fund, Art Scholarships for local art students, and the Rotary Youth Leadership Camp.

In Appearance: Ruth Scott, Show Director, Governor’s Art Show

Findings and Action Taken:

The Governor’s Art Show has been running for 33 years and has no history of liquor violations. The gala will take place only on May 2nd, 2025, and alcohol will only be served between 5pm and 8pm. The number of expected participants is between 300 and 400 patrons; tickets may be purchased in advance or at the door.

Security will be provided by Precisions Security; they have been contracted for 4 years prior. Two security officers will be present at the event’s entrance.

Participants who are under-21 years of age will be issued a wristband to establish that they cannot consume alcohol. The premises will be monitored by volunteers in addition to catering company staff. The number of underage participants is typically low and limited to a number of high-school aged artists.

Participants will be required to present ID at the doorway to the event. Wristbands will be issued to minors at this point. Participants who are clearly over the age of 21 (60-80 years of age) will not be asked for ID.

Food service will be offered consisting of hot and cold appetizers, desserts, non-alcohol beverages, all available from walking-servers and buffets near the bar areas. There will be two bar areas, one located on the main floor of the museum and one in the basement gallery. All bartenders will have Alcohol Server Training. 10 volunteers will staff the event, and a drink limit will be established. Ms. Scott was uncertain as to what this limit was and normally relies on information provided by Fresh Plate Catering.

MINUTES
LOCAL LICENSING AUTHORITY
Tuesday March 20th, 2025 – 9:00 A.M.
City Council Chambers – 500 E. Third Street
Loveland, Colorado

No one was present to speak in opposition or favor to the application and the public hearing was closed.

The City Attorney recommended approval of this event based on the history of the event, as long as alcohol service is carefully monitored taking into consideration the teenage/underage participants at the event.

The application is in order; the applicant has met the requirements for a special event permit in the Local Licensing Authority Rules of Procedure 5.42. The organization is qualified to hold this type of permit as a not-for-profit entity. The event will take place within the operating hours authorized by the state of Colorado. A description of alcohol service, food availability, and premises control has been provided. It has been determined that this event will not be injurious to the public's welfare, and the applicants' history of past events have been considered. Security service has been determined to be adequate for the size and scale of the event.

The applicant has also satisfied all public notice requirements have been met and all fees and taxes have been paid.

The Authority approved this application for a special event permit and the applicant was encouraged to continue working with the Clerk's Office to complete the permitting process.

3. STAFF REPORT

A. City Clerk's Office

- a. Code Changes – On April 15, Title 5 and Title 8 Code changes will be presented by members of the City Clerk's Office to City Council. If adopted, Titles 5 and 8 will be combined to reflect the licensing practices of the City of Loveland and recent changes to the licensing laws of Colorado under Title 44, C.R.S.
- b. Updates to the the Local Licensing Authority Rules of Procedure were discussed in relation to the aforementioned code changes.

B. City Attorney's Office – Mr. Bailey will review the code changes and add a requirement for server training certificates. It was noted that Responsible Server Training is a different requirement from server training, however such a requirement is not an unreasonable condition for approval of permits and licenses.

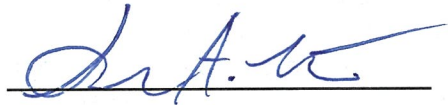
- a. Concerns about sharing the IHR DR 8404-I electronically were addressed, the Clerk's Office can share the DR 8404-I and either omit or redact the pages containing Personally Identifying Information for Attorney/Authority review.

- b. A change to the Special Event Liquor Permit Application can be made to establish a requirement for proof of approved server training reflecting amendments to the Code.
- C. PD/Compliance Officer – No representative from Loveland Police Department was present at this meeting.

ADJOURN

The next regularly scheduled Local Licensing Authority Meeting will be held on Monday, April 21st, 2025, at 9:00 AM, in the City Council Chambers.

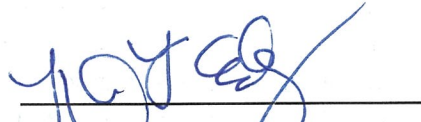
Respectfully submitted,



Sterling Wilson, Assistant City Clerk

Liquor Licensing Secretary

Approved:



Jennifer Edgley, Judge

Liquor Licensing Authority