



To: Mayor and Council

From: Jay Brunvand

Date: May 15, 2024

Agenda Item: Consideration of a wine tasting room

REQUEST:

Staff is requesting Council to review and approve the attached Application for Colorado Liquor Sales Room (Distillery tasting room) to be located at the barn at 107 Williams St.

INTRODUCTION:

This application is to MOVE the existing tasting room associated with Wild Mountain Cellers currently located at 152 Main Street to an existing structure at 107 Williams St, they will then forfeit their wine tasting room permit at 152 Main St. This building at 107 Williams St was previously a wine tasting room. This is a very specific application and has very limited conditions of which a municipality may deny the application and none of these conditions are violated.

The conditions for denial are:

- 1) Traffic, noise, or other neighborhood concerns in a manner that is inconsistent with local regulations
- 2) Granting the permit would result in violations of the Colorado Liquor Code or local laws
- 3) Issuance would violate local zoning laws

State law states this application for a Sales Room will be granted to the entity unless any of the three conditions apply. In the opinion of staff, none of the conditions apply. Attached please find Colorado Dept of Revenue Bulletin 14-02 which is a good summary of the request, application, and guidelines.

ANALYSIS:

Not Applicable

COMMUNITY INPUT:

Not Applicable

BUDGET / STAFF IMPACT:

The state does not allow a fee for this application.

STRATEGIC PLAN ALIGNMENT:

In accordance with Strategy #4 the Town will advance decisions/projects/initiatives that expand future opportunity and viability for Minturn. Both as an employer and a sales tax contributor these businesses each help further Minturn.

RECOMMENDED ACTION OR PROPOSED MOTION:

This item is approved on the Consent Agenda, no separate motion is required.

ATTACHMENTS:

- Application and supporting documentation.

COLORADO DEPARTMENT OF REVENUE

Liquor Enforcement Division - 108

PO Box 173350

Denver, CO 80217-3350

Fax (303) 205-2341

Phone (303) 205-2300

Application for Colorado Liquor Sales Room

Regulation 47-428, 1 C.C.R. 203-2

<input type="checkbox"/> Malt Liquor		<input type="checkbox"/> Limited Winery		<input checked="" type="checkbox"/> Winery		<input type="checkbox"/> Distillery		<input type="checkbox"/> Temporary (3 days or less)		<input checked="" type="checkbox"/> Permanent	
1. Name of Applicant exactly as it appears on your current Colorado Liquor License. Wild Mountain Cellars											
2. Trade Name of Applicant											
3. State Sales Tax No. 41656771						Applicant Liquor License No. 0312049					
4. Business Address of Applicant (Number and Street) PO Box 7421						City Avon		State CO		ZIP 81620	
5. Mailing Address (Number and Street) PO Box 7421						City Avon		State CO		ZIP 81620	
6. Phone Number 970-376-8835						7. Email Address Dreamski@hotmail.com					
8. Sales Room Location (Full Address) 107 Williams St, Minturn, CO 81645						9. Dates of Events: From Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM To Date: _____ Time: _____ <input type="checkbox"/> AM <input type="checkbox"/> PM					
10. Rights to Premises Granted by: (attach a copy of the Premises Use Authorization letter or lease if not previously submitted)											
11. Renting/Leasing % Basis <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No				12. If Yes, List % and Interested Party. Use Additional Sheet if Necessary.							
13. Alcohol will be sold (check all that apply) <input checked="" type="checkbox"/> For on-premises consumption <input checked="" type="checkbox"/> For off-premises consumption											
14. Additional Required Documents <input checked="" type="checkbox"/> Attach an outlined diagram of proposed premises <input checked="" type="checkbox"/> Attach a copy of the premises control plan describing how the premises will be controlled to ensure compliance with liquor code and rules. It must include restricting sales to minors and visibly intoxicated persons and insuring that customers cannot leave the premises with an open container of alcohol. <input type="checkbox"/> Attach a copy of any contracts and/or operating agreements pertaining to the sales room.											
Local Licensing Authority Name						Date Application Copy Submitted to Local Licensing Authority					
Applicant Signature <i>Matthew M Deen</i>						Title <i>Owner/Winemaker</i>		Date <i>May 24, 2024</i>			
Notice to Local Licensing Authority											
This application for a Sales Room will be granted to the above name applicant unless any of the below listed conditions apply. If any of these conditions apply please contact the State Licensing Authority immediately.											
<input type="checkbox"/> Issuance of this permit would impact traffic, noise, or other neighborhood concerns in a manner that is inconsistent with local regulations or ordinances.											
<input type="checkbox"/> If granted this permit would result in violations of the Colorado liquor code or the laws of the local government. (specify)											
<input type="checkbox"/> Issuance of this permit would violate local zoning laws.											
For events lasting <u>three consecutive days or less</u> , the Local Licensing Authority has ten (10) business days to submit its determination to the State Licensing Authority.											
For events lasting <u>four or more consecutive days</u> , the Local Licensing Authority has forty-five (45) days to submit its determination to the State Licensing Authority.											
Local Licensing Authorities can send the approval via mail or email to dor_led@state.co.us											
If the Local Licensing Authority does not submit a response or determination within the time specified, the State Licensing Authority shall deem that the Local Licensing Authority has determined that the proposed sales room will not impact traffic, noise, or other neighborhood concerns in a manner that is inconsistent with local regulations or ordinances or that the applicant will sufficiently mitigate any impacts identified by the Local Licensing Authority.											
Licensing Authority Signature <input type="checkbox"/> Object <input type="checkbox"/> Do Not Object						Local Licensing Authority Contact Name/Phone Number					

If the Local Licensing Authority objects to the sales room, provide a separate page with details of the objection.