

**Town of Lyons, Colorado
Liquor Licensing Authority
Agenda Cover Sheet
Agenda Item No: IX. 2.
Meeting Date: April 4, 2022**

TO: Town of Lyons Liquor Licensing Authority
FROM: Marissa Davis, Deputy Town Clerk
SUBJECT: Hotel and Restaurant Liquor License Application
APPLICANT: Theodore Adley/ Marigold Lyons, LLC DBA: Marigold

I. BACKGROUND

On March 14, 2022, the Town Clerk Pro Tem received an application from the above-referenced Applicant for a New Hotel and Restaurant Liquor License to be located at 405 Main Street, Unit B. Marigold is a new Italian restaurant that is currently prepping the new space and preparing to serve food. The applicant has submitted a petition to the Lyons Local Licensing Authority with 40 verified resident signatures and 1 business owner signature and 22 that were not residents in the Town limits of Lyons. The applicant will have food available meeting C.R.S. 12-47-409 requirements. The applicant will be licensing the building at 405 Main Street, Unit B only.

The applicant has submitted all required documentation, completed a background check, and fingerprinting requirements have been reviewed and approved by the Boulder County Sheriff's Department. Staff conducted an on-site inspection of the premises on March 23, 2022 and provided applicants with the State Liquor Code provisions affecting their class of license.

The Town posted a notice at the location on March 16, 2022 and published it online on March 16, 2022. The Clerk's Office has not received any objections to this new application to date.

II. RESULTS OF APPLICATION INVESTIGATION

- A. Application received: March 14, 2022
- B. Posting of Notice at Location: confirmed
- C. Objections to New Application: none
- D. Fees, Licenses, and Municipal Zoning Code Compliance: confirmed
- E. Ownership of Licensed Premises: Owned
- F. Attachments:
 - a. Application
 - b. Petition to Lyons Liquor Licensing Authority
 - c. Diagram of Proposed Premises
 - d. Certificate of Good Standing

III. STAFF RECOMMENDATION TO AUTHORITY

Based upon the information provided above and in the related attachments, staff:

Finds that Applicant has complied with all criteria for a New Beer and Wine Liquor License and recommends that the Lyons Liquor License Authority approve Applicant's application for a New Beer and Wine Liquor License that is the subject of the application

Other recommendations:

Recommended Motion:

I MOVE TO APPROVE THE APPLICATION OF MARIGOLD LYONS, LLC, FOR A NEW HOTEL AND RESTAURANT LIQUOR LICENSE BASED ON THE FINDINGS SET FORTH IN THE STAFF REPORT FOR THE APRIL 4, 2022, MEETING AND BASED ON THE FOLLOWING ADDITIONAL FINDINGS:

- THAT APPLICANT IS OF GOOD MORAL CHARACTER AND NOT PROHIBITED AS A LICENSEE.
- THAT THE PREMISES ARE SUITABLE BASED ON A REVIEW OF THE PLANS SUBMITTED; AND
- THAT THE PETITION SUBMITTED BY APPLICANT, ALONG WITH TESTIMONY RECEIVED AT THE PUBLIC HEARING, INDICATE THAT EXISTING OUTLETS ARE INADEQUATE TO SERVE THE THIRST NEEDS OF THE NEIGHBORHOOD AND THAT THERE IS A NEED AND DESIRE FOR AN ADDITIONAL BEER & WINE LICENSED ESTABLISHMENT AS MEASURED BY THE REASONABLE REQUIREMENTS OF THE NEIGHBORHOOD.

I FURTHER MOVE TO DIRECT TOWN STAFF TO NOTIFY THE STATE OF COLORADO LIQUOR ENFORCEMENT DIVISION OF THIS APPROVAL.