

**Town of Lyons, Colorado
Liquor Licensing Authority
Agenda Cover Sheet
Agenda Item No: XIII.1
Meeting Date: November 6, 2023**

TO: **Town of Lyons Liquor Licensing Authority**
FROM: **Maria Marquez Rubio, Deputy Town Clerk**
SUBJECT: **New Retail FMB/Wine Liquor License Application**
APPLICANT: **Everyday Stores LLC DBA: Everyday Store 5725**

I. BACKGROUND

On October 6, 2023, the Deputy Town Clerk received an application from the above-referenced Applicant for a New FMB/Wine Liquor License to be located at 4065 Ute Highway. The applicant has submitted a petition to the Lyons Local Licensing Authority with 63 verified resident signatures and 18 business manager signatures.

The applicant has submitted all required documentation, completed background check requirements have been reviewed and approved by the Boulder County Sheriff's Department. Staff will conduct an on-site inspection of the premises upon State approval. Staff has provided applicant with the State Liquor Code provisions affecting their class of license. Everyday Store 5725 is currently open but waiting on the approval of this license to start selling liquor.

The Town posted notice at the location on October 26, 2023, and published on October 26, 2023. The Clerk's Office has not received any objections.

II. RESULTS OF APPLICATION INVESTIGATION

- A. Application received: October 6, 2023
- 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: Lease
- F. Attachments:
 - a. Application
 - b. Petition to Lyons Liquor Licensing Authority
 - c. Lease Agreement with Diagram of Proposed Premises
 - d. Proof of public notification
 - e. 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 FBM/Wine Liquor License and recommends that the Lyons Liquor License Authority approve Applicant's application for a New FBM/Wine Liquor License that is the subject of the application

Other recommendations:

Recommended Motion:

I MOVE TO APPROVE THE APPLICATION OF EVERYDAY STORES LLC, DBA: EVERYDAY STORE 5725, FOR A NEW FBM/WINE TAVERN LIQUOR LICENSE BASED ON THE FINDINGS SET FORTH IN THE STAFF REPORT FOR THE NOVEMBER 6, 2023, 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 RETAIL FMB/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.