



**LIQUOR LICENSE APPLICATION OR
3.2% FERMENTED MALT BEVERAGE
LICENSE APPLICATION (ALCOHOL BEVERAGE)**

Received:
CITY CLERK'S OFFICE
2017 AUG -7 A 11: 21

It shall be unlawful for any person to knowingly make any false statement or omit any pertinent information on any application for a license. In the event any person knowingly makes any false statement or omits any pertinent information on any application, that act or omission shall, in addition to all other remedies, be grounds for denial of the license or for suspension or revocation of any license issued upon the basis of the false statement. City Code § 2.1.404.

THIS APPLICATION MUST BE FULLY COMPLETE, WITH APPLICABLE FEES AND ALL REQUIRED ATTACHMENTS.
Return fully completed applications to the City Clerk's Office, 30 S. Nevada Avenue, Suite 101, 80903.

NEW LICENSE **TRANSFER OF OWNERSHIP**

Type of License applying for (Check One)

- Hotel/Restaurant (or Resort)* *Hotel/Restaurant w/Optional* *Tavern* *Brew Pub*
- Distillery Pub* *Vintner's Restaurant* *Beer and Wine* *Optional Premises*
- Retail Liquor Store** *Liquor Licensed Drugstore** *Racetrack* *Arts*
- Lodging & Entertainment* *3.2% Beer On Premises* *3.2% Beer Off Premises* *3.2% Beer On & Off Premises*

* New Retail Liquor Store (RLS) and Liquor Licensed Drugstore (LLD) applications may not be within 1500' of an existing RLS or LLD location.

| Section A: APPLICANT/LICENSEE INFORMATION | |
|---|-----------------------------------|
| 1. Name of Applicant/Licensee (list Corporation/LLC/Partnership/Association/Sole Proprietor): Ola Juice Bar, LLC | |
| 2. Trade Name (DBA): Moxie | |
| 3. Premises Address: City, State, Zip: 925 S. 8th St., Colo. Spgs, CO 80905 | Location Phone: To be assigned |
| Property Tax Schedule No. : 7424201001 | Zoning: C6 |
| 4. Mailing Address: City, State, Zip: P.O. Box 1443, Colo Spgs, CO 80901-1443 | Alt Phone: 719-440-4198 |
| Primary Contact Name And Title: Nissa Buth | Email: nweeks38@gmail.com |

| 5. IF THIS IS A TRANSFER OF AN EXISTING LICENSE – THE FOLLOWING MUST BE ANSWERED: | | | |
|---|---------------------------|--------------------------|-------------------------|
| Present trade name of establishment (dba) | Present State License No. | Present Class of License | Present Expiration Date |
| N/A | | | |

| 6. If the applicant is: a Corporation, Limited Liability Company, Partnership or Association, list all officers, directors, general partners and managing members, position held and percentage owned. Attach supplemental pages as needed. **NOTE: ATTACH ONE AFFIRMATION AND CONSENT (page 3), and ONE APPLICANT INTERVIEW (page 4), FOR EACH NAME LISTED. | | |
|---|---------------|--------|
| NAME | POSITION HELD | %OWNED |
| Nissa N. Buth | Member | 100 |
| | | |
| | | |
| | | |

Section B: FINANCIAL INFORMATION

7. Source(s) of funds invested for total purchase, startup, and inventory costs (provide names, banks, and indicate checking, savings, loan, promissory note, gift or other). Attach supplemental pages as needed.

THE FOLLOWING INFORMATION MUST REFLECT THE ENTIRE SOURCE OF FUNDS INVESTED. NO OTHER PERSON OR PARTIES MAY HAVE A FINANCIAL INTEREST IN THE BUSINESS FOR WHICH THIS APPLICATION IS SUBMITTED.

| NAME/ADDRESS OF FUNDING SOURCE (bank(s), individual(s), et al.) | FUNDING SOURCE (checking/savings/ loan/ note/ gift) | AMOUNT |
|--|--|------------------|
| Pikes Peak National Bank | Checking | 10000 |
| | | |
| | | |
| | | |
| TOTAL INVESTMENT IN BUSINESS: | | \$ 10,000 |

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Nissa N. Buth

9. Terms of legal possession for which application is made: OWN LEASE OTHER

If leased, provide the terms: START DATE: 9-1-2017 END DATE: 8-31-20~~17~~22

DIMENSIONS OF PREMISES: 96x32 TOTAL SQUARE FOOTAGE: 4,169

Is there a patio area? Yes No --- If yes, provide dimensions 12'x10' and 9'x19'

Anticipated number of employees: 22 Anticipated opening date: October 2017

Will training be offered or required? Yes No --- If yes, through what agency? LiquorPros

Section D: BACKGROUND INFORMATION

10. Has the applicant/licensee, any partners, any officers, any stockholders or directors, or any manager of said applicant previously been issued an alcohol beverage license, or have a financial interest in any alcohol beverage license in Colorado?

Yes No IF YES, ATTACH a statement or affidavit of explanation, to identify the business and any current or former financial interest in said business including any loans to or from another license or licensee.

11. Has the applicant/licensee, any partners, any officers, any stockholders or directors, or any manager of said applicant ever received a violation notice, suspension, or revocation for any alcohol beverage license law violation, have charges pending, or been denied any alcohol beverage license anywhere in the United States?

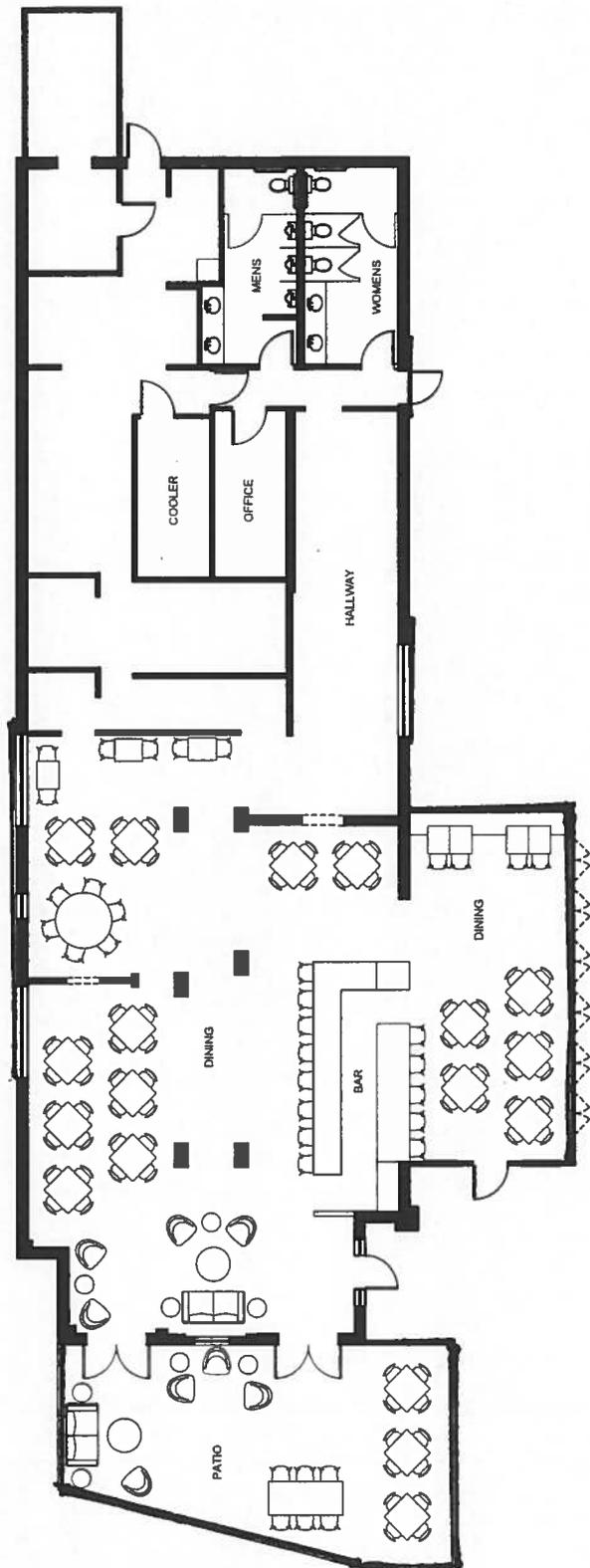
Yes No IF YES, ATTACH a statement or affidavit of explanation, including date(s) and location(s).

12. Has the applicant/licensee, any partners, any officers, any stockholders or directors, or any manager of said applicant ever been convicted of any crime, received a suspended sentence, a deferred sentence, or have charges pending?

Yes No IF YES, ATTACH statement or affidavit of explanation, including date(s) and location(s).

13. List every individual applicant's prior experience in the sale of alcoholic beverages. Attach supplement as needed.

| Business Name & Address | Applicant's Name | Experience/Position | Dates |
|-------------------------|------------------|---------------------|-------|
| Not Applicable | | | |
| | | | |
| | | | |
| | | | |



EXST'G WA
 NEW WALL

SPACE PLAN
 1/16" = 1'-0"
 7/13/2017

bobbyhill
DESIGNS
 219 WEST COLORADO AVE.
 SUITE 308
 COLORADO SPRINGS, CO.
 719-634-3600 719-634-2239

| | |
|--|---|
| <p>BEFORE THE COLORADO SPRINGS LIQUOR AND BEER LICENSING BOARD CITY OF COLORADO SPRINGS, STATE OF COLORADO Address: 107 North Nevada Avenue Council Chambers, City Hall Colorado Springs, CO 80903</p> | <p>CITY CLERK'S OFFICE 2017 OCT 12 A 9:16</p> |
| <p>IN THE MATTER OF:</p> <p>Ola Juice Bar, LLC d/b/a Moxie 925 S. 8th Street Colorado Springs, CO 80905 Mailing Address: P.O. Box 1443 Colorado Springs, CO 80901</p> | <p>▲ BOARD USE ONLY ▲</p> |
| | <p>Application No: N-33020</p> |
| <p>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</p> | |

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, November 3, 2017 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon Ola Juice Bar, LLC d/b/a Moxie ("Applicant") application for a new Hotel and Restaurant Liquor License at 925 S. 8th Street, Colorado Springs, CO 80905.

At this meeting, the Board will consider the factors outlined in Rule No. 9.08 of the Local Rules of Procedure, and it is the Applicant's burden to provide the necessary evidence to satisfy the Board.

A public notice poster has been prepared for the Applicant to pick up from the City Clerk's Office at 30 S. Nevada Avenue, Suite 101. This notice poster must be posted by the Applicant at the proposed premises in a manner that is visible and conspicuous to the public no later than Tuesday, October 24, 2017. Any applicable needs and desires petitions, remonstrances, and other reports or statements in writing must be filed with the City Clerk's Office by 12:00 P.M. on Tuesday, October 31, 2017.

Pursuant to C.R.S. §12-47-312 and Local Rule No. 7 the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant's application. NOW THEREFORE these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on August 7, 2017, and within a two (2) year period prior to this date, the Local Licensing Authority has not denied an application at the above referenced location for the reason that the reasonable requirements of the neighborhood were satisfied by existing outlets.
- II. Applicant will be entitled to possession of the premises for which the application is made pursuant to a lease, rental agreement, or other arrangement for possession of the premises, or by virtue of ownership thereof as evidenced by the possession documents submitted by Applicant and contained in the administrative file.
- III. The location of the premises to be licensed appears to be in compliance with the Zoning Ordinances of the City of Colorado Springs as evidenced by the Land use review report submitted by the Planning and Development Department of the City of Colorado Springs.
- IV. The location of the premises to be licensed appears to be in compliance with the distance prohibition in regard to any public or parochial school or the principal campus of any college, university or seminary.
- V. The Colorado Springs Police Department has conducted a background investigation into Applicant and there are no objections to Applicant at this time.
- VI. A review of Applicant's finances did not disclose any unlawful financial assistance as prohibited in C.R.S. §12-47-308.
- VII. Applicant is not a person prohibited as a licensee pursuant to C.R.S. §12-47-307.
- VIII. Pursuant to Local Rule 6.01 neighborhood boundaries have been established, and a listing of existing licenses of a similar type that are within the established boundary area for the proposed establishment and boundary map are attached.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done October 12, 2017.

FOR THE CITY OF COLORADO
SPRINGS LIQUOR AND BEER
LICENSING BOARD


By: Sarah B. Johnson
City Clerk

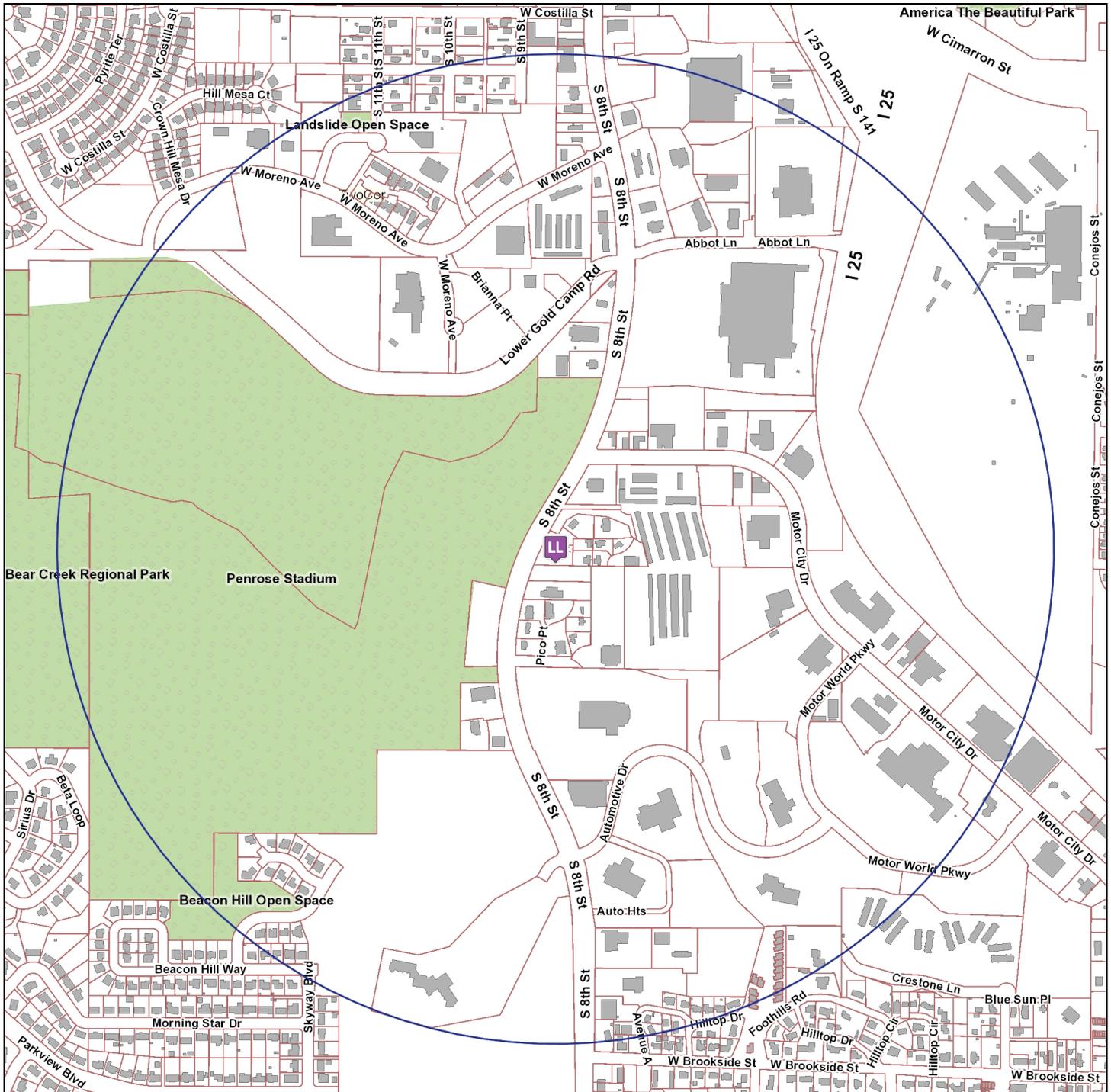
Direct questions regarding this notice and hearing to Lee McRae at 719-385-5106.

Liquor Survey Boundaries



OLA JUICE BAR, LLC
d/b/a MOXIE
925 S 8TH ST

OFFICE OF THE CITY CLERK
License ID: 33020



The survey boundary is 0.5 miles from the establishment

Map Prepared: 10/9/2017 10:48 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 33020

OLA JUICE BAR, LLC
d/b/a MOXIE
925 S 8TH ST
COLORADO SPRINGS, CO 80905

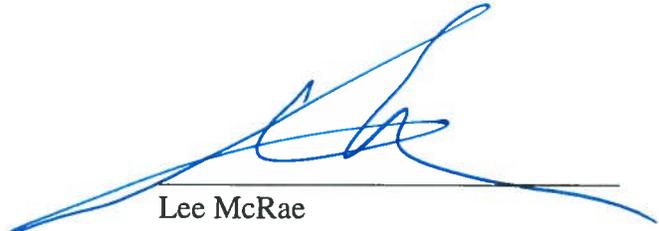
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

| <u>Business d/b/a</u> | <u>Business Address</u> | <u>License Type</u> | |
|----------------------------------|-------------------------|---|-------------|
| 1) RUDY'S LITTLE HIDEAWAY | 945 S 8TH ST | Hotel & Restaurant | 228.71 ft |
| 2) THE PEPPER TREE RESTAURANT | 888 W MORENO ST | Hotel & Restaurant | 1,999.05 ft |
| 3) TEXAS ROADHOUSE | 595 S 8TH ST | Hotel & Restaurant | 2,173.93 ft |
| 4) NORRIS PENROSE EVENT CATERING | 1045 LOWER GOLD CAMP RD | Hotel & Restaurant w/ Optional Premise | 2,337.28 ft |

CERTIFICATE OF MAILING

I, Lee McRae, hereby certify that I have mailed a true copy of the foregoing **NOTICE OF HEARING AND INITIAL FINDINGS OF FACT** by United States mail, first class postage paid, on October 12, 2017 to the following address of record:

Ola Juice Bar, LLC
dba Moxie
P.O. Box 1443
Colorado Springs, CO 80901



Lee McRae
License Enforcement Officer
City Clerk's Office
30 S. Nevada Avenue, Suite 101
Colorado Springs, CO 80903

CC: nweeks38@gmail.com
Vince Linden (vince@lindenlawgroup.com)