



LIQUOR LICENSE OR FERMENTED MALT BEVERAGE LICENSE (ALCOHOL BEVERAGE) APPLICATION

OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE

2020 MAY -8 P 1:41

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 (Includes Resort & Campus Complex) ☐ 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 ☐ FMB (Beer) On Premises ☐ FMB (Beer) 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):

THE SUSHI SPOT, LLC

2. Trade Name (DBA):

THE SUSHI SPOT

3. Premises Address: 308 SOUTH 8th STREET, SUITE M
City, State, Zip: COLORADO SPRINGS, CO 80905

Location
Phone: 719-358-7241

Property Tax Schedule No. : 7413314009

Zoning: C6 SS

4. Mailing Address: 88 SECURITY BLVD
City, State, Zip: COLORADO SPRINGS, CO 80911

Alt Phone: 505-977-1138

Primary Contact
Name And Title: IRMGARD LOREE

Email: sushispot99@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 |
|---|---------------------------|--------------------------|-------------------------|
| | | | |

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 |
|----------------|----------------|--------|
| IRMGARD LOREE | MEMBER/MANAGER | 100 |
| SOREN T. LOREE | MANAGER | 0 |
| ETHAN O. LOREE | MANAGER | 0 |
| | | |
| | | |
| | | |

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 |
|--|--|--|-------------|
| ENT FEDERAL CREDIT UNION | | CHECKING | \$20,000.00 |
| 1772 W. UINTAH STREET, C.S., CO 80904 | | | |
| | | | |
| | | | |
| | | | |
| | | | |
| TOTAL INVESTMENT IN BUSINESS: | | | \$ 20,000 |

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: IRMGARD LOREE

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

If leased, provide the terms: START DATE: FEB. 1, 2020 END DATE: APR. 30, 2025

DIMENSIONS OF PREMISES: 24 x 45.8 TOTAL SQUARE FOOTAGE: 1,250

Is there a patio area? ☐ Yes ☒ No --- If yes, provide dimensions N/A

Anticipated number of employees: 8 - 10 Anticipated opening date: FEB 8, 2020

Will training be offered or required? ☒ Yes ☐ No --- If yes, through what agency? LIQUOR PROS

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 |
|----------------------------------|------------------|---------------------|-------------|
| SUSHI RING 1 | ETHAN LOREE | EMPLOYEE | 6/16-8/17 |
| 1861 S NEV. AVE CO SPGS 80905 | | | |
| URI SUSHI & GRILL | ETHAN LOREE | EMPLOYEE | 12/18-10/19 |
| 3322 E FOUNT. BLVD CO SPGS 80910 | | | |
| NARA SUSHI & GRILL | ETHAN LOREE | EMPLOYEE | 12/18-10/19 |
| 3117 W COLO. AVE CO SPGS 80904 | | | |

AFFIDAVIT OF EXPLANATION FOR THE SUSHI SPOT, ETHAN O. LOREE,
PURSUANT TO SECTION 12 OF THE COLORADO SPRINGS
LIQUOR LICENSE APPLICATION AND SECTION 8 OF THE COLORADO SPRINGS
LIQUOR OR BEER APPLICATION INTERVIEW AND RELEASE

Ethan O. Loree, being first duly sworn upon his oath states that he is of legal age and signs this Affidavit of his own free will and volition. Affiant further states that the information set out below is true and correct to the best of his information, knowledge and belief. Affiant states as follows:

1. My name is Ethan O. Loree.
2. Due to previous experience I have obtained working in restaurants, my mother has asked that I serve as one of three Managers of The Sushi Spot, LLC. All manager decisions of the LLC must be approved by a two-thirds vote (2/3) of the Managers. See Section 6.6 of the Operating Agreement for The Sushi Spot, LLC.
3. The other managers of the LLC are my mother, Irmgard Loree and father, Soren Thomas Loree.
4. I have no ownership in The Sushi Spot, LLC.
5. On November 24, 2019, I was arrested for driving under the influence of marijuana. The arresting officer pulled my vehicle over due to a non-functioning head light, and I immediately advised such officer that I had consumed marijuana (via smoking) approximately One (1) hour before driving.
6. It was my impression that at the time of driving, the effect of marijuana had ceased and my ability to drive was not impaired, and there is a likelihood that the district attorney will not pursue charges after blood tests return.
7. During the above arrest, I was fully cooperative with the arresting officer and will continue to cooperate with law enforcement personally and in the operation of a liquor license for The Sushi Spot, LLC.
8. Regardless of whether my blood test demonstrates I was driving under the influence, I will ensure that I am not under the influence of any substance prior to driving. I recognize the severity of driving under the influence and will not manage The Sushi Spot in disregard to the Colorado liquor and criminal code.

Further, Affiant sayeth naught.

THE SUSHI SPOT, LLC,
a Colorado limited liability company



Ethan O. Loree

By: 

Ethan O. Loree, Manager

STATE OF COLORADO)
)
COUNTY OF EL PASO)

The foregoing instrument was subscribed and sworn to before me this 28 day of February 2020, by Ethan O. Loree, Individually and as Manager of The Sushi Spot, LLC.

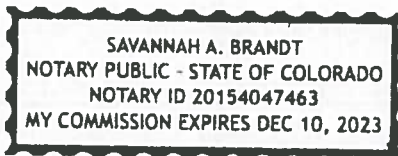
Witness my hand and official seal.

(SEAL)

Savannah A. Brandt

Notary Public

My commission expires: 12/10/23



24'

ENTRANCE/EXIT

14'

13'

13'

24.3'

WHISKEY/
MIXED DRINKS

8'

CASH
REGISTER

WINE
+
BEER
COOLER

FREEZER

11'

ICE + SODA

SERVER
KITCHEN
ENTRANCE

KITCHEN

8'

13'

23.5'

LIA
STORAGE

OFFICE

7.5'

WOMEN'S
RESTROOM

7'

MEN'S
RESTROOM

7'

EXIT

45.8'

| | |
|--|---|
| BEFORE THE LOCAL LIQUOR AND BEER LICENSING AUTHORITY, CITY OF COLORADO SPRINGS, STATE OF COLORADO Address: 30 South Nevada Avenue, Suite 101 Colorado Springs, CO 80903 Telephone: (719) 385-5901 Fax Number: (719) 385-5114 Email: cityclerk@springsgov.com | CITY CLERK'S OFFICE 2020 JUN 25 P 1:40 ▲ CLERK USE ONLY ▲ |
| IN THE MATTER OF: APPLICANT The Sushi Spot, LLC d/b/a The Sushi Spot 308 S. 8th Street, #M Colorado Springs, CO 80905 <u>Mailing Address:</u> 88 Security Boulevard Colorado Springs, CO 80905 | Application No: N-37239 |
| NOTICE OF HEARING AND INITIAL FINDINGS OF FACT | |

NOTICE OF HEARING

This matter comes before the Local Licensing Authority Hearing Officer for hearing on **Friday, July 17, 2020 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon The Sushi Spot, LLC d/b/a The Sushi Spot ("Applicant") application for a new Hotel and Restaurant Liquor License at 308 S. 8th Street, #M, Colorado Springs, CO 80905.

At this meeting, the Hearing Officer will consider the factors outlined in Rule No. 9.08 of the Liquor and Beer Rules and Regulations for the City of Colorado Springs ("City Rules"), and it is the Applicant's burden to provide the necessary evidence to satisfy the Local Licensing Authority.

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, July 7, 2020. 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, July 14, 2020.

Pursuant to C.R.S. §44-3-312 and City 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 May 8, 2020, 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, pursuant to C.R.S. §44-3-313(1)(a)(I) and City Rule 7.00(A)(1).
- 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, pursuant to C.R.S. §44-3-313(1)(b) and City Rule 7.00(A)(2).
- 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, pursuant to C.R.S. §44-3-313(1)(c) and City Rule 7.00(A)(3).
- 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, pursuant to C.R.S. §44-3-313(1)(d) and City Rule 7.00(A)(4).
- V. Pursuant to C.R.S. §44-3-307(1)(a)(VI), 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. §44-3-308.
- VII. Applicant is not a person prohibited as a licensee pursuant to C.R.S. §44-3-307.
- VIII. Pursuant to City 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 June 25, 2020.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

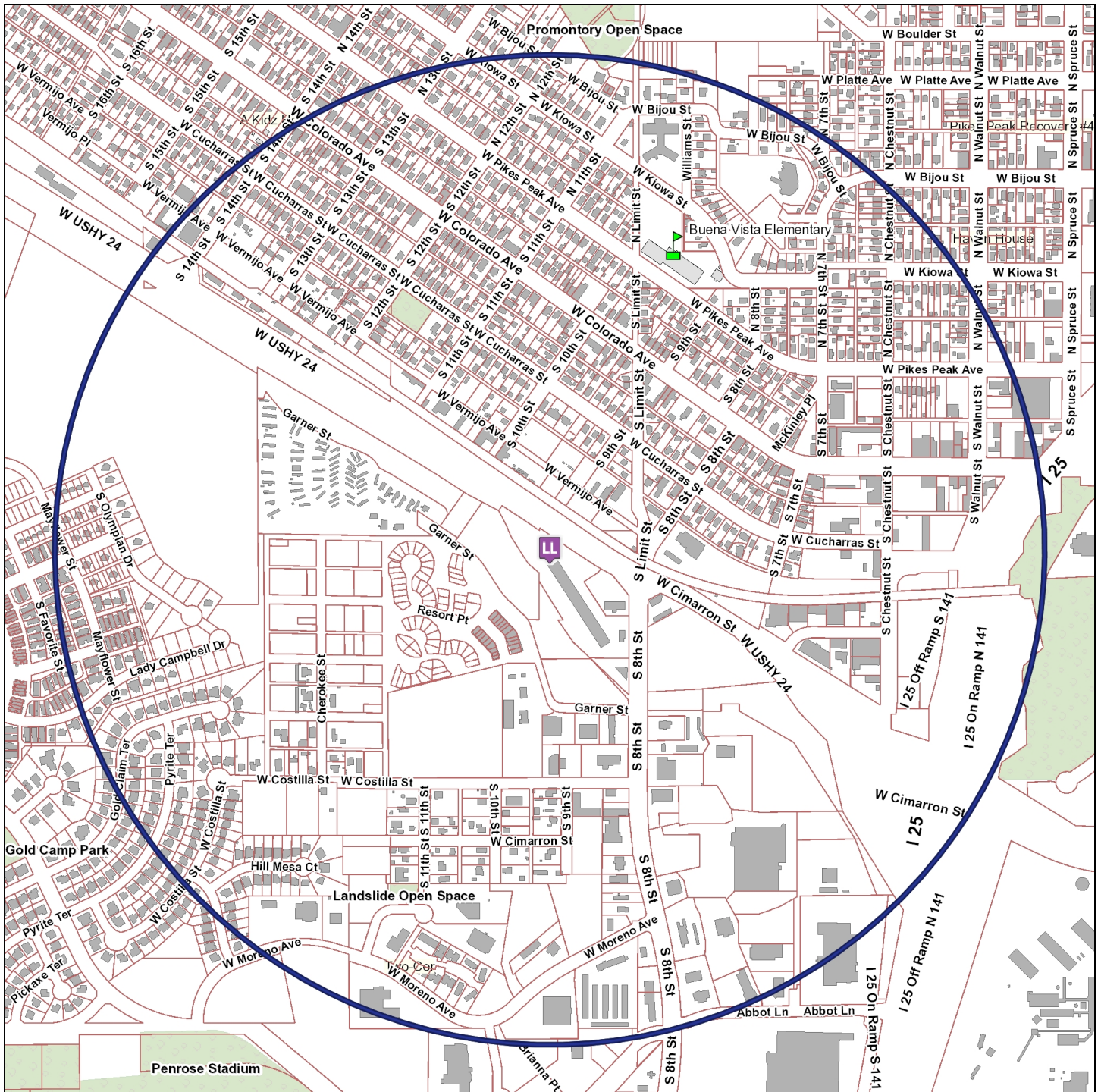
Direct questions regarding this notice and hearing to Colin M. Gordon at 719-385-5107.

Liquor Survey Boundaries



THE SUSHI SPOT, LLC
d/b/a THE SUSHI SPOT
308 S 8TH ST #M

OFFICE OF THE CITY CLERK
License ID: 37239





OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 37239

THE SUSHI SPOT, LLC

d/b/a THE SUSHI SPOT

308 S 8TH ST #M

COLORADO SPRINGS, CO 80905

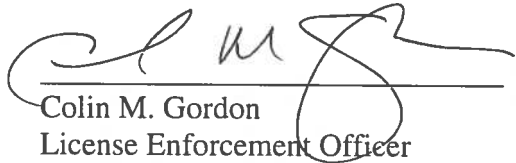
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

| <u>Business d/b/a</u> | <u>Business Address</u> | <u>License Type</u> | |
|---|-------------------------|---------------------|-------------|
| 1) BILLY'S OLD WORLD PIZZA | 308 S 8TH ST | Beer & Wine | 309.79 ft |
| 2) LA CASITA MEXICAN GRILL | 306 S 8TH ST | Hotel & Restaurant | 458.57 ft |
| 3) WESTSIDE BILLIARDS | 310 S 8TH ST | Tavern | 554.69 ft |
| 4) JOEY'S PIZZA | 227 S 8TH ST | Hotel & Restaurant | 768.84 ft |
| 5) MIGUEL'S MEXICAN BAR & GRILL | 229 S 8TH ST | Hotel & Restaurant | 781.60 ft |
| 6) N3 TAPHOUSE | 817 W COLORADO AVE | Hotel & Restaurant | 1,051.88 ft |
| 7) SHERPA GARDEN | 1005 W COLORADO AVE | Hotel & Restaurant | 1,231.27 ft |
| 8) EUROPEAN CAFE & RESTAURANT | 1015 W COLORADO AVE | Hotel & Restaurant | 1,288.76 ft |
| 9) CERBERUS BREWING | 702 W COLORADO AVE | Brew Pub | 1,500.92 ft |
| 10) ENGLISH DOCKSIDE FRESH SEAFOOD & GRILL WEST | 1201 W COLORADO AVE | Hotel & Restaurant | 1,914.71 ft |
| 11) THE PEPPER TREE RESTAURANT | 888 W MORENO ST | Hotel & Restaurant | 2,123.24 ft |
| 12) BENNY'S RESTAURANT & LOUNGE | 517 W COLORADO AVE | Tavern | 2,185.78 ft |
| 13) TEXAS ROADHOUSE | 595 S 8TH ST | Hotel & Restaurant | 2,214.63 ft |
| 14) 503W | 503 W COLORADO AVE | Hotel & Restaurant | 2,235.16 ft |
| 15) BLADES AND BREWS | 501 W COLORADO AVE | Beer & Wine | 2,272.53 ft |
| 16) WESTERN OMELETTE | 16 S WALNUT ST | Hotel & Restaurant | 2,279.31 ft |
| 17) THE PINERY AT THE HILL | 775 W BIJOU ST | Hotel & Restaurant | 2,353.77 ft |

CERTIFICATE OF MAILING

I, Colin M. Gordon, 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 June 25, 2020 to the following address of record:

The Sushi Spot, LLC
d/b/a The Sushi Spot
88 Security Boulevard
Colorado Springs, CO 80905



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

CC: ian@coloradolawgroup.com
 savannah@coloradolawgroup.com;
 sushispot99@gmail.com;
 liquorpros@msn.com