

CITY OF COLORADO SPRINGS LIQUOR OR 3.2% FERMENTED MALT BEVERAGE APPLICATION

NEW LICENSE

TRANSFER OF OWNERSHIP

Type of License applying for (Check One)

- | | | | | |
|--|---|---|--|-----------------------------------|
| <input checked="" type="checkbox"/> Hotel/Restaurant | <input type="checkbox"/> Hotel/Restaurant w/Optional Premises | <input type="checkbox"/> Tavern | <input type="checkbox"/> Beer & Wine | <input type="checkbox"/> Brew Pub |
| <input type="checkbox"/> Retail Liquor Store | <input type="checkbox"/> 3.2% Beer On Premises | <input type="checkbox"/> 3.2% Beer Off Premises | <input type="checkbox"/> 3.2% Beer On and Off Premises | |
| <input type="checkbox"/> Drugstore | <input type="checkbox"/> Racetrack | <input type="checkbox"/> Optional Premises | <input type="checkbox"/> Club | <input type="checkbox"/> Vinters |

APPLICANT INFORMATION

Name of Applicant: <u>J. J. SUSHI LLC</u>	Property Tax Schedule No. : <u>6316301028</u>
Trade Name (DBA): <u>J. SUSHI & BAR</u>	Business Telephone: <u>(719) 593-8249</u>
Address of Premises: <u>5975 N. ACADEMY BLVD #209 COLO SPRGS, CO 80918</u>	Alternate Telephone:

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
<u>MOMO SUSHI</u>	<u>4258281</u>	<u>HOTEL & RESTAURANT</u>	<u>8/5/16</u>

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.

NAME	POSITION HELD	% OWNED
<u>JAE HYUN PARK</u>	<u>MEMBER</u>	<u>100%</u>

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory) \$ 90,000

Source(s) of funds invested (provide names, banks, and indicate checking, savings, loan, promissory note, gift or other).

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

NAME/ADDRESS OF FUNDING SOURCE (bank(s), individual(s), et al.)	FUNDING SOURCE (checking/savings/ loan/ note/ gift)	AMOUNT
<u>KEYBANK 621 WOODMAN, COLORADO SPRINGS CO</u>	<u>CHECKING ACCT</u>	<u>\$50,000.00</u>
<u>MOMO LLC, 2665 PARADISE DR #G COLORADO SPRINGS, CO 80918</u>	<u>OWNER CARRY NOTE</u>	<u>\$40,000.00</u>

List applicant(s) prior experience in the sale of alcoholic beverages. Include dates and locations.

Business Name & Address	Applicant's Name	Experience/Position	Dates
<u>CMH LIQUORS 7635 MCLAUGHLIN RD PEYTON CO 80831</u>	<u>JAE HYUN PARK</u>	<u>CLERK</u>	<u>4/11 - 4/16</u>

Has the applicant previously been issued a liquor or beer license (include any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? yes no

If yes, identify the business and any current or former financial interest in said business including any loans to or from a licensee.

Name of Business	Address	Type/amt. of Interest
N/A		

PREMISES/ESTABLISHMENT

Terms of legal possession of the premises for which the application is made? own lease

If leased provide terms: Start date 6/1/15 End date 9/30/22

Dimensions of premises 68'x37' Square footage 2500 sq ft Seating Capacity _____

Is there a patio area? yes no -- If yes, provide dimensions _____

Anticipated number of employees? 4

Will training be offered or required? yes no -- If yes, through what agency? TIPS

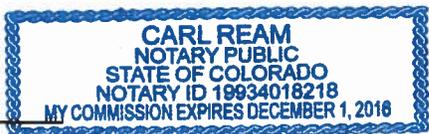
Has the applicant or manager in Colorado, or any other State (include any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation), ever:	YES	NO
Been denied an alcohol beverage license?		<input checked="" type="checkbox"/>
Had an alcohol beverage license suspended or revoked?		<input checked="" type="checkbox"/>
Had interest in another entity where an alcohol beverage license was suspended or revoked?		<input checked="" type="checkbox"/>
Ever been charged or convicted of a crime, received a suspended sentence, a deferred sentence, or have charges pending?		<input checked="" type="checkbox"/>
If yes, provide explanation, date(s) and location(s).		

Has the applicant ever received a violation notice, suspension, or revocation for any liquor law violation, have charges pending; or has the applicant applied for and been denied a liquor or beer license anywhere in the United States?

Yes No

If yes, provide explanation, date(s) and location(s):

I declare under the penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I understand that any falsehood or omission will jeopardize the application as such falsehood or omission constitutes evidence regarding the character of the applicant.



[Signature]
Signature
Title: MEMBER

State of COLORADO
County of ARAPAHOE

Subscribed and sworn to before me this 24 day of MAY, 2016.

My Commission Expires: 12/01/18
Carl Ream
Notary Public

AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

- Paid in full. There are no outstanding accounts with any Colorado Wholesalers.
- Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the: Licensee Applicant

- Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.
- Applicant will assume full responsibility for payment of the outstanding accounts as listed above.
- No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this 24 day of MAY, 2016.

Seller:

MOBO LLC

4258281

Licensee & License Number

MOBO SUSHI

Trade name



Signature

MANAGING MEMBER

Position

BYONG DOO LEE

Print Name

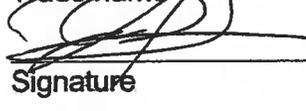
Buyer:

J. J. SUSHI LLC

Applicant

J. SUSHI & BAR

Trade name



Signature

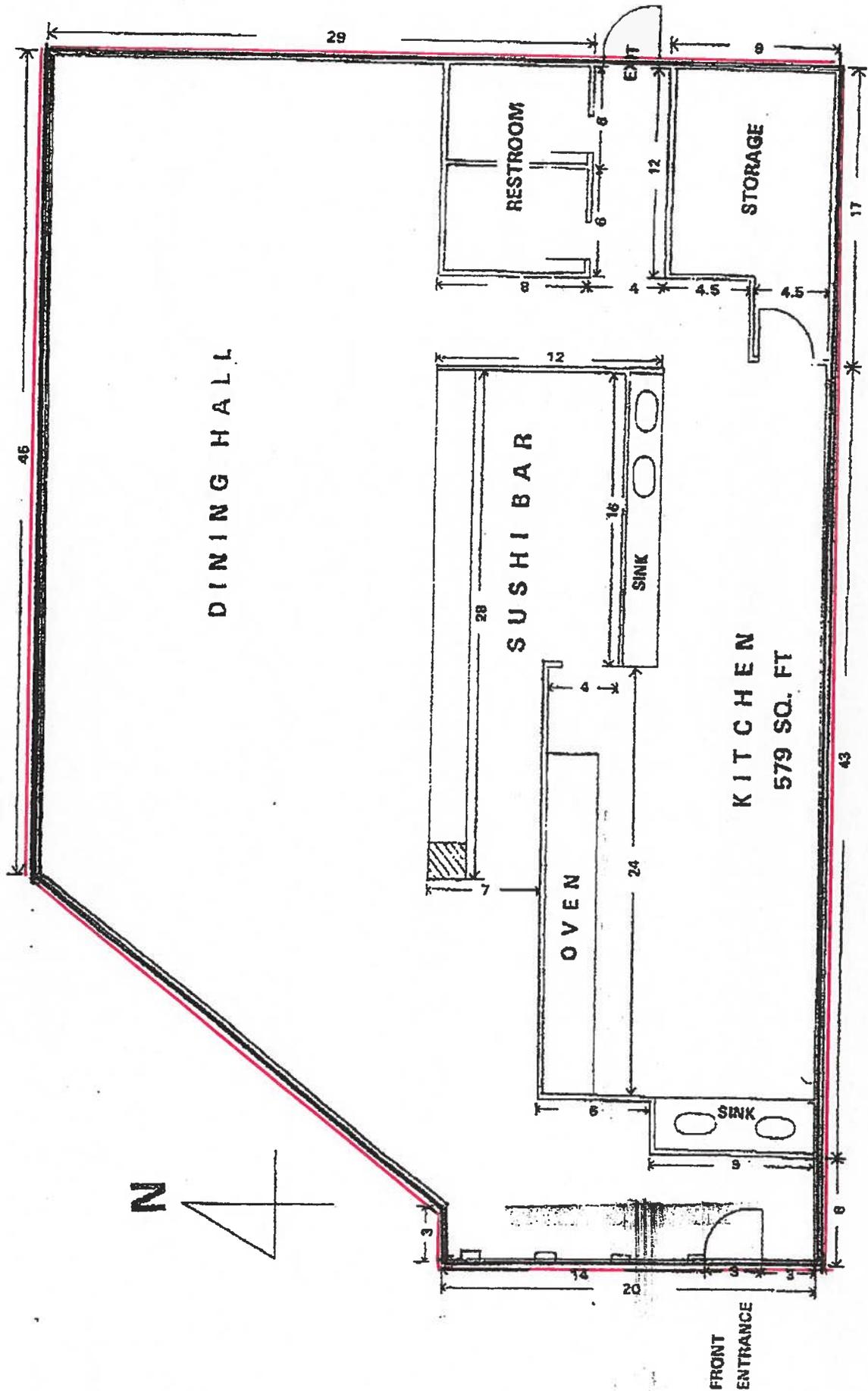
MEMBER

Position

JAE HYEN PARK

Print Name

Mobo Sushi
5975 N. Academy Blvd.
Colorado Springs, CO 80918
Floor Plan



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

CITY CLERK'S OFFICE

2016 JUL 29 A 7:20

IN THE MATTER OF:

J. J. Sushi, LLC d/b/a
J Sushi & Bar
5975 N. Academy Boulevard, #209
Colorado Springs, CO 80918
Mailing Address:
5975 N. Academy Boulevard, #209
Colorado Springs, CO 80918

▲ BOARD USE ONLY ▲

Application No: T-724482

NOTICE OF HEARING AND INITIAL FINDINGS OF FACT

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, August 19, 2016 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon J. J. Sushi, LLC d/b/a J Sushi & Bar ("Applicant") application for a transfer of the Hotel and Restaurant Liquor License currently issued to Mobo, LLC d/b/a Mobo Sushi Japanese Restaurant at 5975 N. Academy Boulevard, #209, Colorado Springs, CO 80918.

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, August 9, 2016. 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, August 16, 2016.

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 June 2, 2016, 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 evidence 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.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done July 29, 2016.

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.

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 July 29, 2016 to the following address of record:

J. J. Sushi, LLC
dba J Sushi & Bar
5975 N. Academy Boulevard, #209
Colorado Springs, CO 80918



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

CC: jhp8516@gmail.com
Carl Ream <carl_ream@hotmail.com>