



Received: CITY CLERK'S OFFICE
2018 FEB 28 P 1:34

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

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): Melody Living Associates - CO, L.L.C., an Ohio limited liability company	
2. Trade Name (DBA): Melody Living	
3. Premises Address: City, State, Zip: 7600 Sandy Rock Point, Colorado Springs, CO 80924	Location Phone: 719-717-0414
Property Tax Schedule No. : 5306306010	Zoning: PUD AO
4. Mailing Address: City, State, Zip: 1765 Merriman Road, Akron, OH 44313	Alt Phone: 586-737-7500
Primary Contact Name And Title: Laura Hester, Vice President of Senior Housing	Email: LHester@CedarwoodD.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
M.P. Asset Co., Ltd., an Ohio limited liability company (M.P. Asset Co., Ltd. is owned variously by trusts described in the attachment)	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
The Huntington National Bank, 200 Public Square (CM17), Cleveland, Ohio 4414	Loan	\$16,700,000.00
Melody Living Associates - CO, L.L.C., 1765 Merriman Road, Akron, Ohio 44313	Equity	\$7,637,000.00
TOTAL INVESTMENT IN BUSINESS:		\$ \$24,337,000.00 0

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Camille Burke

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

If leased, provide the terms: START DATE: 2018* END DATE: 10 years after Start Date

DIMENSIONS OF PREMISES: Approx: 387'-3 1/2" x 283'-10" TOTAL SQUARE FOOTAGE: Approx 75,582

Is there a patio area? Yes No --- If yes, provide dimensions Courtyard & Partio - Approx: 165'x85';
Small Patio - Approx: 31'-1"x11'-5"

Anticipated number of employees: ^{(11-18 are anticipated} 80 _{to work in food and beverage service)} Anticipated opening date: June, 2018

Will training be offered or required? Yes No --- If yes, through what agency? TIPS training, administered by Morrison Community Living

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
None			

Melody Living Associates – CO, L.L.C., an Ohio limited liability company
Proposed Private H&R Licensee

M.P. Asset Co., Ltd., an Ohio limited Liability company
100%
Sole Owner of Proposed Licensee

Anthony A. Petrarca Trust VII
Andrew R. Duff,
Trustee
33.26%
Managing Member

Lenora J. Petrarca Trust A
Andrew R. Duff,
Trustee
11.61%

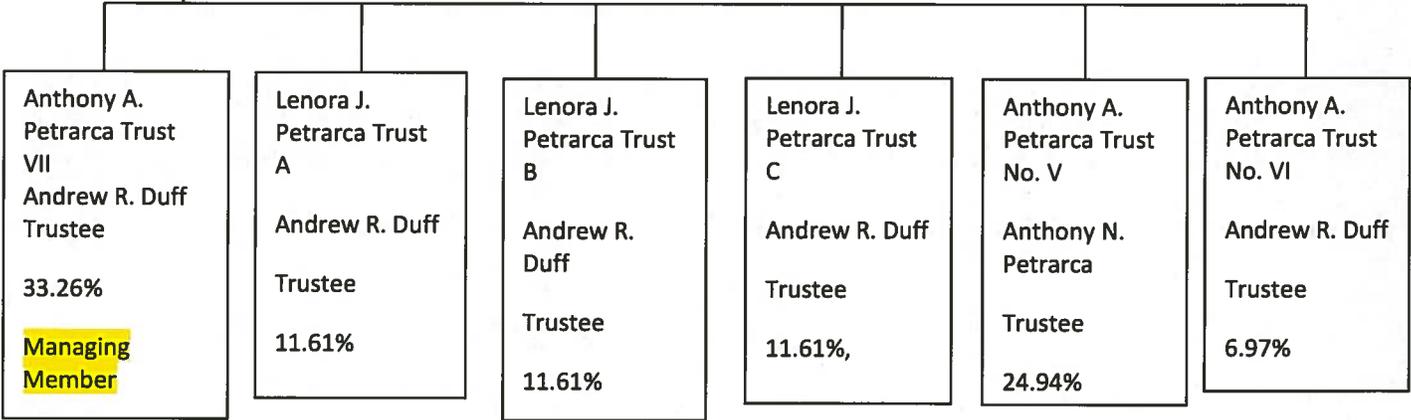
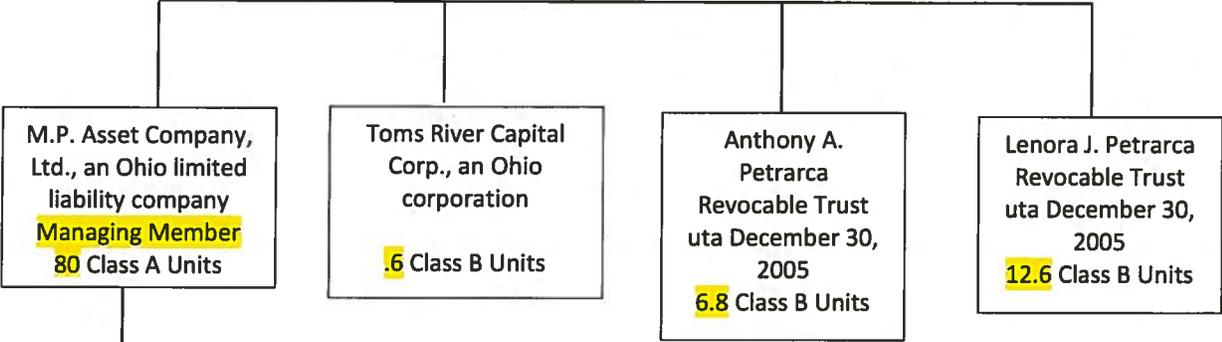
Lenora J. Petrarca Trust B
Andrew R. Duff,
Trustee
11.61%

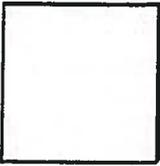
Lenora J. Petrarca Trust C
Andrew R. Duff,
Trustee
11.61%,

Anthony A. Petrarca Trust No. V
Anthony N. Petrarca,
Trustee
24.94%

Anthony A. Petrarca Trust No. VI
Andrew R. Duff
Trustee
6.97%

AL-MC Lodge Associates, L.L.C., an Ohio limited liability company
Property Owner and Lessor





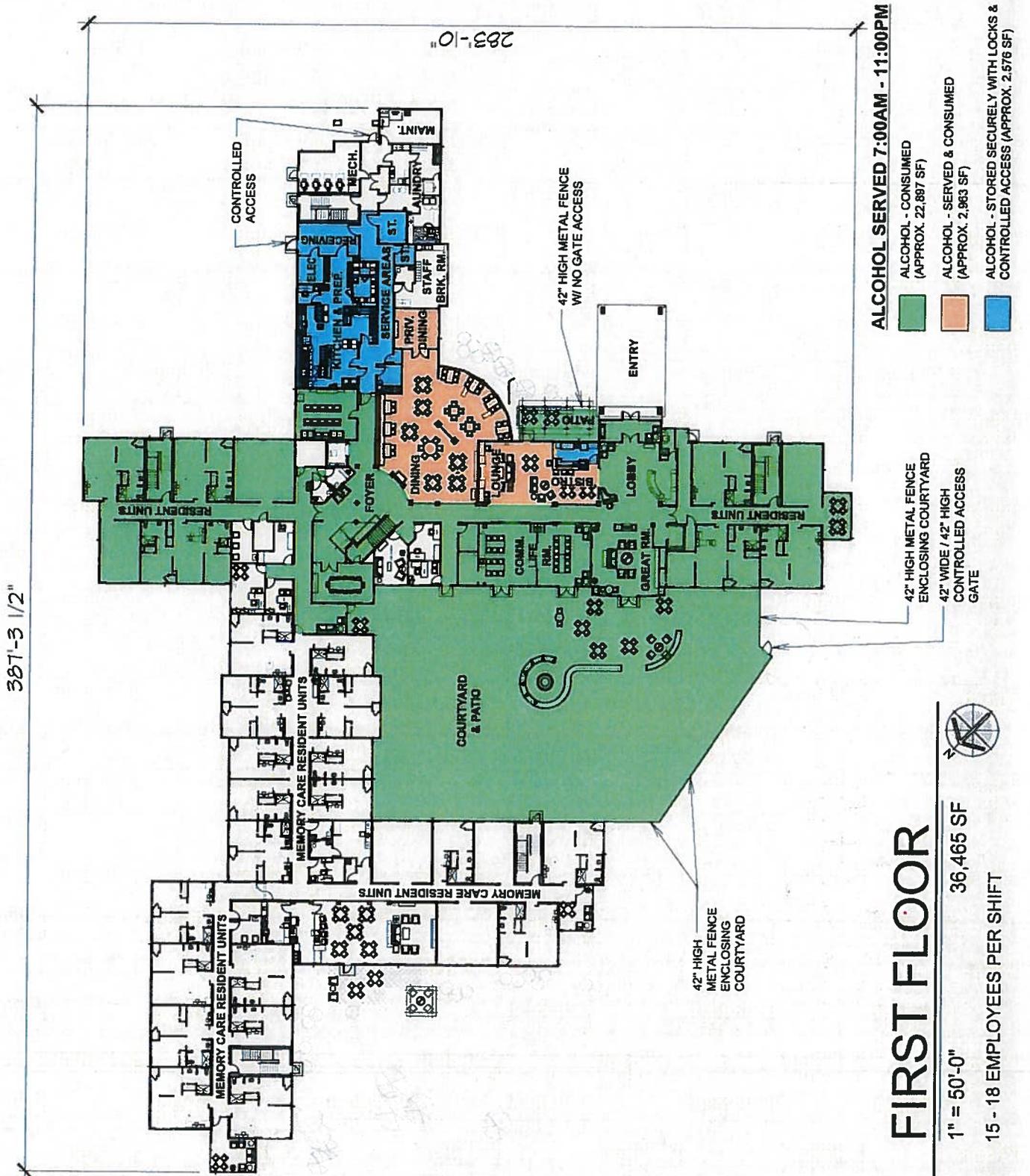
Cedarwood
Architectural
1700 CANTON ROAD
ARLON, OHIO 44015
P: 224-262-8871
F: 224-267-4485

MELODY LIVING
ASSISTED LIVING
7600 Sandy Rock Point
Colorado Springs, Colorado 80924

ISSUE DATE
11/28/17

JOB NUMBER: 00-13-0071
CONTRACT NUMBER: 00-13-0071
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SPACE PLANS
1ST FLOOR -
ALCOHOL EXHIBIT
OVERALL PLAN
LQ-1



ALCOHOL SERVED 7:00AM - 11:00PM

- ALCOHOL - CONSUMED (APPROX. 22,897 SF)
- ALCOHOL - SERVED & CONSUMED (APPROX. 2,963 SF)
- ALCOHOL - STORED SECURELY WITH LOCKS & CONTROLLED ACCESS (APPROX. 2,576 SF)

FIRST FLOOR
1" = 50'-0"
36,465 SF
15 - 18 EMPLOYEES PER SHIFT



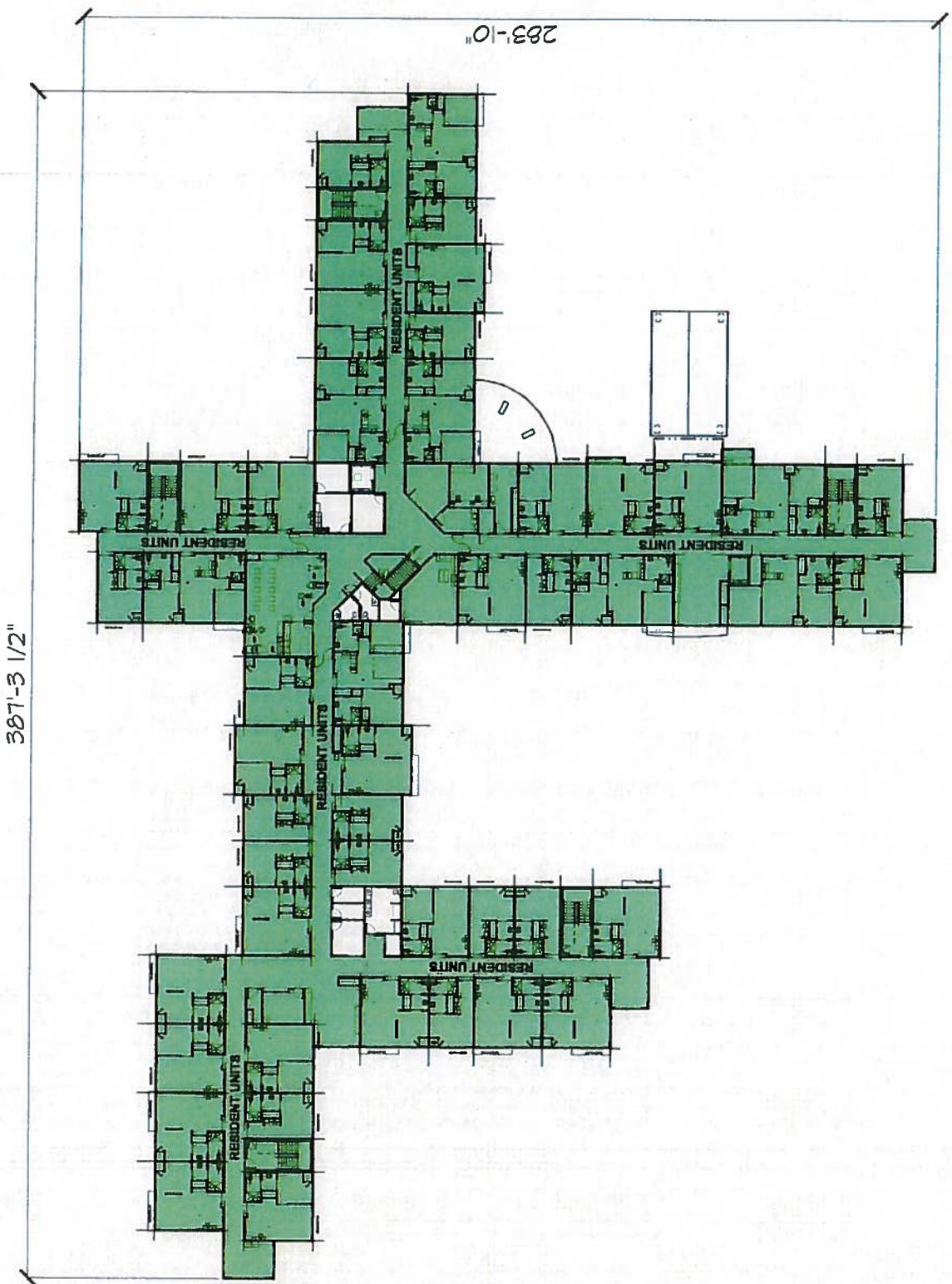
MELODY LIVING
ASSISTED LIVING
 7600 Sandy Rock Point
 Colorado Springs, Colorado 80924

REVISION
 11/28/17

JOB NUMBER: 05-14-007
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SPACE PLANS
 2ND FLOOR -
 ALCOHOL EXHIBIT
 OVERALL PLAN

LQ-2



ALCOHOL - CONSUMED
 (APPROX. 35,318 SF)

SECOND FLOOR

1" = 50'-0"

36,487 SF

ALCOHOL SERVED 7:00AM - 8:00PM
 15 - 18 EMPLOYEES PER SHIFT

<p>BEFORE THE LOCAL LIQUOR AND BEER LICENSING AUTHORITY, CITY OF COLORADO SPRINGS, STATE OF COLORADO</p> <p>Address: 30 South Nevada Avenue, Suite 101 Colorado Springs, CO 80903 Telephone: (719) 385-5901 Fax Number: (719) 385-5114 Email: cityclerk@springsgov.com</p>	<p>CITY CLERK'S OFFICE</p> <p>2018 MAY 22 P 1: 51</p> <p>▲ CLERK USE ONLY ▲</p>
<p>IN THE MATTER OF:</p> <p>APPLICANT Melody Living Associates - CO, LLC d/b/a Melody Living 7600 Sandy Rock Point Colorado Springs, CO 80924 Mailing Address: 1765 Merriman Road Akron, OH 44313</p>	<p>Application No: N-33581</p>
<p align="center">NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</p>	

NOTICE OF HEARING

This matter comes before the Local Licensing Authority Hearing Officer for hearing on **Friday, June 15, 2018 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Melody Living Associates - CO, LLC d/b/a Melody Living ("Applicant") application for a new Hotel and Restaurant Liquor License at 7600 Sandy Rock Point, Colorado Springs, CO 80924.

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, June 5, 2018. 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, June 12, 2018.

Pursuant to C.R.S. §12-47-312 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 February 28, 2018, 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. §12-47-313(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 evidence by the possession documents submitted by Applicant and contained in the administrative file, pursuant to C.R.S. §12-47-313(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. §12-47-313(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. §12-47-313(1)(d) and City Rule 7.00(A)(4).
- V. Pursuant to C.R.S. §12-47-307(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. §12-47-308.
- VII. Applicant is not a person prohibited as a licensee pursuant to C.R.S. §12-47-307.
- 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 May 22, 2018.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

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

Liquor Survey Boundaries



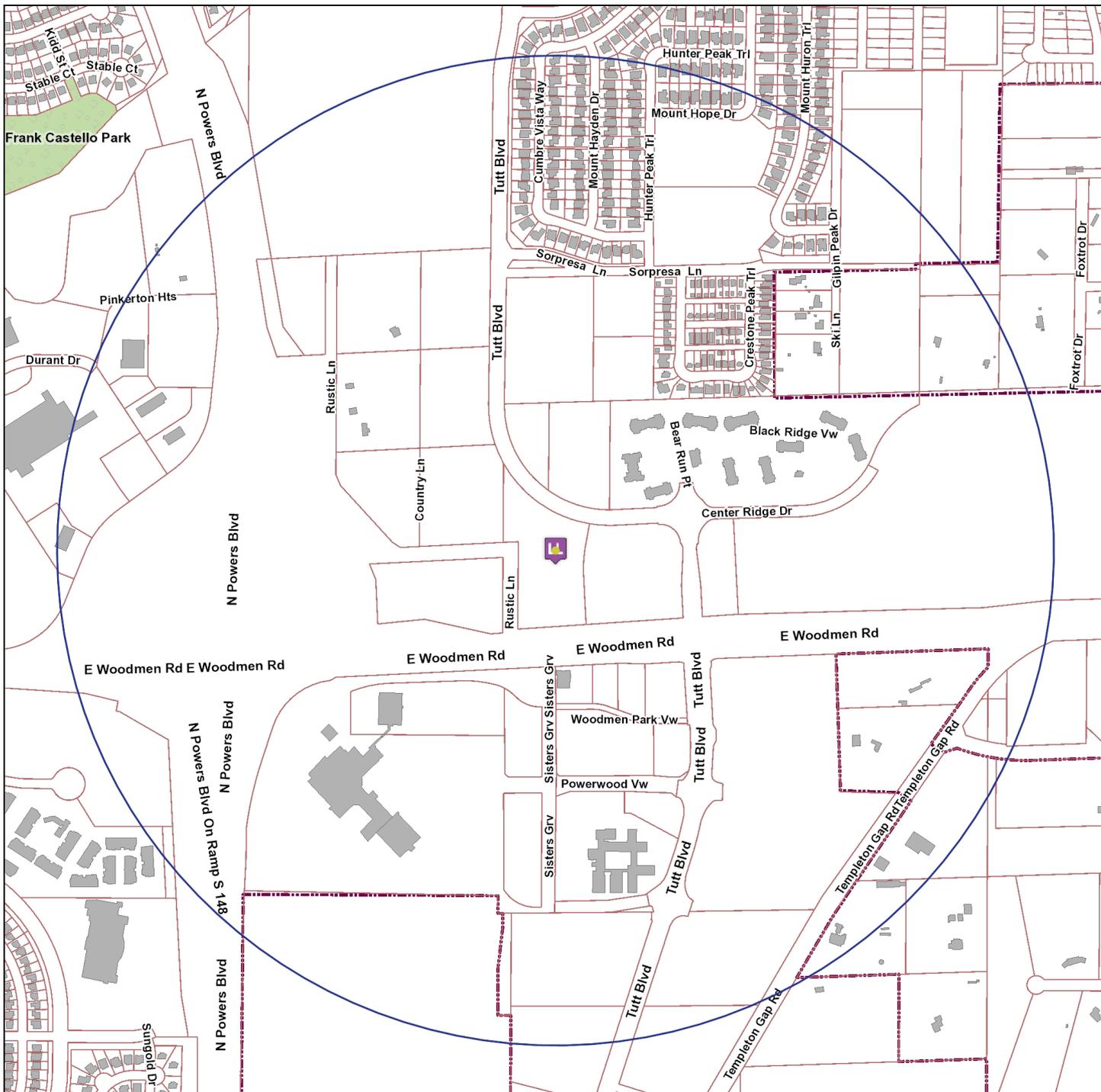
MELODY LIVING ASSOCIATES - CO, LLC

d/b/a MELODY LIVING

7600 SANDY ROCK PT

OFFICE OF THE CITY CLERK

License ID: 33581



The survey boundary is 0.5 miles from the establishment

Map Prepared: 5/22/2018 7:07 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 33581

MELODY LIVING ASSOCIATES - CO, LLC

d/b/a MELODY LIVING

7600 SANDY ROCK PT

COLORADO SPRINGS, CO 80924

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

Within the boundary area of the proposed establishment, there are no existing licenses of a similar type.

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 May 23, 2018 to the following address of record:

Melody Living Associates - CO, LLC
dba Melody Living
1765 Merriman Road
Akron, OH 44313



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

CC: Jordan Bunch <jjbunch@hollandhart.com>
LHester@CedarwoodD.com