



OFFICE OF THE CITY CLERK

Received

**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)

- | | | | |
|---|--|---|--|
| <input type="checkbox"/> Hotel/Restaurant (or Resort) | <input type="checkbox"/> Hotel/Restaurant w/Optional | <input type="checkbox"/> Tavern | <input type="checkbox"/> Brew Pub |
| <input type="checkbox"/> Distillery Pub | <input type="checkbox"/> Vintner's Restaurant Liquor | <input type="checkbox"/> Beer and Wine | <input type="checkbox"/> Optional Premises |
| <input type="checkbox"/> Retail Liquor Store* | <input type="checkbox"/> Licensed Drugstore* | <input type="checkbox"/> Racetrack | <input type="checkbox"/> Arts |
| <input type="checkbox"/> Lodging & Entertainment | <input type="checkbox"/> FMB (Beer) On Premises | <input checked="" type="checkbox"/> 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):
CVS Pharmacy, Inc.

2. Trade Name (DBA): CVS/pharmacy #11002

3. Premises Address: 445 N. Circle Drive
City, State, Zip: Colorado Springs, CO 80909

Location
Phone: Pending

Property Tax Schedule No. : 6415204005

Zoning: C6

4. Mailing Address: One CVS Drive, Mail Code 1160
City, State, Zip: Woonsocket, RI 02895

Alt Phone:

Primary Contact
Name And Title: Cathy Tardie, Lead Licensing Coordinator

Email: cathy.tardie@cvshealth.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	N/A	N/A	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
CVS Health Corporation	Parent Company	100%
*Please see attached		

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
KeyBank - Existing Corporate Funds	Checking - KeyBank	\$10,000.00
		(Legal and Licensing Fees)
TOTAL INVESTMENT IN BUSINESS:		\$ 10,000.00

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: N/A - Fermented Malt Beverage Off-Premises

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

If leased, provide the terms: START DATE: N/A END DATE: _____

DIMENSIONS OF PREMISES: 96' x 137' 1" TOTAL SQUARE FOOTAGE: ~ 13,152 sq ft

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

Anticipated number of employees: TBD Anticipated opening date: 11/03/2019

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

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
Please see attached.			

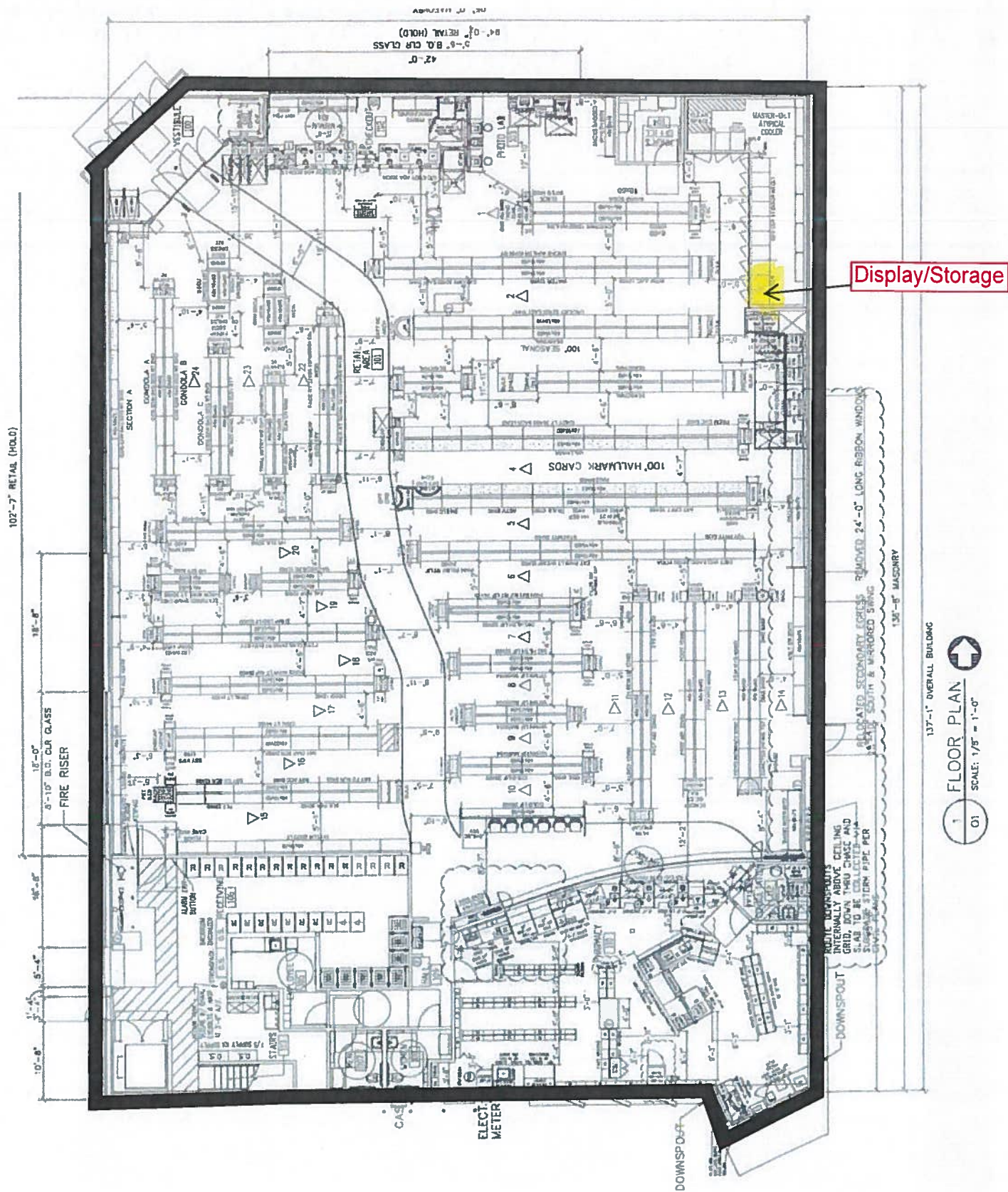
Supplemental Response to Question #6:

Name	Address	DOB	Position	Ownership
CVS Health Corporation*	One CVS Drive Woonsocket, RI 02906	N/A	Parent Company	100%
Helena B. Foulkes	120 Brown St. Providence, RI 02906	7/18/1964	President	0%
Carol A. DeNale	75 Poplar St. Watertown, MA 02472	2/24/1964	Sr. VP, Secretary, Treasurer	0%
Thomas S. Moffatt	29 Homestead Cir. Kingston, RI 02881	1/26/1964	VP, Secretary, Director	0%
Jeffrey E. Clark	2 Joy Lane Hingham, MA 02043	4/10/1970	Asst. Treasurer	0%
Sheelagh M. Beaulieu	50 Washington St. Fairhaven, MA 02719	9/29/1966	Asst. Treasurer	0%
Linda M. Cimbron	45 Bridge St. Warren, RI 02885	2/25/1955	Asst. Secretary	0%
Melanie K. Luker	9 Coldbrook Dr. Cranston, RI 02920	11/15/1963	Asst. Secretary	0%
Kimberley M. DeSousa	29 Larchwood Drive Cumberland, RI 02864	1/10/1971	Asst. Secretary	0%

*CVS Health Corporation is publicly-traded.

Store	Entity Name	City	County	State	Violation	Infraction Date	Date Paid	Amount Paid	COMMENTS
04489	South Carolina CVS Pharmacy, Inc	Bluffton	Beaufort	SC	Alcohol	12/19/17	2/18/19	\$0.00	Third Alcohol sale to minor -Notice of Intent to suspend issued for 45 days suspension - Case#54-17-2215- effective January 5, 2019 - February 18, 2019
04628	South Carolina CVS Pharmacy, Inc	Cayce	Lexington	SC	Alcohol	2/8/17	12/14/17	\$4,000.00	Fine + 5 days license suspension starting January 2-6, 2018
07552	CVS Pharmacy, Inc	Rio Rancho	Sandoval	NM	Alcohol	2/16/16	1/23/17	\$1,000.00	Alcohol sale to minor - 2 days suspension starting Tuesday February 21 thru Wednesday February 22, 2017
02084	Georgia CVS Pharmacy, LLC	Lilburn	Gwinnett	GA	Alcohol	3/25/16	4/27/16	\$0.00	Alcohol sale to minor - 2 days suspension starting Wed 4/27 thru Thurs 4/28
10145	Louisiana CVS Pharmacy, LLC	Metairie	Jefferson	LA	Alcohol	10/28/15	8/15/16	\$0.00	Alcohol sale to minor - one week suspension from August 15-21, 2016
10227	CVS Pharmacy, Inc	Santa Fe	Santa Fe	NM	Alcohol	1/27/14	1/15/15	\$1,000.00	Alcohol sale to minor. Fine includes 1 day suspension to be served on Friday 7AM 02/20/2015 ending Sat @ 6:59 AM 02/21/2015
07373	CVS Pharmacy, Inc	Las Cruces	Dona Ana	NM	Alcohol	8/23/14	5/28/15	\$1,000.00	Alcohol sale to minor+1 day suspension -Citation#14857- Suspension date 7-18-2015
00984	CVS Albany, LLC	Glen Cove	Nassau	NY	Alcohol	3/21/15	7/27/15	\$10,000.00	4th Alcohol sale to minor Case#726-2015- In addition to civil penalty store license was also suspended for 365 days
05443	Louisiana CVS Pharmacy, LLC	Lafayette	Lafayette	LA	Alcohol	8/28/13	11/4/13	\$0.00	No bar card as required by the city of Lafayette - License suspended beginning Monday November 4 thru Thursday November 7, 2013
05511	Louisiana CVS Pharmacy, LLC	Lafayette	Lafayette	LA	Alcohol	8/28/13	11/4/13	\$0.00	Alcohol sale to minor -licenses suspended beginning Monday November 4 until Thursday November 7, 2013
05560	Louisiana CVS Pharmacy, LLC	Lafayette	Lafayette	LA	Alcohol	08/28/13	11/4/13	\$0.00	Alcohol sale to minor -licenses suspended beginning Monday November 4 until Thursday November 7, 2013
06832	Highland Park CVS, LLC	Alton	Madison	IL	Alcohol	9/24/13	11/18/13	\$250.00	Alcohol sale to minor fine includes 1 day license suspension
09316	Longs Drug Stores California, LLC	Novato	Marin	CA	Alcohol	8/18/11	4/5/12	\$0.00	License suspended for 45 days starting 04-05-2012 - 05-19-2012(3rd Strike)
09398	Longs Drug Stores California, LLC	Los Angeles	Los Angeles	CA	Alcohol	6/11/11	3/1/12	\$0.00	License suspended for 45 days as agreed upon by field operators based on legal counsel recommendation. Suspension commenced on Thursday March 1, 2012 - April 14, 2012
09974	Longs Drug Stores California, LLC	Reno	Washoe	NV	Alcohol	6/20/11	2/13/12	\$0.00	License suspended for 3 days from March 1, 2012 ending @ 8 AM on March 4, 2012
09791	Garfield Beach CVS, LLC	Alhambra	Los Angeles	CA	Alcohol	2/22/11	6/12/12	\$0.00	License suspended for 35 days - 15 days served - 20 days stayed effective 06-12-2012-06-27-2012 - Reg #11075629
08167	Woodward Detroit CVS, LLC	Canton Twp	Wayne	MI	Alcohol	10/30/10	7/24/11	0.00	License suspended for 5 continuous days effective July 24, 2011
07800	Highland Park CVS, LLC	East Peoria	Tazewell	IL	Alcohol	3/2/10	5/26/10	\$2,750.00	Alcohol Sale to Minor-10588861 + 3 days suspension- 2nd failed compliance check within a 2 year period
01415	Virginia CVS Pharmacy, LLC	Leesburg	Loudoun	VA	Alcohol	7/24/08	2/26/09	\$4,000.00	CHARGE 1 - \$3,000 + 10 DAYS SUSPENSION CHARGE 2 & 3 - \$500.00 EACH FOR NOT POSTING ALCOHOL LICENSE
02100	Virginia CVS Pharmacy, LLC	Fairfax Station	Fairfax	VA	Alcohol	3/7/09	9/15/09	\$3,000.00	ALCOHOL SALE TO MINOR - IN ADDITION TO CIVIL PENALTY STORE LICENSE IS ALSO SUSPENDED FOR 10 DAYS
02169	Virginia CVS Pharmacy, LLC	Glen Allen	Henrico	VA	Alcohol	7/25/08	1/26/09	\$3,000.00	SALE TO MINOR - PLUS 10 DAYS SUSPENSION
02470	Georgia CVS Pharmacy, LLC	Canton	Cherokee	GA	Alcohol	1/31/09	3/18/09	\$0.00	15 DAYS LICENSE SUSPENSION STARTING 03-18-2009-APRIL 01, 2009
08527	Grand St. Paul CVS, LLC	Moorhead	Clay	MN	Alcohol	10/26/09	11/20/09	\$500.00	ALCOHOL SALE TO MINOR - LICENSE SUSPENDED FOR 1 DAY - TO BE SERVED ON 11-25-2009-INCIDENT NO. 09-009482 - SECOND Violation
09195	Garfield Beach CVS, LLC	La Jolla	San Diego	CA	Alcohol	5/17/07	3/19/09	\$0.00	LICENSE SUSPENDED FOR 75 DAYS FROM 03-12-09 ENDING 05-26-2009
01390	Virginia CVS Pharmacy, LLC	Burke	Fairfax	VA	Alcohol	1/4/08	7/16/08	\$3,000.00	SALE TO MINOR - 30 DAYS SUSPENSION - 10 DAYS SERVE
02155	Virginia CVS Pharmacy, LLC	Herndon	Fairfax	VA	Alcohol	12/28/07	7/14/08	\$3,000.00	SALE TO MINOR - 30 DAYS SUSPENSION - 10 DAYS SERVE
08211	Woodward Detroit CVS, LLC	Wayne	Wayne	MI	Alcohol	11/6/07	4/4/08	\$0.00	20 DAYS LICENSE SUSPENSION - 10 CONTINUOUS DAYS SERVED IMMEDIATELY-10 DAYS WAIVED UPON RECEIPT OF ALCOHOL MANAGEMENT TRAINING
01399	Virginia CVS Pharmacy, LLC	Fairfax	Fairfax	VA	Alcohol	1/28/05	5/9/05	\$4,000.00	ALSO 15 DAY LICENSE SUSPENSION
02705	Virginia CVS Pharmacy, LLC	Arlington	Arlington	VA	Alcohol	7/20/04	1/16/05	\$3,000.00	ALSO 10-DAY SUSPENSION
07805	CVS Pharmacy, Inc.	Sugarland	Ft. Bend	TX	Alcohol	2/12/05	4/19/05	\$0.00	10 DAY SUSPENSION-STATE WOULD NOT ACCEPT \$1500.00 CERTIFIED CHECK
04431	North Carolina CVS Pharmacy, LLC	Greensboro	Guilford	NC	Alcohol	5/7/02	3/25/04	\$0.00	SUSPENSION OF LICENSE: 45 DAYS BEGINNING 02/06/04
06161	Ohio CVS Stores, LLC	Columbus	Franklin	OH	Alcohol	8/29/03	9/6/03	\$0.00	8 DAY LICENSE SUSPENSION
06284	Virginia CVS Pharmacy, LLC	Roanoke	Roanoke	VA	Alcohol	4/5/04	4/26/04	\$3,000.00	10-DAY SUSPENSION
06820	Highland Park CVS, LLC	Lincoln	Logan	IL	Alcohol	12/3/03	6/5/04	\$250.00	SUSPENSION 6/4/04 THRU 6/7/04
06849	Highland Park CVS, LLC	Chicago	Cook	IL	Alcohol	11/4/03	5/21/04	\$3,500.00	ALSO 3 DAY SUSPENSION OF LICENSE

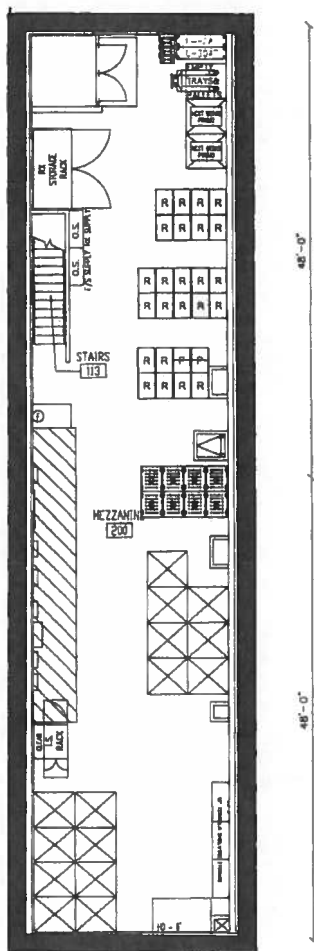
Main Level
 CVS Pharmacy, Inc. d/b/a CHS/Pharmacy #11002
 445 N. Circle Drive, Colorado Springs, CO 80909



1 FLOOR PLAN
 01 SCALE: 1/8" = 1'-0"

E-1

Mezzanine Level
CVS Pharmacy, Inc. d/b/a CVS/Pharmacy #11002
445 N. Circle Drive, Colorado Springs, CO 80909



**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

2019 OCT 24 A 8:31

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

CVS Pharmacy, Inc.
d/b/a **CVS/Pharmacy #11002**
445 N. Circle Drive
Colorado Springs, CO 80909
Mailing Address:
1 CVS Drive, #MC 1160
Woonsocket, RI 02895

Application No: N-36419

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, November 15, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon CVS Pharmacy, Inc. d/b/a CVS/Pharmacy #11002 ("Applicant") application for a new Fermented Malt Beverage Off Premises License at 445 N. Circle Drive, Colorado Springs, CO 80909.

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, November 5, 2019.** 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, November 12, 2019.

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 July 24, 2019, 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.

IX. Pursuant to C.R.S. §44-3-301(12)(a.5), this location is not within 500 feet of a licensed Retail Liquor Store.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done October 24, 2019.

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



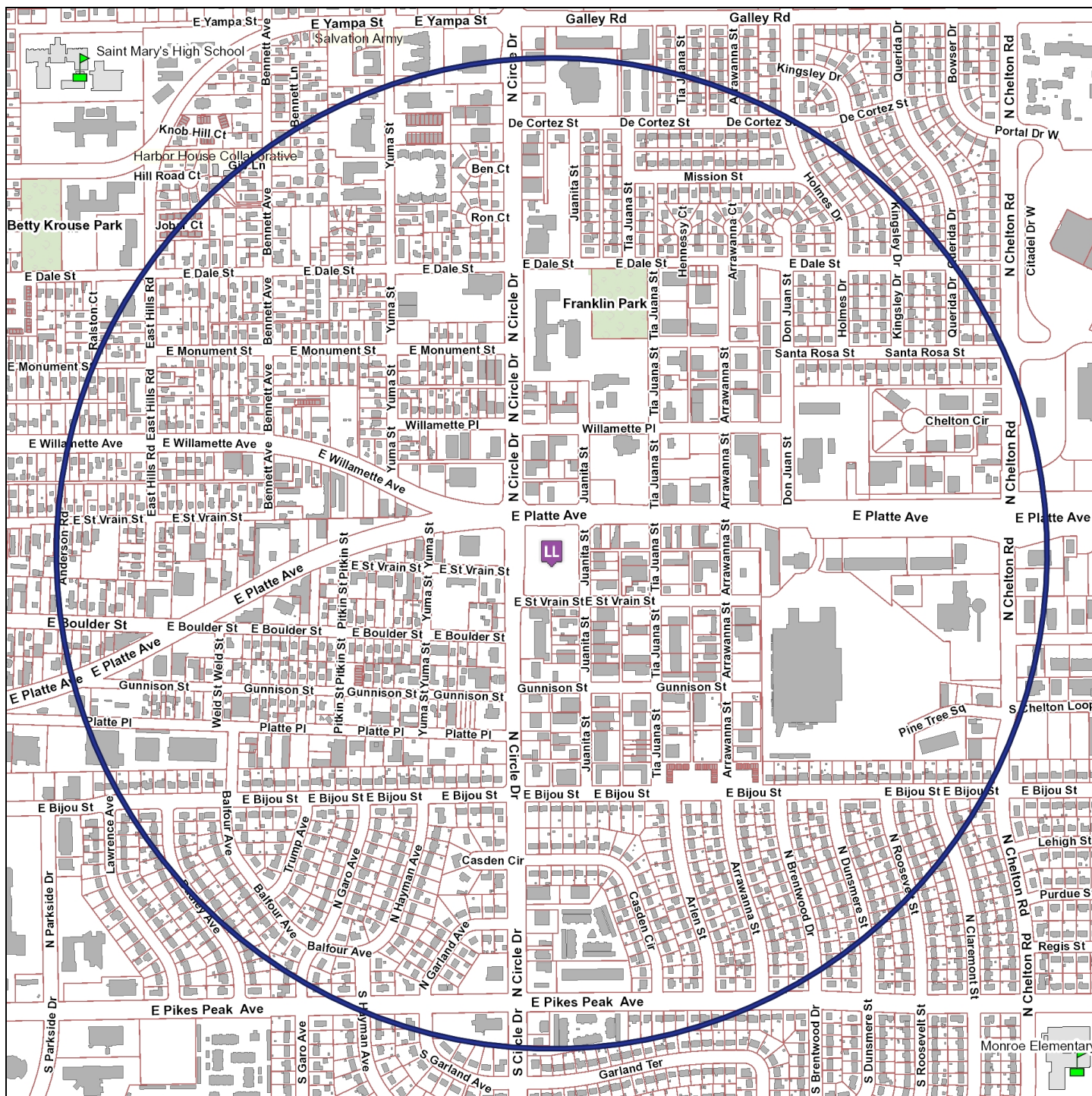
CVS PHARMACY, INC.

d/b/a CVS/PHARMACY #11002

445 N CIRCLE DR

OFFICE OF THE CITY CLERK

License ID: 36419



0 0.25 0.5 1 Mile

The survey boundary is 0.5 miles from the establishment

Map Prepared: 10/23/2019 3:09 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 36419

CVS PHARMACY, INC.

d/b/a CVS/PHARMACY #11002

445 N CIRCLE DR

COLORADO SPRINGS, CO 80909

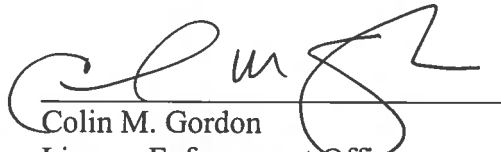
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) CIRCLE K #2744064	432 N CIRCLE DR	Fermented Malt Beverage Off Premises	351.20 ft
2) GIN MILL LIQUORS	410 N CIRCLE DR	Retail Liquor Store	419.96 ft
3) WALMART #1200	3201 E PLATTE AVE	Fermented Malt Beverage Off Premises	1,490.43 ft
4) LOAF N JUG # 33	2802 E PIKES PEAK AVE	Fermented Malt Beverage Off Premises	2,250.06 ft
5) PAUL'S LIQUOR	2842 E PIKES PEAK AVE	Retail Liquor Store	2,269.43 ft
6) CHELTON LIQUOR	220 N CHELTON RD	Retail Liquor Store	2,472.91 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 October 24, 2019 to the following address of record:

CVS Pharmacy, Inc.
d/b/a CVS/Pharmacy #11002
1 CVS Drive, #MC 1160
Woonsocket, RI 02895



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

CC: bproffitt@runprolaw.com
aclark@runprolaw.com
cathy.tardie@cvshealth.com