



OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE

2017 NOV -2 P 4: 14

**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):

Garza Family Enterprises LLC

2. Trade Name (DBA): Vinum Populi

3. Premises Address: 6165 Barnes Road, Ste 170, Colorado Springs, CO 80922
City, State, Zip:

Location Phone: (310) 430-1511

Property Tax Schedule No. : 5330201005

Zoning: PBC AO

4. Mailing Address: 7160 Cotton Dr., Colorado Springs, CO 80923
City, State, Zip:

Alt Phone: (719) 210-2707

Primary Contact Name And Title: Miguel Garza, managing member

Email: miguel.vinum@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
Miguel B. Garza	Managing Member	50%
Juan Jose Garza	Member	50%

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, P. O. Box 15819, Colo Sprgs, CO 80935	loan	\$ 240,000
Loan to Juan Garza who then loaned the amount to		
Garza Family Enterprises LLC		
TOTAL INVESTMENT IN BUSINESS:		\$ 240,000

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Miguel B. Garza

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

If leased, provide the terms: START DATE: Oct. 1, 2017 END DATE: 2028

DIMENSIONS OF PREMISES: 65' x 50' approx. TOTAL SQUARE FOOTAGE: 3,250

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

Anticipated number of employees: 15-20 Anticipated opening date: Feb. 2018

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
See attachment			

<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 NOV 21 P 1:31</p>
<p>IN THE MATTER OF:</p> <p>Garza Family Enterprises, LLC d/b/a Vinum Populi 6165 Barnes Road, #170 Colorado Springs, CO 80922 Mailing Address: 7160 Cotton Drive Colorado Springs, CO 80923</p>	<p>▲ BOARD USE ONLY ▲</p>
	<p>Application No: N-33121</p>
<p>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</p>	

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, December 15, 2017 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon Garza Family Enterprises, LLC d/b/a Vinum Populi ("Applicant") application for a new Hotel and Restaurant Liquor License at 6165 Barnes Road, #170, Colorado Springs, CO 80922.

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, December 5, 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, December 12, 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

V. Applicant's application was filed on November 2, 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.

VI. 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.

VII. 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.

VIII. 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.

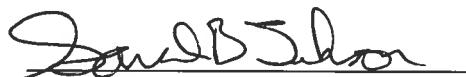
VI. A review of Applicant's finances did not disclose any unlawful financial assistance as prohibited in C.R.S. §12-47-308.

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 November 21, 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



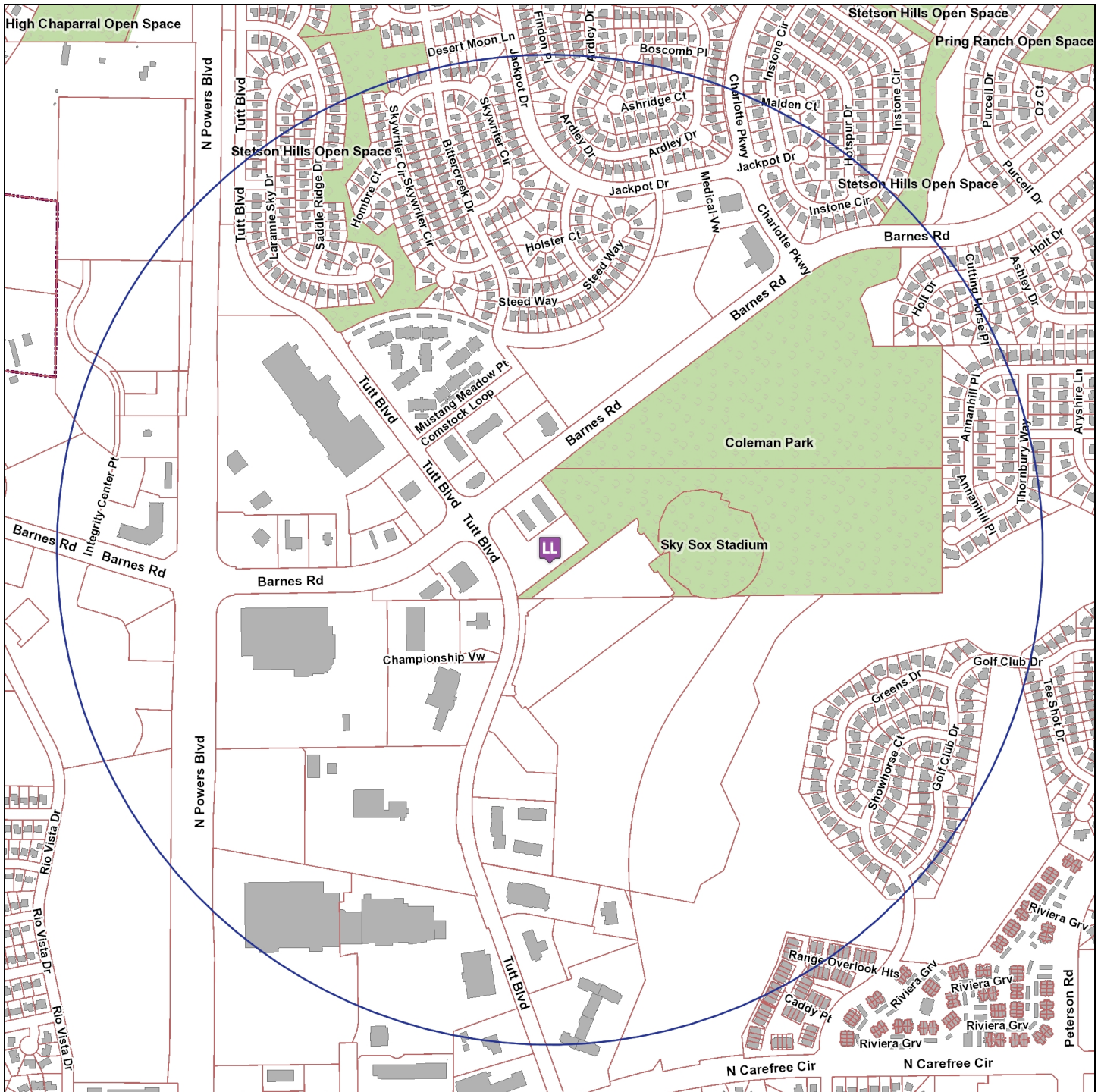
GARZA FAMILY ENTERPRISES LLC

d/b/a VINUM POPULI

6165 BARNES RD #170

OFFICE OF THE CITY CLERK

License ID: 33121



The survey boundary is 0.5 miles from the establishment

Map Prepared: 11/21/2017 6:38 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 33121

GARZA FAMILY ENTERPRISES LLC

d/b/a VINUM POPULI

6165 BARNES RD #170

COLORADO SPRINGS, CO 80922

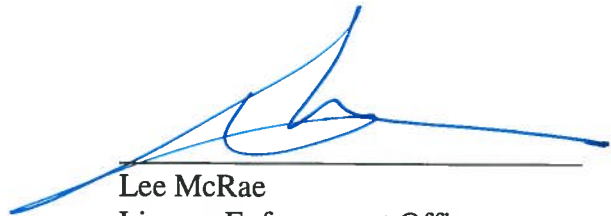
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) COLORADO SPRINGS SWITCHBACKS FC	6303 BARNES RD	Optional Premise	667.60 ft
2) CLEATS BAR & GRILL	6120 BARNES RD	Hotel & Restaurant	717.62 ft
3) DIAMOND CREATIONS OF COLORADO	4385 TUTT BLVD	Hotel & Restaurant w/ Optional Premise	799.69 ft
4) ON THE BORDER MEXICAN GRILL & CANTINA	5832 BARNES RD	Hotel & Restaurant	1,557.88 ft
5) ZEN FUSION SUSHI & BISTRO	4359 INTEGRITY CENTER PT	Beer & Wine	2,121.43 ft
6) LONGHORN STEAKHOUSE #5568	5707 BARNES RD	Hotel & Restaurant	2,152.56 ft
7) RHINO'S SPORTS & SPIRITS	4307 INTEGRITY CENTER PT	Tavern	2,156.41 ft
8) TOKYO JOE'S	5697 BARNES RD	Beer & Wine	2,197.07 ft
9) ZOE'S KITCHEN	5697 BARNES RD	Beer & Wine	2,412.83 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 November 22, 2017 to the following address of record:

Garza Family Enterprises, LLC
dba Vinum Populi
7160 Cotton Drive
Colorado Springs, CO 80923



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

CC: miguel.vinum@gmail.com
Erika Kaiser <erikakaiser1@msn.com>