

CITY CLERK'S OFFICE

2018 MAR 19 P 1:11

Permit Application and Report of Changes

Current License Number <u>04258258-000</u> All Answers Must Be Printed in Black Ink or Typewritten Local License Fee \$ _____		
1. Applicant is a <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company		Present License Number <u>04258258-000</u>
2. Name of Licensee <u>SHN Enterprises Inc</u>		3. Trade Name <u>MR Wine & Liquor</u>
4. Location Address <u>5955 Constitution Ave</u>		
City <u>Colorado Springs, CO</u>	County <u>El Paso</u>	ZIP <u>80915</u>
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.		
Section A – Manager reg/change		Section C
• License Account No. _____ <input type="checkbox"/> Manager's Registration (Hotel & Restr.)\$75.00 <input type="checkbox"/> Manager's Registration (Tavern)\$75.00 <input type="checkbox"/> Manager's Registration (Lodging & Entertainment)\$75.00 <input type="checkbox"/> Change of Manager (Other Licenses pursuant to section 12-47-301(8), C.R.S.) NO FEE		<input type="checkbox"/> Retail Warehouse Storage Permit (ea).....\$200.00 <input type="checkbox"/> Wholesale Branch House Permit (ea) 200.00 <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) 100.00 <input type="checkbox"/> Change Location Permit (ea) 300.00 <input checked="" type="checkbox"/> Change, Alter or Modify Premises \$300.00 x _____ Total Fee _____
Section B – Duplicate License		<input type="checkbox"/> Addition of Optional Premises to Existing H/R \$200.00 x _____ Total Fee _____ <input type="checkbox"/> Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x _____ Total Fee _____ <input type="checkbox"/> Campus Liquor Complex Designation No Fee
• Liquor License No. _____ <input type="checkbox"/> Duplicate License \$50.00		
Do Not Write in This Space – For Department of Revenue Use Only		
Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		TOTAL AMOUNT DUE \$ <u>300</u> .00

Change of Manager	<p>8. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 12-47-301(8).</p> <p>(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & Entertainment only)</p> <p>Former manager's name _____</p> <p>New manager's name _____</p> <p>(b) Date of Employment _____</p> <p>Has manager ever managed a liquor licensed establishment? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Does manager have a financial interest in any other liquor licensed establishment? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, give name and location of establishment _____</p>
Modify Premises or Addition of Optional Premises or Related Facility	<p>9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility</p> <p>NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed <u>More Cooler Rooms 1-12, and wrap around it include 2,000 more square feet</u></p> <p>(b) If the modification is temporary, when will the proposed change: <u>NC</u></p> <p>Start <u>3-28-18 NC</u> (mo/day/year) End <u>May 30-18</u> (mo/day/year)</p> <p>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$500.00</p> <p>(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?</p> <p>(If yes, explain in detail and describe any exemptions that apply) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(d) Is the proposed change in compliance with local building and zoning laws? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.</p> <p>(g) Attach any existing lease that is revised due to the modification.</p>
Campus Liquor Complex Designation	<p>10. Campus Liquor Complex Designation</p> <p>An institution of higher education or a person who contracts with the institution to provide food services</p> <p>(a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex Yes <input type="checkbox"/> No <input type="checkbox"/></p>
Additional Related Facility	<p>11. Additional Related Facility</p> <p>To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises.</p> <p>(a) Address of Related Facility _____</p> <p>(b) Outlined diagram provided Yes <input type="checkbox"/> No <input type="checkbox"/></p>

Oath of Applicant		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature <i>Nancy Cone</i>	Title <i>Manager / Owner</i>	Date <i>3-19-18</i>
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County)		Date filed with Local Authority
Signature	Title	Date
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.		
Signature	Title	Date

A

AFTER

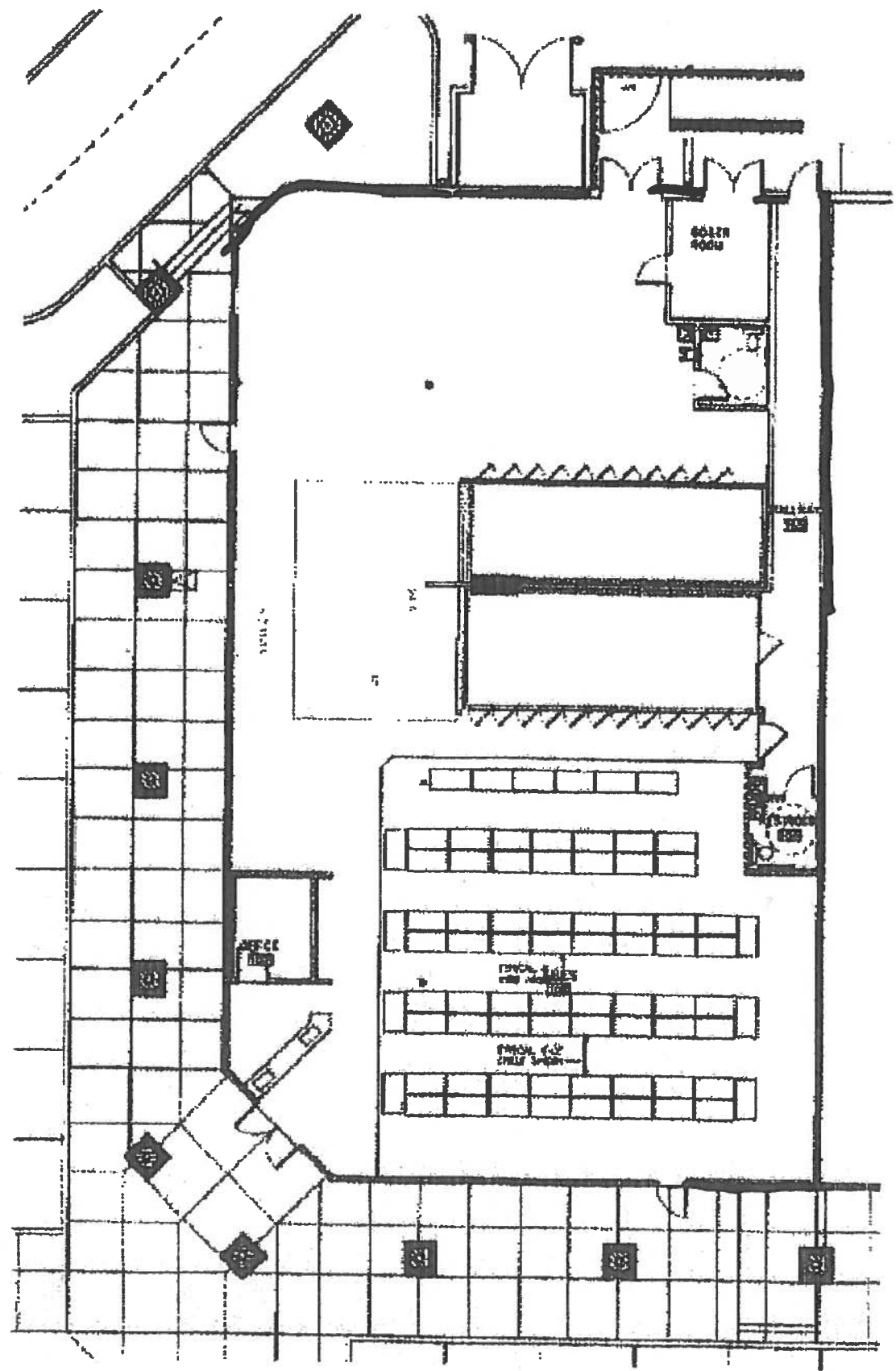
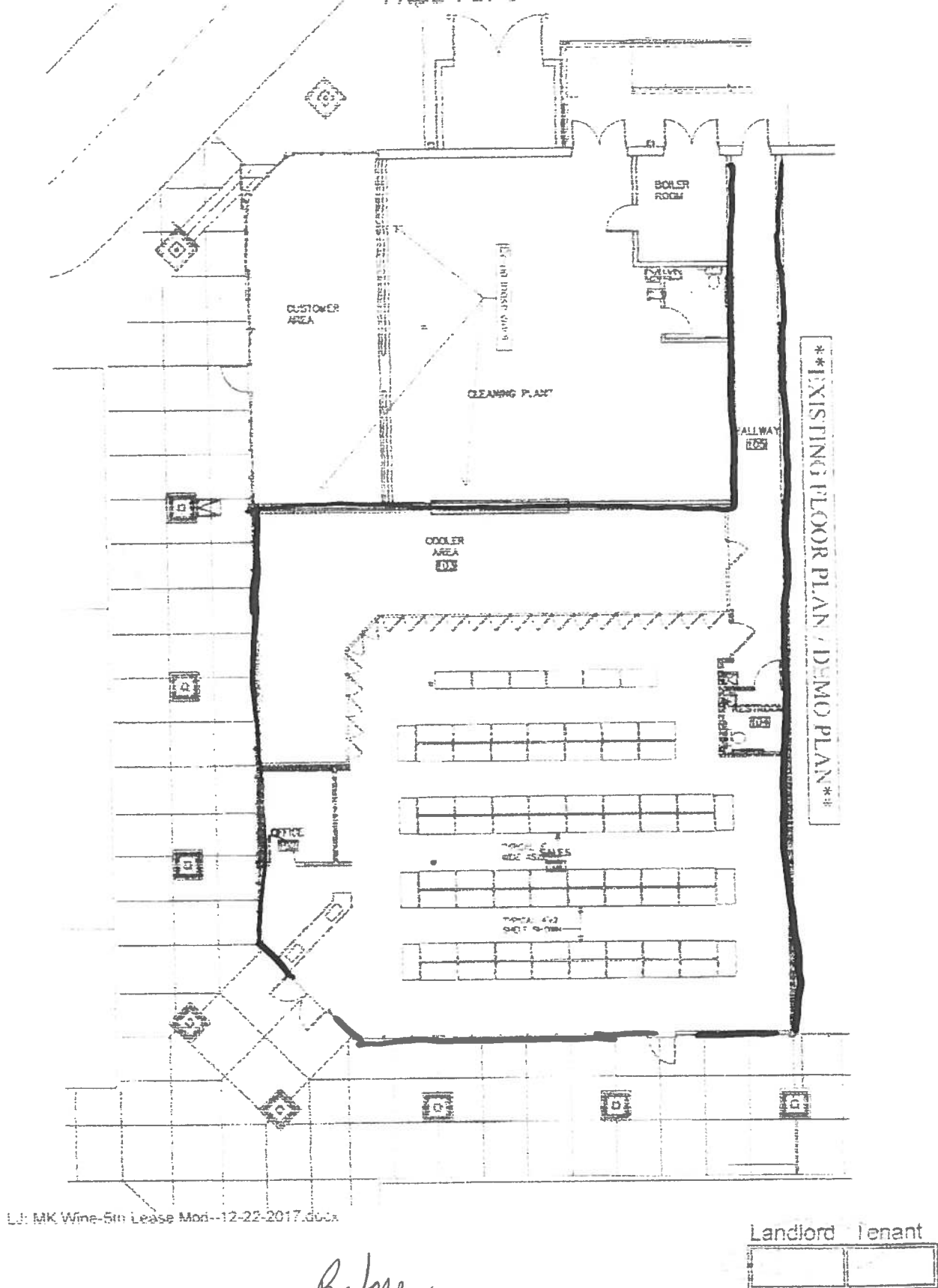


EXHIBIT 1
PAGE 4 OF 5



**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

2018 MAR 29 A 8:55

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

L & N Enterprises, Inc.
d/b/a **MK Wine & Liquor**
5955 Constitution Avenue
Colorado Springs, CO 80915
Mailing Address:
5955 Constitution Avenue
Colorado Springs, CO 80915

Application No: M-714759

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, April 20, 2018 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon L & N Enterprises, Inc. d/b/a MK Wine & Liquor ("Applicant") application for a Modification of Premises of the existing Retail Liquor Store License at 5955 Constitution Avenue, Colorado Springs, CO 80915.

At this meeting, the Hearing Officer will consider the factors outlined in Rule No. 21.00 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, April 10, 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, April 17, 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 March 19, 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 evidenced 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 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 March 29, 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

L & N ENTERPRISES, INC.

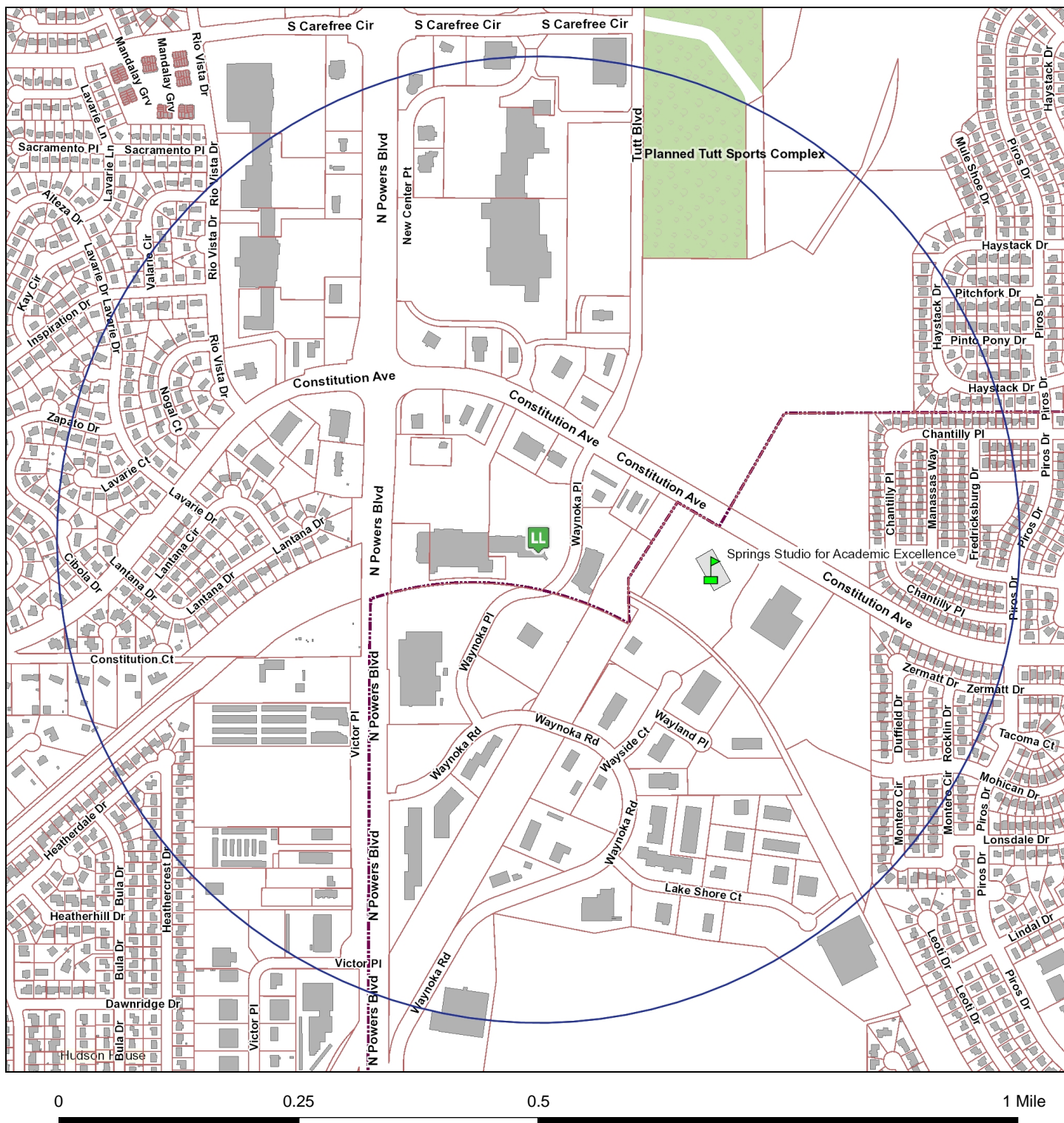
d/b/a MK WINE & LIQUOR

5955 CONSTITUTION AVE



OFFICE OF THE CITY CLERK

License ID: 20566



The survey boundary is 0.5 miles from the establishment

Map Prepared: 3/28/2018 2:04 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 20566

L & N ENTERPRISES, INC.

d/b/a MK WINE & LIQUOR

5955 CONSTITUTION AVE

COLORADO SPRINGS, CO 80915

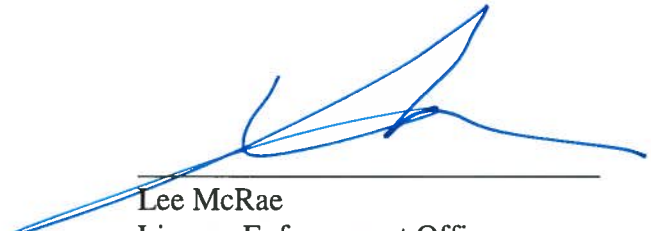
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) J & K LIQUORS	2906 N POWERS BLVD	Retail	2,301.58 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 March 30, 2018 to the following address of record:

L & N Enterprises, Inc.
dba MK Wine & Liquor
5955 Constitution Avenue
Colorado Springs, CO 80915



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

CC: MKliquors@yahoo.com