



Applicant has a Master File

## OFFICE OF THE CITY CLERK

Received

Rec. 12/21/18

# **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 Liquor    ☐ Beer and Wine    ☐ Optional Premises  
☐ Retail Liquor Store\*    ☐ Licensed Drugstore\*    ☐ Racetrack    ☐ Arts  
☐ Lodging & Entertainment    ☐ FMB (Beer) On Premises    ☒ 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):  
Vitamin Cottage Natural Food Markets, Inc

2. Trade Name (DBA): Natural Grocers

3. Premises Address: City, State, Zip:	7298 North Academy Boulevard, Colorado Springs, CO 80920	Location Phone:	(719) 557-2500
Property Tax Schedule No. :	6308002011	Zoning:	PBC/CR
4. Mailing Address: City, State, Zip:	12612 West Alameda Parkway, Lakewood, CO 80228	Alt Phone:	(303) 986-4000
Primary Contact Name And Title:	John Fischer	Email:	jfischer@naturalgrocers.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	

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
Kemper Isely	Co-President	0%
Zephyr Isely	Co-President	0%
Heather Isely	Vice-President/Secretary	0%
Vitamin Cottage Natural Food Market, Inc	Owner	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
Bank of America	Corporate Funds	\$ 10,000
TOTAL INVESTMENT IN BUSINESS:		\$ 10,000

**Section C: PREMISES / LOCATION INFORMATION**

8. Registered Manager Name: N/A

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

If leased, provide the terms: START DATE: 03/24/2016 END DATE: 03/31/2031

DIMENSIONS OF PREMISES: 101'-8 3/4" X 172'-5 3/4" TOTAL SQUARE FOOTAGE: 17,922

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

Anticipated number of employees: 42 Anticipated opening date: Already Open

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

**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
	Kemper Isely	None	
	Zephyr Isely	None	
	Heather Isely	None	

**List of Vitamin Cottage Natural Food Markets, Inc. Colorado Locations**

Attachment to Question #11 – Ownership interest in

<b>Name</b>	<b>Address</b>	<b>City, State, Zip</b>	<b>Liquor License Number</b>
Rino	3757 Brighton Blvd.	Denver, CO, 80216	03-08181
Boulder	2685 Pearl Street	Boulder, CO, 80302	Pending
Design District	368 S. Broadway	Denver, CO, 80209	Pending
Kipling & Coal Mine	6475 S Kipling Parkway	Littleton, CO, 80123	Pending
Mission Trace	3333 S Wadsworth Blvd.	Lakewood, CO, 80227	Pending
Northwest	7745 N. Wadsworth Blvd.	Arvada, CO, 80003	Pending
Colorado Springs	7298 North Academy Boulevard	Colorado Springs, CO 80920	Pending
Design District	368 S. Broadway	Denver, CO 80209	Pending
Evergreen	1291 Bergen Pkwy	Evergreen, CO 80439	Pending
Fort Collins	4318 S College Ave	Fort Collins, CO 80525	Pending
Glenwood Spring	100 W Meadows, Suite B	Glenwood Springs, CO 81601	Pending
Grand Junction	2464 Highway 6 And 50 Grand Mesa Center, Unit 124	Grand Junction, CO 81505	Pending
Green Mountain	12612 W Alameda Pkwy	Lakewood, CO 80228	Pending
Lafayette	100 W South Boulder Rd	Lafayette, CO 80026	Pending
Longmont	1745 N. Main St	Longmont, CO 80501	Pending
Parker	11402 S Parker Rd	Parker, CO 80134	Pending
Salida	200 F Street	Salida, CO 81201	Pending
Steamboat Springs	335 Lincoln Ave	Steamboat Springs, CO 80487	Pending
Woodland Park	916 Paradise Lodge Lane	Woodland Park, CO 80863	Pending

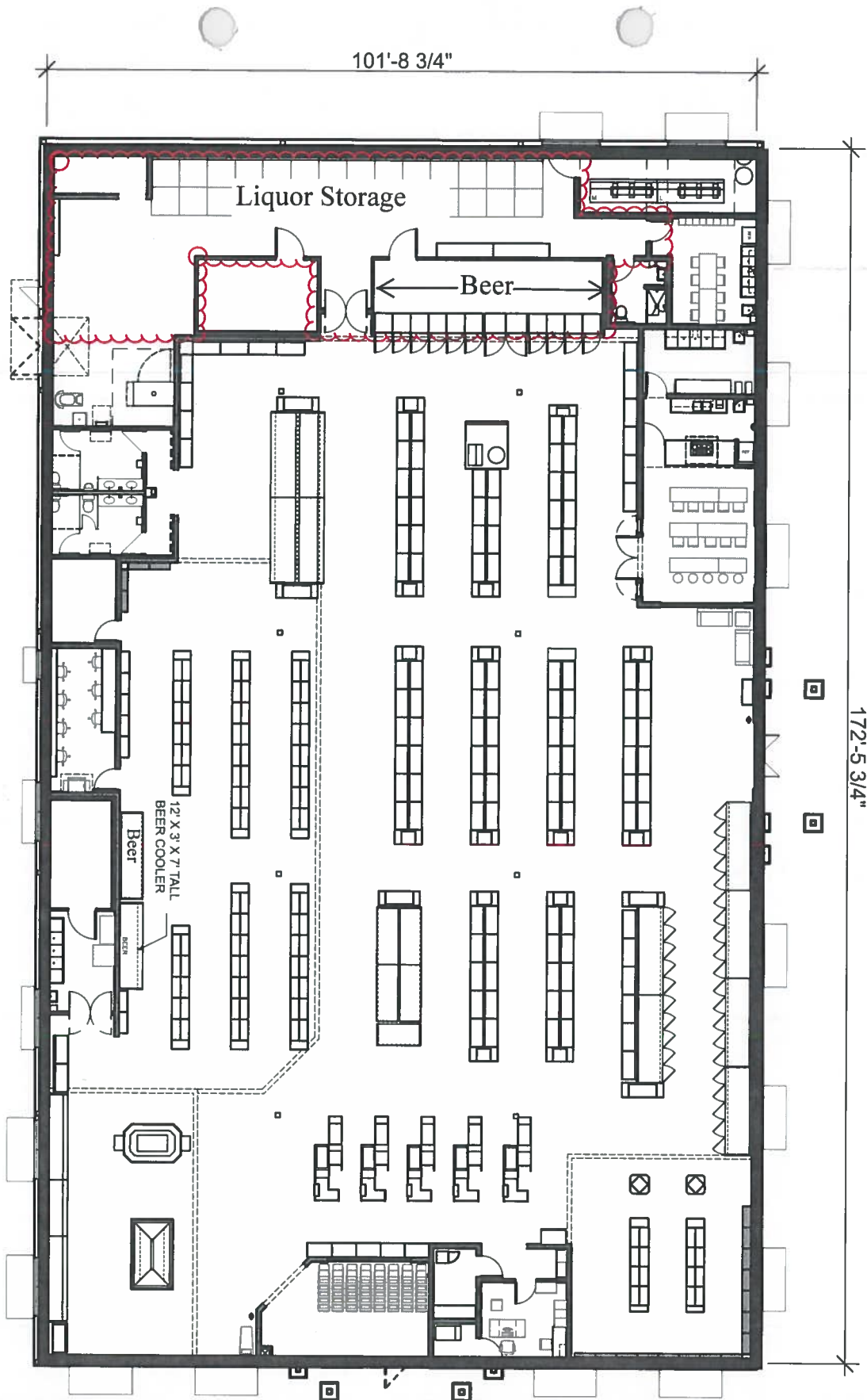
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# BEER LOCATION FLOOR PLAN

NOT TO SCALE

TOTAL STORE AREA = 18,096 S.F.

N



Beer Location Plan

09.14.2018

**SPECIALTY RETAILER**  
VCOEA

7298 NORTH ACADEMY BLVD  
COLORADO SPRINGS, COLORADO 80920

**vega**  
architecture llc

25107 genesee tr. rd.  
golden, co 80401

303.872.0487  
vegaarchitecture.com

<b>BEFORE THE LOCAL LIQUOR AND BEER LICENSING AUTHORITY, CITY OF COLORADO SPRINGS, STATE OF COLORADO</b> Address: 30 South Nevada Avenue, Suite 101 Colorado Springs, CO 80903 Telephone: (719) 385-5901 Fax Number: (719) 385-5114 Email: cityclerk@springsgov.com	<b>CITY CLERK'S OFFICE</b> 2019 JAN 24 A 10: 03  ▲ CLERK USE ONLY ▲
<b>IN THE MATTER OF:</b>  <b>APPLICANT</b> Vitamin Cottage Natural Food Markets, Inc. d/b/a <b>Natural Grocers</b> 7298 N Academy Boulevard Colorado Springs, CO 80920 Mailing Address: 12612 W Alameda Parkway Lakewood, CO 80228	Application No: N-35015
<b>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</b>	

### NOTICE OF HEARING

This matter comes before the Local Licensing Authority Hearing Officer for hearing on **Friday, February 15, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Vitamin Cottage Natural Food Markets, Inc. d/b/a Natural Grocers ("Applicant") application for a new Fermented Malt Beverage Off Premises License at 7298 N Academy Boulevard, Colorado Springs, CO 80920.

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, February 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, February 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 December, 21, 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. §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 January 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



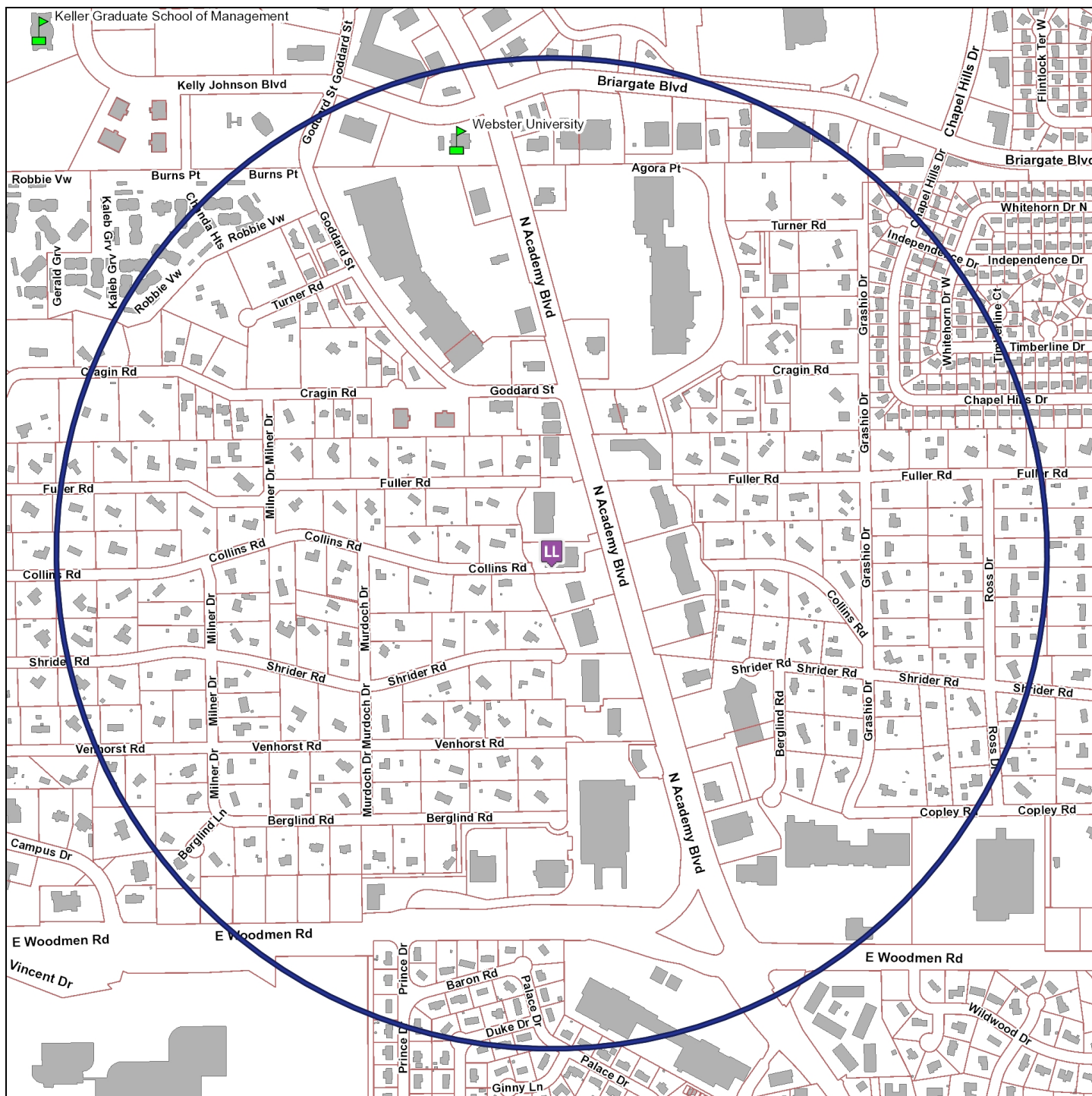
VITAMIN COTTAGE NATURAL FOOD MARKETS, INC.

d/b/a NATURAL GROCERS

7298 N ACADEMY BLVD

OFFICE OF THE CITY CLERK

License ID: 35015



0 0.25 0.5 1 Mile

The survey boundary is 0.5 miles from the establishment

Map Prepared: 1/23/2019 2:11 PM

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## OFFICE OF THE CITY CLERK

### HEARING LETTER ATTACHMENT

License ID: 35015

VITAMIN COTTAGE NATURAL FOOD MARKETS, INC.

d/b/a NATURAL GROCERS

7298 N ACADEMY BLVD

COLORADO SPRINGS, CO 80920

### EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) WHOLE FOODS MARKET	7635 N ACADEMY BLVD	Fermented Malt Beverage Off Premises	1,472.63 ft
2) COLORADO LIQUOR OUTLET	1615 BRIARGATE BLVD	Retail Liquor Store	2,282.88 ft
3) CIRCLE K STORE #2709881	7805 N ACADEMY BLVD	Fermented Malt Beverage Off Premises	2,300.34 ft




## CERTIFICATE OF MAILING

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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 January 24, 2019 to the following address of record:

Vitamin Cottage Natural Food Markets, Inc.  
dba Natural Grocers  
12612 W Alameda Parkway  
Lakewood, CO 80228

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

CC: bodbill@dillanddill.com  
lsitz@dillanddill.com  
jfisher@naturalgrocers.com