



OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE

2019 MAR 29 P 3:24

**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 checked="" 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 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):**

MOOD BAR, LLC

2. Trade Name (DBA): Mood Tapas Bar; District Eleven; Bird Tree Cafe. (3 Tradenames)**3. Premises Address:** 218 N. Tejon St., Suites 100, 110, 120, Colorado Springs, CO 80903
City, State, Zip:**Location Phone:** Not assigned yet**Property Tax Schedule No. :** 6418207007**Zoning:** FBZ-T1**4. Mailing Address:** 1235 Lake Plaza Dr., #251, Colo Springs, CO 80906
City, State, Zip:**Alt Phone:** 817-233-6250**Primary Contact Name And Title:** Michael Thompson, member**Email:** mthompson@moodtapasbar.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
Michael Thompson	Member	32.75
Crystal Byrd	Member	32.75
Niki Lynn Davis	Member	10.2
N/A		
N/A		
N/A		

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
Michael Thompson -- Personal Acct	Checking	60,500
Chase Bank		
Crystal Byrd -- Personal Acct	Checking	60,500
Chase Bank		
Niki Davis	Checking	65,000
USAA		
TOTAL INVESTMENT IN BUSINESS:		\$ 280,000 0

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Crystal Byrd

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

If leased, provide the terms: START DATE: 02/08/2019 END DATE: 06/2029

DIMENSIONS OF PREMISES: 190 x 36 TOTAL SQUARE FOOTAGE: 6,840

Is there a patio area? ☒ Yes ☐ No --- If yes, provide dimensions 36 x 6

Anticipated number of employees: 40 Anticipated opening date: As soon as license issued

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

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
T-Byrd's Tacos, LLC 26 E. Kiowa, Colorado Springs, CO 80903	Michael Thompson	Member	04/2016 to Current
T-Byrd's Tacos, LLC 26 E. Kiowa, Colorado Springs, CO 80903	Crystal Byrd	Member	04/2016 to Current

**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 MAY 31 A 8:51

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

Mood Bar, LLC
d/b/a **Mood Tapas Bar, District Eleven, Bird Tree Café**
218 N. Tejon St., #100, 110, 120
Colorado Springs, CO 80903
Mailing Address:
1235 Lake Plaza Drive, #251
Colorado Springs, CO 80906

Application No: N-35549

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, June 21, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Mood Bar, LLC d/b/a Mood Tapas Bar, District Eleven, Bird Tree Café ("Applicant") application for a new Hotel and Restaurant Liquor License at 218 N. Tejon St., #100, 110, 120, Colorado Springs, CO 80903.

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 11, 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, June 18, 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 April 15, 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 evidence 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.

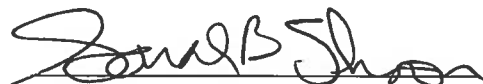
VI. A review of Applicant's finances did not disclose any unlawful financial assistance as prohibited in C.R.S. §44-3-308.

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.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done May 30, 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



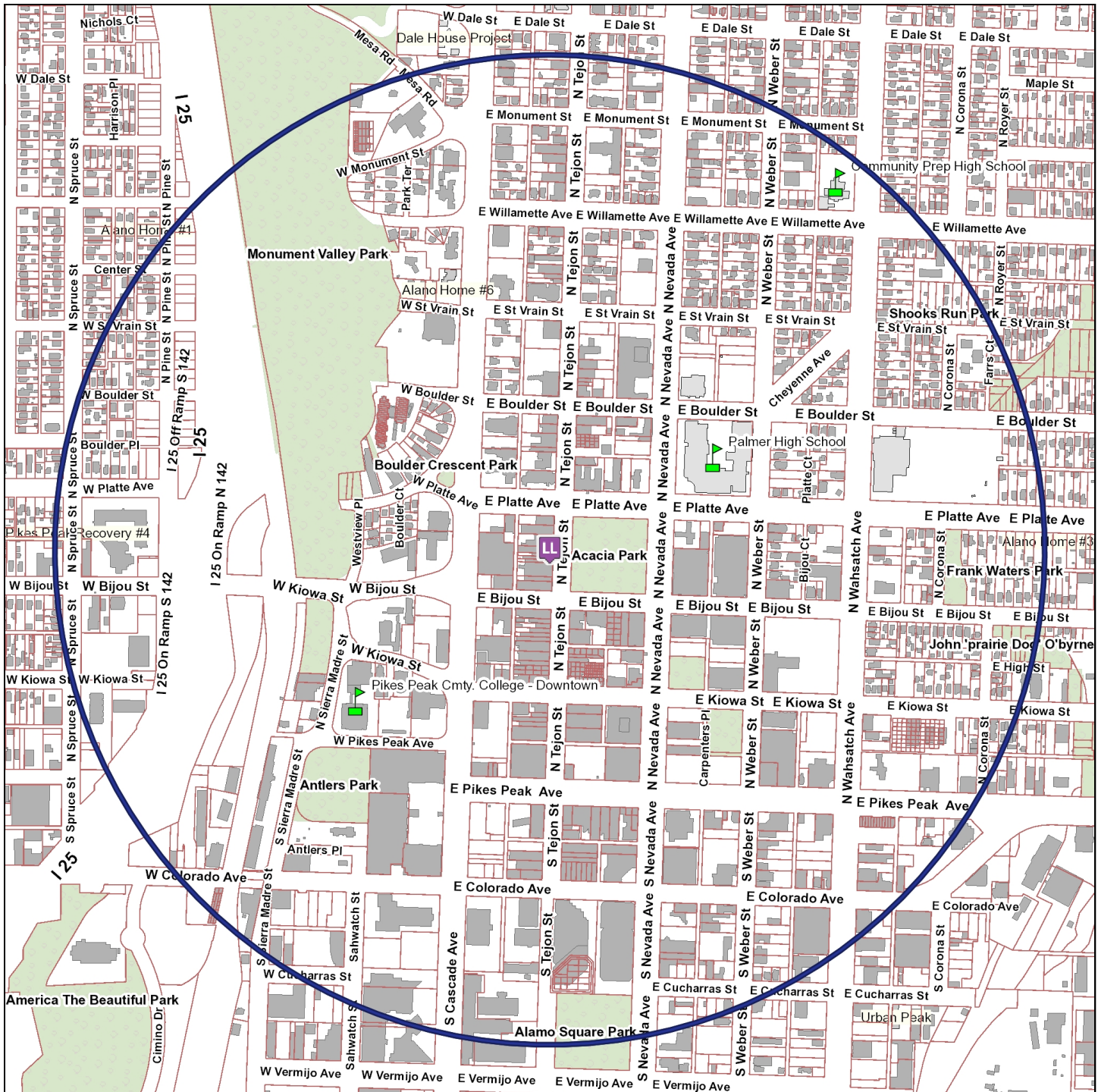
MOOD BAR, LLC

d/b/a MOOD TAPAS BAR, DISTRICT ELEVEN, BIRD TREE CAFE

218 N TEJON ST #100, 110, 120

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License ID: 35549



The survey boundary is 0.5 miles from the establishment

Map Prepared: 5/31/2019 9:14 AM

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HEARING LETTER ATTACHMENT

License ID: 35549

MOOD BAR, LLC

d/b/a MOOD TAPAS BAR, DISTRICT ELEVEN, BIRD TREE CAFE

218 N TEJON ST #100, 110, 120

COLORADO SPRINGS, CO 80903

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) JOSE MULDOONS	222 N TEJON ST	Hotel & Restaurant	57.46 ft
2) BAMBINO'S, INC.	36 E BIJOU ST	Hotel & Restaurant	199.39 ft
3) EVEREST NEPAL RESTAURANT	28 E BIJOU ST	Hotel & Restaurant	233.96 ft
4) AMERICAN LEGION POST NO. 5	15 E PLATTE AVE	Club	258.89 ft
5) BINGO BURGER	132 N TEJON ST	Hotel & Restaurant	379.94 ft
6) EL PASO CLUB	30 E PLATTE AVE	Club	391.63 ft
7) SHAME AND REGRET	15 E BIJOU ST	Tavern	427.00 ft
8) RENDEZVOUS	128 N TEJON ST	Tavern	429.94 ft
9) ODYSSEY GASTROPUB	311 N TEJON ST	Hotel & Restaurant	503.63 ft
10) OSKAR BLUES COLORADO SPRINGS	118 N TEJON ST	Hotel & Restaurant	531.69 ft
11) PAINTING WITH A TWIST	115 N TEJON ST	Beer & Wine	575.05 ft
12) THE RESTAURANT AT POOR RICHARD'S	324 N TEJON ST	Hotel & Restaurant	585.29 ft
13) FOUR BY BROTHER LUCK	321 N TEJON ST	Hotel & Restaurant	647.26 ft
14) TONY'S	326 N TEJON ST	Hotel & Restaurant	652.45 ft
15) FRATELLI RISTORANTE ITALIANO	124 N NEVADA AVE	Hotel & Restaurant	668.83 ft
16) ROOSTER'S HOUSE OF RAMEN	323 & 325 N TEJON ST	Hotel & Restaurant	676.91 ft
17) T BYRD'S TACOS AND TEQUILA	26 E KIOWA ST	Hotel & Restaurant	718.15 ft
18) BONNY & READ FINE SEAFOOD & STEAKS	101 N TEJON ST	Hotel & Restaurant	724.73 ft
19) HUNAN SPRINGS INC	24 E KIOWA ST	Hotel & Restaurant	725.19 ft
20) SUPERNOVA	111 E BOULDER ST	Hotel & Restaurant	739.57 ft
21) THE RABBIT HOLE	101 N TEJON ST	Hotel & Restaurant	742.57 ft
22) MEDITERRANEAN CAFE	118 E KIOWA ST	Beer & Wine	782.74 ft
23) BREWER'S REPUBLIC TAP HOUSE & EVENTS @ ONE TEN BELOW	110 N NEVADA AVE	Hotel & Restaurant	830.57 ft
24) YOO-MAE	21 & 21-1/2 E. KIOWA ST	Hotel & Restaurant	835.84 ft
25) CHIBA BAR	17-19 E KIOWA ST	Tavern	845.24 ft



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26) THE WILD GOOSE MEETING HOUSE	401 N TEJON ST	Hotel & Restaurant	847.76 ft
27) THE FAMOUS	31 N TEJON ST	Hotel & Restaurant	849.58 ft
28) BEAUTY BAR	26 N TEJON ST	Lodging & Entertainment	880.68 ft
29) RASTA PASTA	405 N TEJON ST	Hotel & Restaurant	903.57 ft
30) GASOLINE ALLEY	28 N TEJON ST	Tavern	916.49 ft
31) COWBOYS	25 N TEJON ST	Tavern	925.19 ft
32) RED MARTINI/BLONDIES	22 N TEJON ST	Tavern	954.65 ft
33) THE MANSION / THE MEZZANINE	20 N TEJON ST	Tavern	997.95 ft
34) THE UTE AND YETI	21 N NEVADA AVE	Beer & Wine	1,158.78 ft
35) THE MELTING POT	30 E PIKES PEAK AVE	Hotel & Restaurant	1,204.35 ft
36) PHANTOM CANYON BREWING COMPANY	2 E PIKES PEAK AVE	Brew Pub	1,235.98 ft
37) COLORADO BEVERAGE SERVICE	221 E KIOWA ST	Tavern	1,325.56 ft
38) KIMBALL'S CINEMAS	113 E PIKES PEAK AVE	Tavern	1,433.12 ft
39) SPRINGS ORLEANS & MINING EXCHANGE HOTEL	123 E PIKES PEAK AVE	Hotel & Restaurant	1,461.76 ft
40) IL VICINO WOOD OVEN PIZZA	11 S TEJON ST	Hotel & Restaurant	1,480.10 ft
41) THE PERK DOWNTOWN	14 S TEJON ST	Hotel & Restaurant	1,512.91 ft
42) COLORADO CRAFT	15 S TEJON ST	Hotel & Restaurant	1,521.81 ft
43) SPICE ISLAND GRILL	10 N SIERRA MADRE ST	Hotel & Restaurant	1,532.69 ft
44) CHIPOTLE MEXICAN GRILL	17 S TEJON	Hotel & Restaurant	1,582.91 ft
45) FUJIYAMA	22 S TEJON ST	Hotel & Restaurant	1,623.72 ft
46) JACK QUINN'S IRISH ALE HOUSE AND PUB	21 S TEJON ST	Hotel & Restaurant	1,626.10 ft
47) THE ANTLERS & ANTLERS HOTEL	4 S CASCADE AVE	Hotel & Restaurant	1,638.02 ft
48) EAST COAST DELI	24 S TEJON ST	Hotel & Restaurant	1,650.21 ft
49) RED GRAVY	23 S TEJON ST	Hotel & Restaurant	1,654.41 ft
50) MINING EXCHANGE HOTEL OR THE GOLD ROOM	18 S NEVADA AVE	Tavern	1,655.14 ft
51) THIRTY THREE	18 S NEVADA AVE	Tavern	1,671.16 ft
52) SONTERRA INNOVATIVE SOUTHWEST GRILL	28 S TEJON ST	Hotel & Restaurant	1,685.19 ft
53) THE THIRSTY PARROT	32 S TEJON ST	Tavern	1,739.58 ft
54) SAIGON CAFÉ	20 E COLORADO AVE	Beer & Wine	1,742.59 ft
55) PANINO'S RESTAURANT	604 N TEJON ST	Hotel & Restaurant	1,915.69 ft
56) MACKENZIES CHOPHOUSE	128 S TEJON ST	Hotel & Restaurant	2,234.08 ft
57) LUCKY DUMPLING	26 S WAHSATCH AVE	Hotel & Restaurant	2,279.19 ft
58) CLARION HOTEL and QUALITY SUITES	314 W BIJOU ST	Hotel & Restaurant	2,302.05 ft
59) TRIPLE NICKEL TAVERN LLC	334 E COLORADO AVE	Tavern	2,339.01 ft
60) V F W PIKES PEAK POST 4051	430 E PIKES PEAK AVE	Club	2,365.41 ft



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61) PIKES PEAK CENTER

190 S CASCADE AVE


Tavern

2,531.57 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 May 30, 2019 to the following address of record:

Mood Bar, LLC
dba Mood Tapas Bar, District Eleven, Bird Tree Café
1235 Lake Plaza Drive, #251
Colorado Springs, CO 80906



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

CC: vince@lindenlawgroup.com
mthompson@moodtapasbar.com
liquorpros@msn.com