



OFFICE OF THE CITY CLERK

**LIQUOR LICENSE APPLICATION OR
3.2% FERMENTED MALT BEVERAGE
LICENSE APPLICATION (ALCOHOL BEVERAGE)**

Received:

CITY CLERK'S OFFICE

2019 JUL 11 A 10: 33

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: 1604 S Nevada Ave, Colorado Springs, CO 80906
City, State, Zip:

Location Phone: (719) 634-9200

Property Tax Schedule No. : 6419314040

Zoning: C5 - Streamside Overlay

4. Mailing Address: 12612 West Alameda Parkway, Lakewood, CO 80228
City, State, Zip:

Alt Phone: (303) 986-5700

Primary Contact Name And Title: Lindsey Sitz, Paralegal, (303) 777-3737

Email: lsitz@dillanddill.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
Vitamin Cottage Natural Food Markets, Inc.	Owner	100
Kemper Isely	Co-President	0
Zephyr Isely	Co-President	0
Heather Isely	VP/Secretary	0

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	Existing 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: 11/01/2017 END DATE: 02/28/2028

DIMENSIONS OF PREMISES: 107' 7 3/4" x 135' 1 3/4" TOTAL SQUARE FOOTAGE: 15,015 Square Feet

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

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:

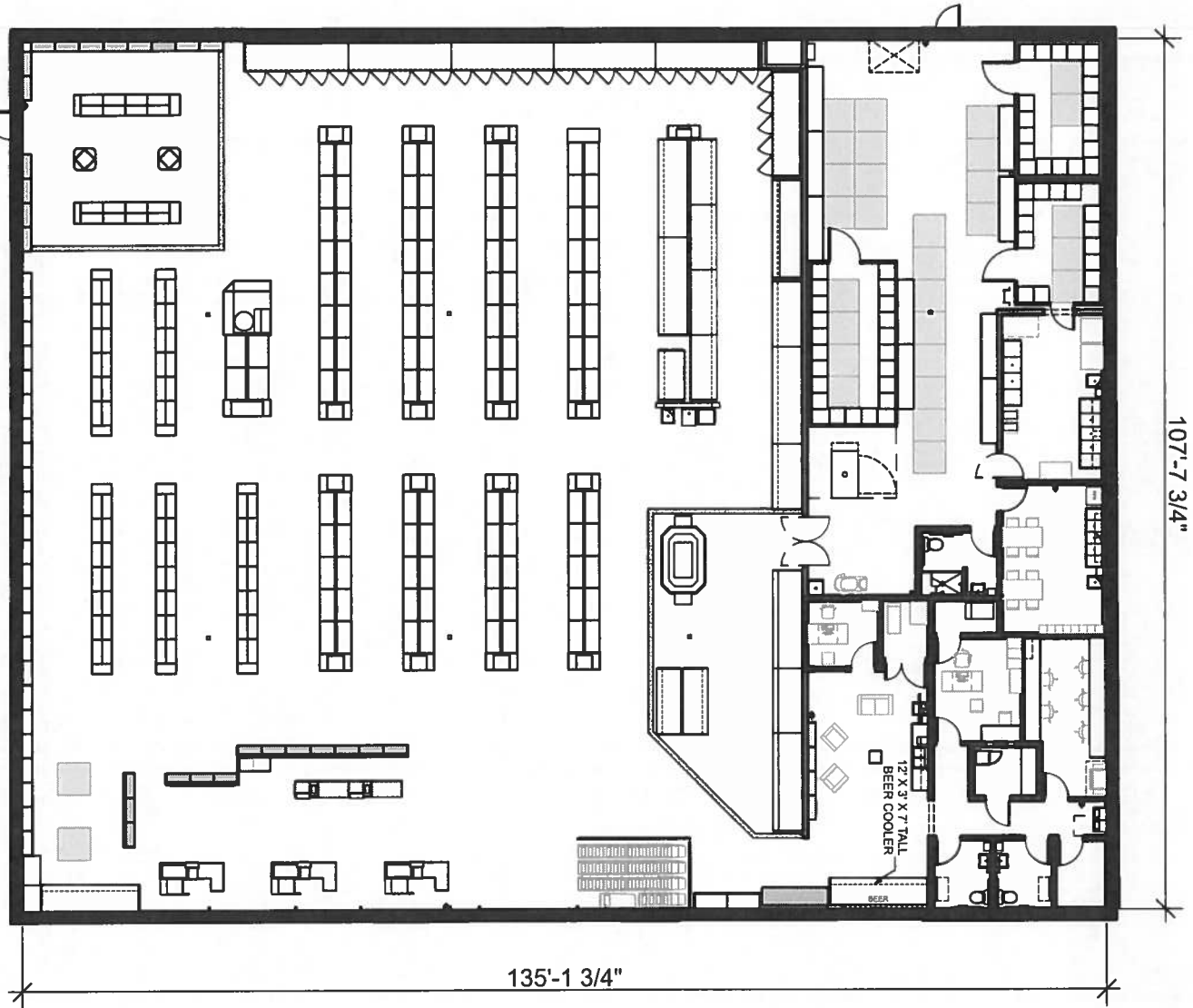
Name	Address	City, State, Zip	Liquor License Number
Rino	3757 Brighton Blvd.	Denver, CO, 80216	03-08181
Boulder	2685 Pearl Street	Boulder, CO, 80302	04-01166
Design District	368 S. Broadway	Denver, CO, 80209	04-01122
Kipling & Coal Mine	6475 S Kipling Parkway	Littleton, CO, 80123	Locally Approved
Mission Trace	3333 S Wadsworth Blvd.	Lakewood, CO, 80227	04-01135
Montrose	3451 South Rio Grande Ave., Suite C	Montrose, CO 81401	04-01108
Northwest	7745 N. Wadsworth Blvd.	Arvada, CO, 80003	04-01117
Colorado Springs	7298 North Academy Boulevard	Colorado Springs, CO 80920	04-01112
Evergreen	1291 Bergen Pkwy	Evergreen, CO 80439	04-01213
Fort Collins	4318 S College Ave	Fort Collins, CO 80525	04-01105
Glenwood Spring	100 W Meadows, Suite B	Glenwood Springs, CO 81601	0401113
Grand Junction	2464 Highway 6 And 50 Grand Mesa Center, Unit 124	Grand Junction, CO 81505	04-01119
Green Mountain	12612 W Alameda Pkwy	Lakewood, CO 80228	04-01133
Lafayette	100 W South Boulder Rd	Lafayette, CO 80026	04-01150
Longmont	1745 N. Main St	Longmont, CO 80501	04-01127
Parker	11402 S Parker Rd	Parker, CO 80134	04-01111
Salida	200 F Street	Salida, CO 81201	04-01103
Steamboat Springs	335 Lincoln Ave	Steamboat Springs, CO 80487	04-01114
Woodland Park	916 Paradise Lodge Lane	Woodland Park, CO 80863	04-01149
Castle Rock	4510 Trail Boss Dr.	Castle Rock, CO 80104	04-01166
East Denver	4500 E Alameda Ave.	Denver, CO 80246	04-01152
Frisco	970 N 10 Mile Dr.	Frisco, Co 80443	04-01159
Monument	1216 Baptist Rd.	Monument, CO 80132	04-01154
Northglenn	11465 Washington St.	Northglenn, CO 80233	04-01156
South Aurora	3440 S Tower Rd.	Aurora, CO 80013	04-01179
Greeley	2891 35 th Ave.	Greeley, CO 0634	04-01213
Arapahoe	11753 E Arapahoe Rd.	Centennial, CO 80112	04-01205
Pagosa Springs	755 San Juan Street	Pagosa Springs, CO 81147	04-01222

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BEER LOCATION FLOOR PLAN

NOT TO SCALE

TOTAL STORE AREA = 15,015 S.F.



Beer Location Plan

09.20.2018

SPECIALTY RETAILER
VCOSN
 1604 S NEVADA AVE.
 COLORADO SPRINGS, COLORADO 80905

vega
 architecture llc

25107 genesee tr. rd.
 golden, co 80401
 303.872.0487
 vegaarchitecture.com

**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 JUL 25 P 1:59

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

Vitamin Cottage Natural Food Markets, Inc.
d/b/a **Natural Grocers**
1604 S. Nevada Ave
Colorado Springs, CO 80906
Mailing Address:
12612 W. Alameda Parkway
Lakewood, CO 80228

Application No: N-36021

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, August 16, 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 1604 S. Nevada Ave, Colorado Springs, CO 80906.

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, August 6, 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, August 13, 2019.

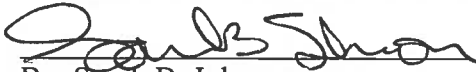
Pursuant to C.R.S. §44-3-312 and City Rule No. 7, the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant's application. NOW THEREFORE these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on July 11, 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.
- 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 July 25, 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



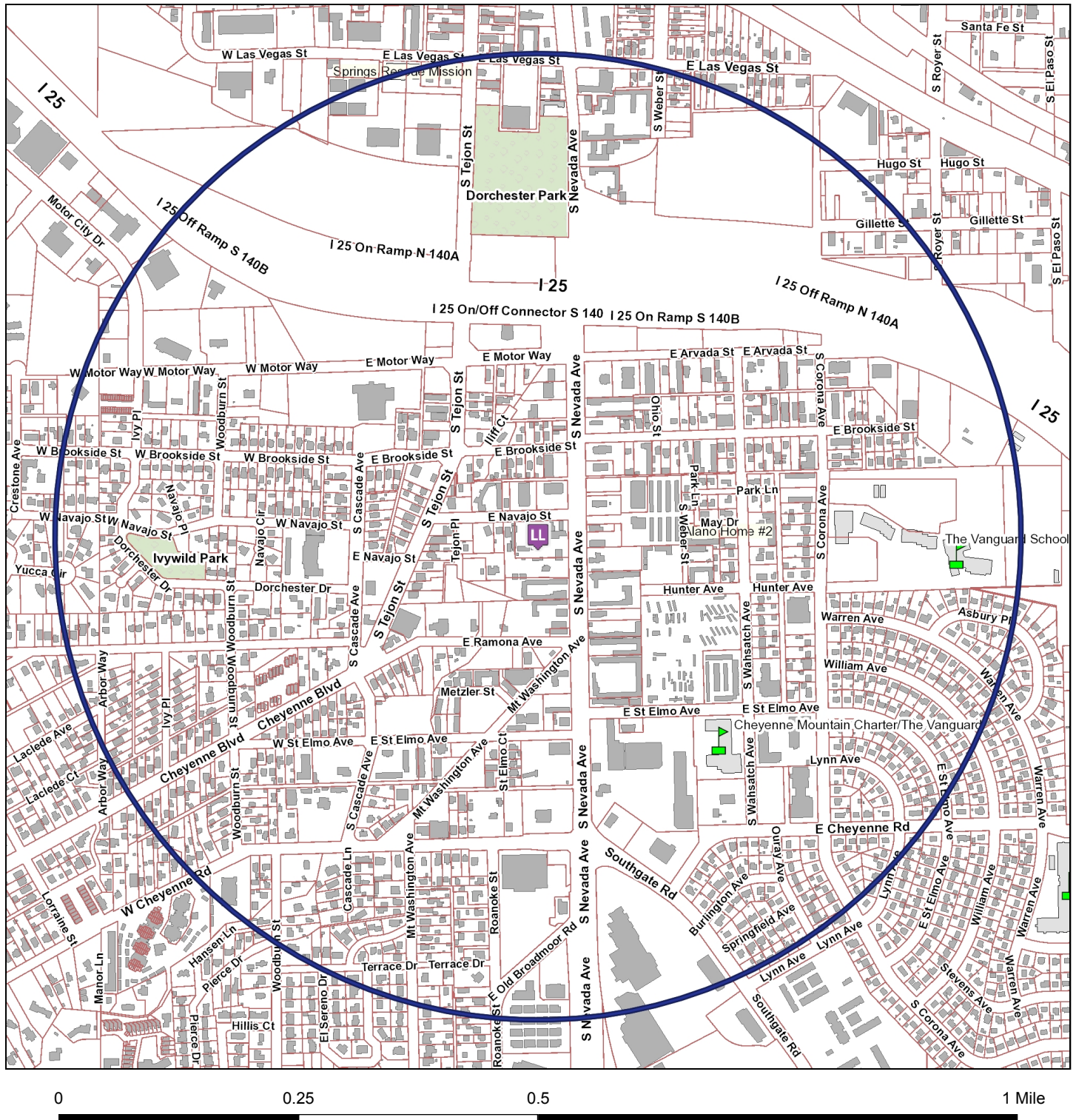
VITAMIN COTTAGE NATURAL FOOD MARKETS INC

d/b/a NATURAL GROCERS

1604 S NEVADA AVE

OFFICE OF THE CITY CLERK

License ID: 36021



The survey boundary is 0.5 miles from the establishment

Map Prepared: 7/25/2019 10:30 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 36021

VITAMIN COTTAGE NATURAL FOOD MARKETS INC

d/b/a NATURAL GROCERS

1604 S NEVADA AVE

COLORADO SPRINGS, CO 80906

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) HARRYS LIQUOR	1527 S NEVADA AVE	Retail Liquor Store	571.22 ft
2) EVERYDAY 5701	1502 S TEJON ST	Fermented Malt Beverage Off Premises	758.23 ft
3) JOHNNIE'S LIQUOR	1725 S NEVADA AVE	Retail Liquor Store	982.12 ft
4) 7-ELEVEN STORE #22562A	1801 S NEVADA AVE	Fermented Malt Beverage Off Premises	1,104.26 ft
5) THE OAK BARREL	104 E CHEYENNE RD	Retail Liquor Store	1,712.44 ft
6) SAFEWAY STORE #2816	1920 S NEVADA AVE	Fermented Malt Beverage Off Premises	1,825.67 ft
7) CORKS, BOTTLES, & BREWS	1852 SOUTHGATE RD	Retail Liquor Store	2,306.28 ft
8) SOUTH NEVADA LIQUOR	1107 S NEVADA AVE	Retail Liquor Store	2,549.31 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 July 25, 2019 to the following address of record:

Vitamin Cottage Natural Food Markets, Inc.
d/b/a Natural Grocers
12612 W. Alamed 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: bobdill@dillanddill.com
lsitz@dillanddill.com