



OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE

2019 AUG 30 A 9:50

**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): Pester Marketing Company	
2. Trade Name (DBA): Alta #6113	
3. Premises Address: Fillmore City, State, Zip: 227 W. Fillmore Street, Colorado Springs CO 80907	Location Phone: 719-630-3493
Property Tax Schedule No. : 6331306003	Zoning: C5
4. Mailing Address: City, State, Zip: 4643 S Ulster Street, Suite 350, Denver CO 80237	Alt Phone: 303-693-9331 x 22
Primary Contact Name And Title: Anita Gragg, Compliance Admin	Email: agragg@pestermarketing.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

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
Western Alta Holdings, LP	Stock owner	100
Richard Spresser	President	0
Monte McGilvray	Treasurer	0
Sam Youngblood	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
Cadence Bank, NA	Checking	existing business
TOTAL INVESTMENT IN BUSINESS:		\$ 0

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Richard Spresser

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

If leased, provide the terms: Management Agreement START DATE: 1/16/18 END DATE: 12/31/2037

DIMENSIONS OF PREMISES: 46 x 36 TOTAL SQUARE FOOTAGE: 1684

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

Anticipated number of employees: 8 Anticipated opening date: Already open

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

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 attached list of locations with alcohol licence			

Alta #	Address	City	St	Zip	License Type	License #	Section 13
6114	2387 West 72nd Avenue	Adams County -Denver	CO	80221	FMB Off Premise	04-00953	
3301	412 Denver St.	Alamosa	CO	81101	FMB Off Premise	80241160115	
3501	3213 Main St	Alamosa	CO	81101	FMB Off Premise	04-00888	
5725	725 State Ave.	Alamosa	CO	81101	FMB Off Premise	80241160126	
1281	13694 E. Iliiff Ave.	Aurora	CO	80014	FMB Off Premise	04-00769	
1340	15201 E. Hampden Ave.	Aurora	CO	80014	FMB Off Premise	04-01088	
6112	1351 E. Bridge Street	Brighton	CO	80601	FMB Off Premise	04-00926	
6140	12702 Lowell Blvd	Broomfield	CO	80020	FMB Off Premise	04-00898	
6142	122 S Lincoln St	Burlington	CO	80807	FMB Off Premise	04-00738	
6122	1228 Royal Gorge Blvd	Canon City	CO	81212	FMB Off Premise	04-00746	
6322	420 Royal Gorge Blvd	Canon City	CO	81212	FMB Off Premise	04-00723	
6324	2075 Fremont Drive	Canon City	CO	81212	FMB Off Premise	04-00722	
6326	3095 E US Highway 50	Canon City	CO	81212	FMB Off Premise	04-00832	
6328	1410 Elm Avenue	Canon City	CO	81212	FMB Off Premise	04-00741	
6330	1501 Central Avenue	Canon City	CO	81212	FMB Off Premise	04-00721	
6104	800 S Wilcox St	Castle Rock	CO	80104	FMB Off Premise	04-00708	
6017	7450 S Colorado Blvd	Centennial	CO	80122	FMB Off Premise	04-01130	
5111	2006 E 8th Street	Center	CO	81125	FMB Off Premise	80241160125	
6008	5050 Boardwalk Drive	Colorado Springs	CO	80919	FMB Off Premise	04-00822	
6009	3945 Palmer Park Blvd	Colorado Springs	CO	80909	FMB Off Premise	04-00824	
6101	2105 W, Colorado Ave.	Colorado Springs	CO	80915	FMB Off Premise	04-00821	
6136	2775 Briargate Blvd	Colorado Springs	CO	80920	FMB Off Premise	04-00823	
5504	805 Grand Avenue	Del Norte	CO	81132	FMB Off Premise	04-01228	
6127	1502 Howard St	Delta	CO	81416	FMB Off Premise	04-00954	
6146	1430 US 50	Delta	CO	81416	FMB Off Premise	04-00949	
6115	11399 US Highway 24	Divide	CO	80814	FMB Off Premise	04-00836	
6323	921 E Main Street	Florence	CO	81226	FMB Off Premise	04-00731	
6329	217 Church Ave	Florence	CO	81226	FMB Off Premise	04-00730	
6130	1113 W Drake Rd	Fort Collins	CO	80526	FMB Off Premise	04-00766	
6138	382 E Mountain Ave	Fort Collins	CO	80524	FMB Off Premise	04-00904	
6145	825 Main St	Fort Morgan	CO	80701	FMB Off Premise	04-00872	
6003	5510 S Highway 85	Fountain	CO	80911	FMB Off Premise	04-00943	
6133	123 W Cranston Ave	Fowler	CO	81039	FMB Off Premise	04-00876	
6317	555 Raptor Road	Fruita	CO	81521	FMB Off Premise	04-00594	
3205	PO Box 295 (4th & Beaubien)	Ft. Garland	CO	81133	FMB Off Premise	80241160108	
6318	51171 Highway 6 7 24	Glenwood Springs	CO	81601	FMB Off Premise	04-01067	
6124	2525 Broadway	Grand Junction	CO	81507	FMB Off Premise	04-00952	
6125	2998 North Ave	Grand Junction	CO	81504	FMB Off Premise	04-00935	
6151	2896 North Ave	Grand Junction	CO	81501	FMB Off Premise	04-01186	
6311	1904 12th Street	Grand Junction	CO	81501	FMB Off Premise	04-00589	
6312	107 Grand Avenue	Grand Junction	CO	81501	FMB Off Premise	04-00590	
6315	722 Horizon Drive	Grand Junction	CO	81506	FMB Off Premise	04-00592	
6316	2249 Broadway	Grand Junction	CO	81507	FMB Off Premise	04-00591	
3850	821 W. Tomichi Ave	Gunnison	CO	81230	FMB Off Premise	80241160147	
6120	2630 Colorado Blvd	Idaho Springs	CO	80452	FMB Off Premise	04-00704	
5320	320 Spruce St.	La Jara	CO	81140	FMB Off Premise	04-00944	
6111	1301 Wadsworth Blvd	Lakewood	CO	80214	FMB Off Premise	04-00729	
6121	356 Bent Ave	Las Animas	CO	81054	FMB Off Premise	04-00716	
1233	900 Ken Pratt Blvd	Longmont	CO	80501	FMB Off Premise	80-24116-0094	
6129	1500 N Main St	Longmont	CO	80501	FMB Off Premise	04-00871	
6119	1331 W Eisenhower Blvd	Loveland	CO	80537	FMB Off Premise	04-00849	
3401	1331 Grand Ave.	Monte Vista	CO	81144	FMB Off Premise	04-00287	
6126	938 S Townsend Ave	Montrose	CO	81401	FMB Off Premise	04-00932	
6116	11515 SR 83	Parker	CO	80134	FMB Off Premise	04-00745	
6141	11000 US 50	Poncha Springs	CO	81242	FMB Off Premise	04-00835	
3104	725 W. Northern Ave.	Pueblo	CO	81004	FMB Off Premise	80241160109	
3106	2801 N Elizabeth Street	Pueblo	CO	81008	FMB Off Premise	04-01019	
3107	1350 E. 4th St.	Pueblo	CO	81001	FMB Off Premise	80241160112	
3109	2102 Norwood Ave.	Pueblo	CO	81003	FMB Off Premise	80241160110	
3113	723 Pueblo Blvd.	Pueblo	CO	81005	FMB Off Premise	80241160113	
6135	3201 Lake Ave	Pueblo	CO	81004	FMB Off Premise	04-00817	
6143	2714 Thatcher Ave	Pueblo	CO	81005	FMB Off Premise	04-01056	
6256	300 West Northern Ave	Pueblo	CO	81004	FMB Off Premise	04-00113	
3405	315 8th St.	Saguache	CO	81149	FMB Off Premise	80241160107	
3701	337 W. 1st St.	Salida	CO	81201	FMB Off Premise	80241160106	
6150	946 E Rainbow Blvd	Salida	CO	81201	FMB Off Premise	04-00834	
6301	310 Rainbow Blvd	Salida	CO	81201	FMB Off Premise	04-00201	
6123	9190 Huron St	Thornton	CO	80260	FMB Off Premise	04-00936	
6255	305 State St	Trinidad	CO	81082	FMB Off Premise	4600870	
6117	416 US 87	Walsenburg	CO	81089	FMB Off Premise	04-00753	
1243	5190 Ward Rd	Wheat Ridge	CO	80033	FMB Off Premise	04-00357	
4999	9999 W. 38th Avenue	Wheat Ridge	CO	80033	FMB Off Premise	04-01081	
6006	40 N. Highway 67	Woodland Park	CO	80863	FMB Off Premise	04-00928	
6107	20421 E US-24	Woodland Park	CO	80863	Retail Liquor	03-10886	

Store 6113

227 W Fillmore Street

Quota 130.



Canopy gas dispensers

**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 OCT -9 P 2: 36

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

Pester Marketing Company
d/b/a **Alta #6113**
227 W. Fillmore Street
Colorado Springs, CO 80907
Mailing Address:
4643 S. Ulster Street, #350
Denver, CO 80237

Application No: N-36270

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, November 1, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Pester Marketing Company d/b/a Alta #6113 ("Applicant") application for a new Fermented Malt Beverage Off Premises License at 227 W. Fillmore Street, Colorado Springs, CO 80907.

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, October 22, 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, October 29, 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 August 30, 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 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 October 10, 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

PESTER MARKETING COMPANY

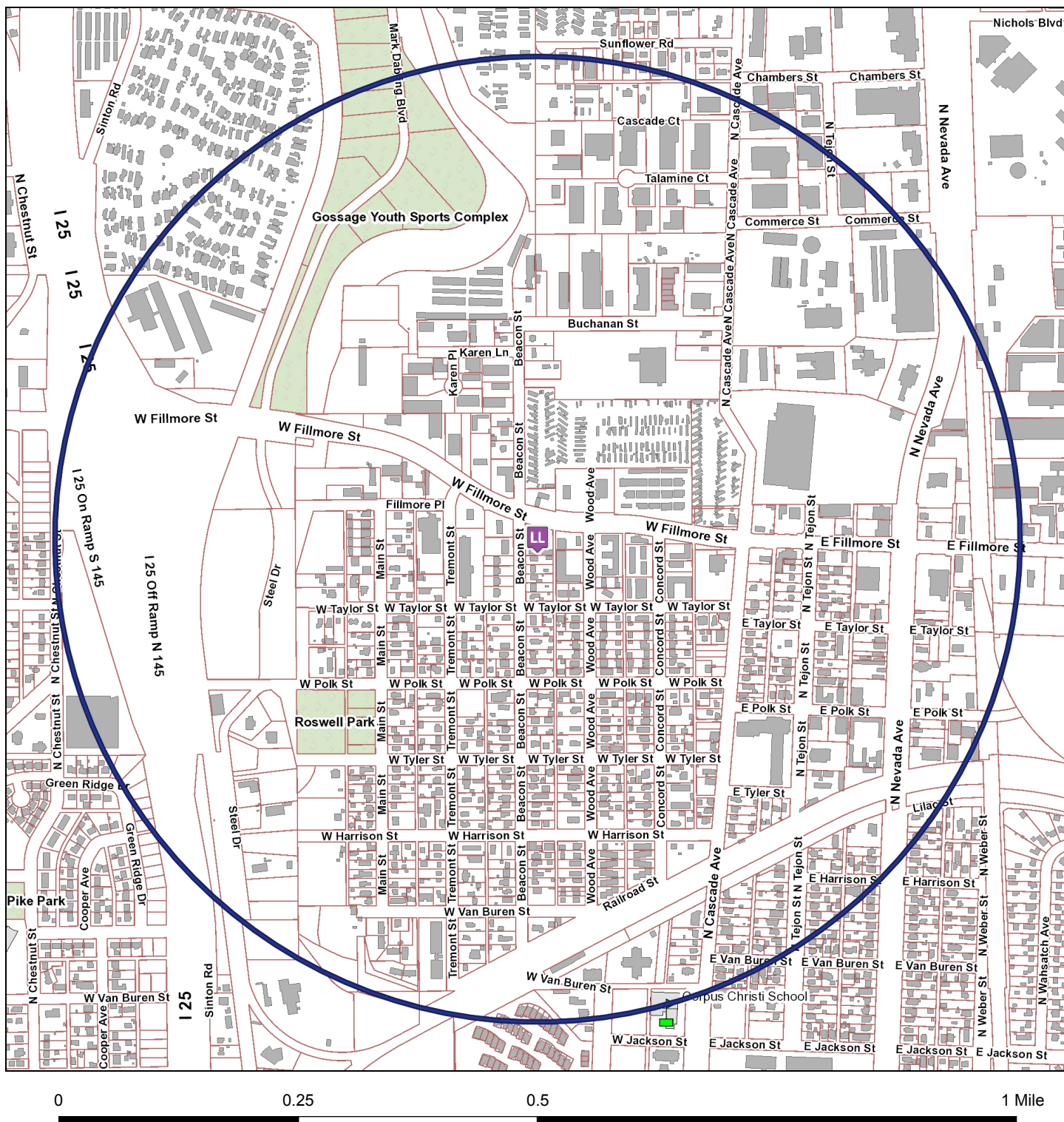
d/b/a ALTA #6113

227 W FILLMORE ST



OFFICE OF THE CITY CLERK

License ID: 36270



The survey boundary is 0.5 miles from the establishment

Map Prepared: 10/9/2019 9:43 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 36270

PESTER MARKETING COMPANY

d/b/a ALTA #6113

227 W FILLMORE ST

COLORADO SPRINGS, CO 80907

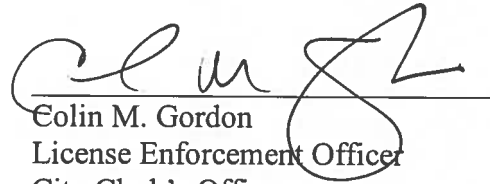
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) 7-ELEVEN STORE #25265A	201 W FILLMORE ST	Fermented Malt Beverage Off Premises	134.95 ft
2) J'S LIQUOR	31 E FILLMORE ST	Retail Liquor Store	1,370.36 ft
3) THE LIQUOR SPOT	2831 N NEVADA AVE	Retail Liquor Store	2,154.67 ft
4) CORNER MARKET	3115 SINTON RD	Fermented Malt Beverage Off Premises	2,219.85 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 October 10, 2019 to the following address of record:

Pester Marketing Company
d/b/a Alta #6113
4643 S. Ulster Street, #350
Denver, CO 80237



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

CC: agragg@pestermarketing.com
tinalatina@comcast.net