AGENDA ITEM or FINAL CONTRACT REVIEW SUBMITTAL FORM

Agenda Item: Public Hearing; Colorado Liquor Retail License App

Action Requested: Other Approval of Liquor License

Parties to the Agreement: BOCC

Term Begins: n/a **Term Ends:** **Grant Contract #:**

Summary:

New Liquor Application for Crested Butte South General Store

Fiscal Impact: None

Submitted by: Gunnison County Clerk Kathy Simillion **Submitter's Email Address:** ksimillion@gunnisoncounty.org

Finance Review: ○ Required ◉ Not Required

Comments:

Reviewed by: Discharge Date:

County Attorney Review: ◉ Required ○ Not Required

Comments:
OK DB 2-12-16

Reveiwed by: GUNCOUNTY1\dBaumgarten Discharge Date: 2/12/2016 Certificate of Insurance Required Yes ○ No ◉

County Manager Review:

Comments:

Reveiwed by: GUNCOUNTY1\mbirnie Discharge Date: 2/12/2016

○ Consent Agenda ◉ Regular Agenda ○ Worksession Time Allotted: 10 minutes

Agenda Date: 3/1/2016

Revised April 2015

DR 8404 (04/27/15)
COLORADO DEPARTMENT OF REVENUE
Liquor Enforcement Division
(303) 205-2300

Colorado Liquor
Retail License Application

☑ New License ☑ New-Concurrent ☐ Transfer of Ownership

- **All answers must be printed in black ink or typewritten**
- **Applicant must check the appropriate box(es)**
- **Applicant should obtain a copy of the Colorado Liquor and Beer Code:** *www.colorado.gov/enforcement/liquor*
- **Local License Fee $**_____

1. Applicant is applying as a/an
   ☐ Corporation ☐ Individual
   ☐ Partnership (includes Limited Liability and Husband and Wife Partnerships) ☑ Limited Liability Company ☐ Association or Other

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation		FEIN Number
CRESTED BUTTE SOUTH GENERAL STORE LLC		47-5197257
2a. Trade Name of Establishment (DBA)	State Sales Tax Number	Business Telephone
CBSOUTH COUNTRY STORE	30938159	9703492783

3. Address of Premises (specify exact location of premises, include suite/unit numbers)			
228 ELCHO AVENUE			
City	County	State	ZIP Code
CRESTED BUTTE	GUNNISON	CO	81224
4. Mailing Address (Number and Street)	City or Town	State	ZIP Code
8 NICHOLS ROAD	LANDGROVE	VT	05148

5. Email Address
CBSOUTHCOUNTRYSTORE@GMAIL.COM

6. If the premises currently has a liquor or beer license, you **must** answer the following questions

Present Trade Name of Establishment (DBA)	Present State License Number	Present Class of License	Present Expiration Date
N/A	N/A	N/A	N/A

Section A — **Nonrefundable Application Fees**

- ☐ Application Fee for New License ..... $ 600.00
- ☑ Application Fee for New License w/Concurrent Review .... $ 700.00
- ☐ Application Fee for Transfer ..... $ 600.00

Section B — **Liquor License Fees**

- ☐ Add Optional Premises to H & R .....$100.00 X _____ Total _____
- ☐ Add Related Facility to Resort Complex .....$ 75.00 X _____ Total _____
- ☐ Arts License (City) $308.75
- ☐ Arts License (County) $308.75
- ☐ Beer and Wine License (City).....$351.25
- ☐ Beer and Wine License (County).....$436.25
- ☐ Brew Pub License (City) $750.00
- ☐ Brew Pub License (County).....$750.00
- ☐ Club License (City).....$308.75
- ☐ Club License (County) $308.75
- ☐ Distillery Pub License (City).....$750.00
- ☐ Distillery Pub License (County) $750.00
- ☐ Hotel and Restaurant License (City $500.00
- ☐ Hotel and Restaurant License (County) $500.00
- ☐ Hotel and Restaurant License w/one opt premises (City) $600.00
- ☐ Hotel and Restaurant License w/one opt premises(County).....$600.00

Section B (Cont.) — **Liquor License Fees**

- ☐ Liquor Licensed Drugstore (City).....$227.50
- ☐ Liquor Licensed Drugstore (County) $312.50
- ☐ Manager Registration - H & R .....$ 75.00
- ☑ Manager Registration - Tavern .....$ 75.00
- ☐ Master File Location Fee .....$ 25.00 X_____ Total _____
- ☐ Master File Background .....$250.00 X_____ Total _____
- ☐ Optional Premises License (City).....$500.00
- ☐ Optional Premises License (County) $500.00
- ☐ Racetrack License (City).....$500.00
- ☐ Racetrack License (County).....$500.00
- ☐ Resort Complex License (City).....$500.00
- ☐ Resort Complex License (County).....$500.00
- ☐ Retail Gaming Tavern License (City) $500.00
- ☐ Retail Gaming Tavern License (County).....$500.00
- ☐ Retail Liquor Store License (City).....$227.50
- ☐ Retail Liquor Store License (County).....$312.50
- ☐ Tavern License (City) $500.00
- ☑ Tavern License (County).....$500.00
- ☐ Vintners Restaurant License (City) $750.00
- ☐ Vintners Restaurant License (County).....$750.00

Questions? Visit: *www.colorado.gov/enforcement/liquor* **for more information**

Do not write in this space - For Department of Revenue use only

Liability Information

License Account Number	Liability Date	License Issued Through (Expiration Date)	**Total**
			$

7. Is the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager under the age of twenty-one years? Yes ☐ No ☑

8. Has the applicant (including any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation) or manager ever (in Colorado or any other state):
   (a) Been denied an alcohol beverage license? ☐ ☑
   (b) Had an alcohol beverage license suspended or revoked? ☐ ☑
   (c) Had interest in another entity that had an alcohol beverage license suspended or revoked? ☐ ☑

If you answered yes to 8a, b or c, explain in detail on a separate sheet.

9. Has a liquor license application (same license class), that was located within 500 feet of the proposed premises, been denied within the preceding two years? If "yes", explain in detail. _____ ☐ ☑

10. Are the premises to be licensed 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? ☐ ☑

or

Waiver by local ordinance? ☐ ☐
Other: _____

11. Has a liquor or beer license ever been issued to the applicant (including any of the partners, if a partnership; members or manager if a Limited Liability Company; or officers, stockholders or directors if a corporation)? If yes, identify the name of the business and list any current financial interest in said business including any loans to or from a licensee. OLIVER JEFFERY INC. ☑ ☐

12. Does the Applicant, as listed on line 2 of this application, **have legal possession of the premises by virtue of ownership**, lease or other arrangement? ☑ ☐

☐ Ownership ☑ Lease ☐ Other (Explain in Detail)_____

a. If leased, list name of landlord and tenant, and date of expiration, **exactly** as they appear on the lease:

Landlord	Tenant	Expires
MANDM ENTERPRISES	CRESTED BUTTE SOUTH GENERAL STORE LLC	2020

b. Is a percentage of alcohol sales included as compensation to the landlord? If yes complete question 13. ☐ ☑

c. Attach a diagram and outline or designate the area to be licensed (including dimensions) which shows the bars, brewery, walls, partitions, entrances, exits and what each room shall be utilized for in this business. This diagram should be no larger than 8 1/2" X 11".

13. Who, besides the owners listed in this application (including persons, firms, partnerships, corporations, limited liability companies), will loan or give money, inventory, furniture or equipment to or for use in this business; or who will receive money from this business. Attach a separate sheet if necessary.

Last Name	First Name	Date of Birth	FEIN or SSN	Interest/Percentage
N/A				
N/A				

Attach copies of all notes and security instruments, and any written agreement, or details of any oral agreement, by which any person (including partnerships, corporations, limited liability companies, etc.) will share in the profit or gross proceeds of this establishment, and any agreement relating to the business which is contingent or conditional in any way by volume, profit, sales, giving of advice or consultation.

14. Optional Premises or Hotel and Restaurant Licenses with Optional Premises:
Has a local ordinance or resolution authorizing optional premises been adopted? ☐ ☑

Number of additional Optional Premise areas requested. (See license fee chart) _____

15. Liquor Licensed Drug Store applicants, answer the following:
(a) Does the applicant for a Liquor Licensed Drug Store have a license issued by the Colorado Board of Pharmacy? ☐ ☐
If "yes" a copy of license must be attached.

16. Club Liquor License applicants answer the following: **Attach a copy of applicable documentation**
(a) Is the applicant organization operated solely for a national, social, fraternal, patriotic, political or athletic purpose and not for pecuniary gain? ☐ ☐
(b) Is the applicant organization a regularly chartered branch, lodge or chapter of a national organization which is operated solely for the object of a patriotic or fraternal organization or society, but not for pecuniary gain? ☐ ☐
(c) How long has the club been incorporated? _____
(d) Has applicant occupied an establishment for three years (three years required) that was operated solely for the reasons stated above? ☐ ☐

17. Brew-Pub License or Vintner Restaurant Applicants answer the following:
(a) Has the applicant received or applied for a Federal Permit? (Copy of permit or application must be attached) ☐ ☐

18a. For all on-premises applicants.
(If this is an application for a Hotel, Restaurant or Tavern License, the manager must also submit an individual History Record - DR 8404-I)

Last Name of Manager	First Name of Manager	Date of Birth
JEFFERY	OLIVER	12/3/1971

18b. Does this manager act as the manager of, or have a financial interest in, any other liquor licensed establishment in the State of Colorado? If yes, provide name, type of license and account number. ☐ ☑

Name	Type of License	Account Number
N/A	N/A	N/A

19. Tax Distraint Information. Does the applicant or any other person listed on this application and including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax distraint issued to them by the Colorado Department of Revenue? ☐ ☑

If yes, provide an explanation and include copies of any payment agreements.

20. If applicant is a corporation, partnership, association or limited liability company, applicant must list all **Officers, Directors, General Partners, and Managing Members**. In addition, applicant must list any stockholders, partners, or members with **ownership of 10% or more in the Applicant. All persons listed below** must also attach form DR 8404-I (Individual History Record), and submit fingerprint cards to the local licensing authority.

Name	Home Address, City & State	DOB	Position	%Owned
MICHAEL JEFFERY	8 NICHOLS ROAD LANDGROVE VT 05148	1/31/1967	OWNER	100
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned
Name	Home Address, City & State	DOB	Position	% Owned

** If Applicant is owned 100% by a parent company, please list the designated principal officer on question #20
** Corporations - The President, Vice-President, Secretary and Treasurer must be accounted for on question #20 (Include ownership percentage if applicable)
** If total ownership percentage disclosed here does not total 100%, applicant must check this box:

☑ Applicant affirms that no individual other than these disclosed herein, owns 10% or more of the applicant, and does not have ownership in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.

Oath Of Applicant

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature	Printed Name and Title	Date
	MICHAEL JEFFERY OWNER	1/7/2016

Report and Approval of Local Licensing Authority (City/County)

Date application filed with local authority	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application 12-47-311 (1) C.R.S.)

The Local Licensing Authority Hereby Affirms that each person required to file DR 8404-I (Individual History Record) has:

☐ Been fingerprinted

☐ Been subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with, and aware of, liquor code provisions affecting their class of license

(Check One)

☐ Date of inspection or anticipated date _____

☐ Will conduct inspection upon approval of state licensing authority

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S.
Therefore, this application is approved.

Local Licensing Authority for	Telephone Number	☐ Town, City ☐ County	
Signature	Print	Title	Date
Signature (attest)	Print	Title	Date