



OFFICE OF THE CITY CLERK

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

Received:

CITY CLERK'S OFFICE

2020 JUL 23 P 12:51

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):

ICONS LLC

2. Trade Name (DBA): ICONS

3. Premises Address:

City, State, Zip: 3 E. Bijou St., Colorado Springs, CO 80903

Location

Phone: Not Assigned Yet

Property Tax Schedule No. : 6418209126

Zoning: FBZ-T1 CU

4. Mailing Address:

City, State, Zip: 113 S. 11th St.

CSC 80904

Alt Phone: 1-646-369-0248

Primary Contact

Name And Title: Joshua Franklin

Email: joshuaandrewf@icloud.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 |
|------------------------|---------------|--------|
| Joshua Andrew Franklin | Member | 50 |
| John Taylor Wolfe | Member | 50 |
| | | |
| | | |
| | | |
| | | |

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07/22/20

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 |
|--|--|-------------|
| Josh Franklin 113 S. 11th St., Colorado Springs, CO 80904 | Checking Chase Bank personal | 6,000 |
| Ryan Turner 28 Robertson Rd., Pueblo, CO 81001 | Loan | 30,000 |
| | | |
| | | |
| TOTAL INVESTMENT IN BUSINESS: | | \$ 36,000 0 |

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Joshua Franklin

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

If leased, provide the terms: START DATE: 1 SEPT 2020 END DATE: 28 FEB 2026

DIMENSIONS OF PREMISES: 70 x 19 TOTAL SQUARE FOOTAGE: 2381

Is there a patio area? ☒ Yes ☐ No --- If yes, provide dimensions 5'10" X 18'10" and 20 x 16

Anticipated number of employees: 3 Anticipated opening date: October 2020

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).

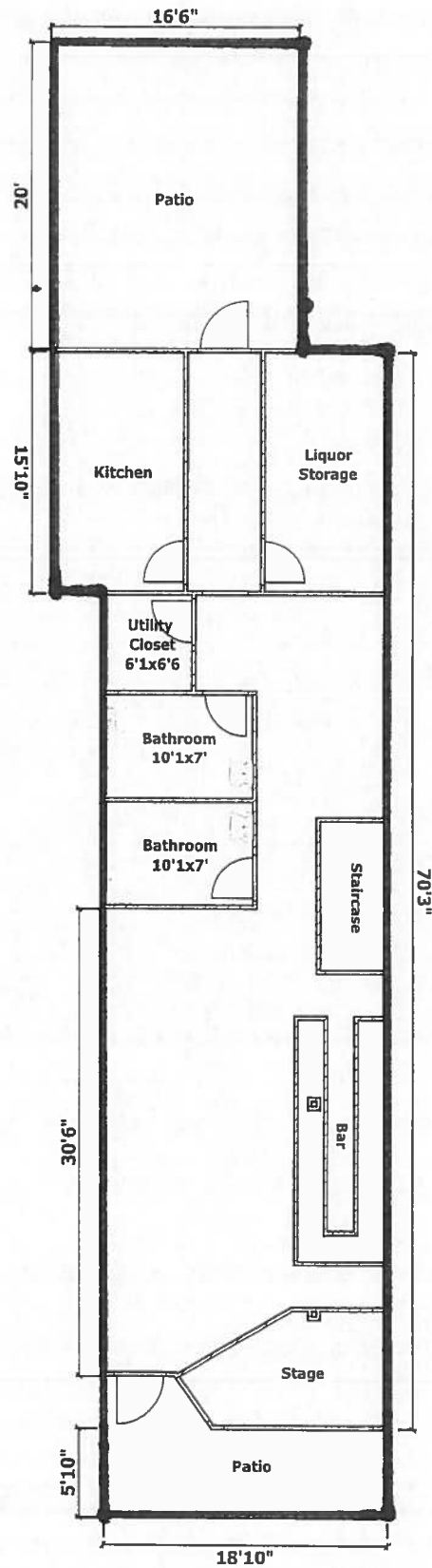
12. Has the applicant/licensee, any partners, any officers, any stockholders or directors, or any manager of said applicant ever been convicted of any crime, received a suspended sentence, a deferred sentence, or have charges pending?

☐ Yes ☒ No IF YES, ATTACH statement or affidavit of explanation, including date(s) and location(s).

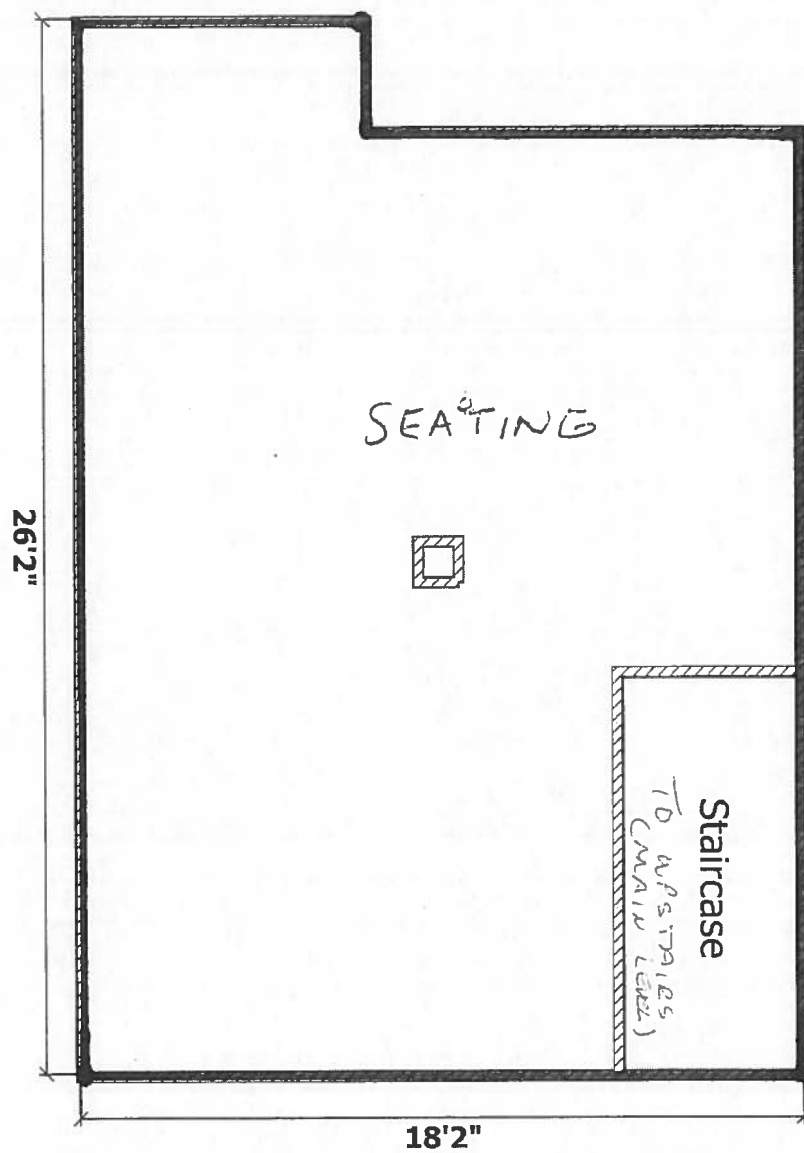
13. List every individual applicant's prior experience in the sale of alcoholic beverages. Attach supplement as needed.

| Business Name & Address | Applicant's Name | Experience/Position | Dates |
|-------------------------|------------------|---------------------|-------|
| None | | | |
| | | | |
| None | | | |
| | | | |
| None | | | |
| | | | |

JF
07/22/20



MAIN LEVEL



| | |
|--|--|
| 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 2020 SEP 24 P 1:00 ▲ CLERK USE ONLY ▲ |
| IN THE MATTER OF: APPLICANT Icons, LLC d/b/a Icons 3 E. Bijou Street Colorado Springs, CO 80903 <u>Mailing Address:</u> 113 S. 11th Street Colorado Springs, CO 80904 | Application No: N-37519 |
| 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, October 16, 2020 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Icons, LLC d/b/a Icons ("Applicant") application for a new Tavern Liquor License at 3 E. Bijou Street, 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, October 6, 2020. 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 13, 2020.

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 23, 2020, 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.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done September 24, 2020.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

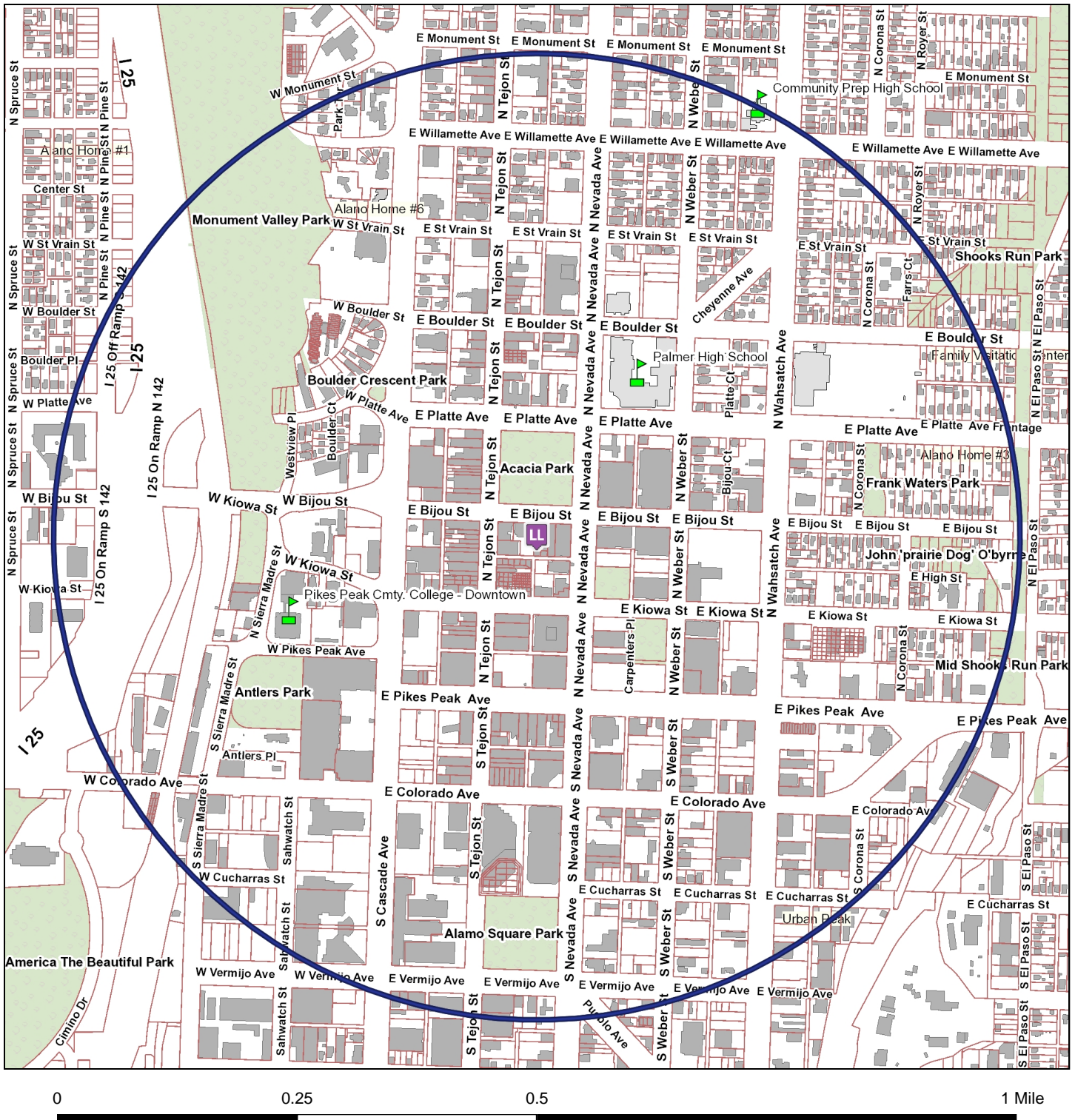
Direct questions regarding this notice and hearing to Colin M. Gordon at 719-385-5107.

Liquor Survey Boundaries



ICONS LLC
d/b/a ICONS
3 E BIJOU ST

OFFICE OF THE CITY CLERK
License ID: 37519



The survey boundary is 0.5 miles from the establishment

Map Prepared: 9/22/2020 2:42 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 37519

ICONS LLC

d/b/a ICONS

3 E BIJOU ST

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) FRATELLI RISTORANTE ITALIANO | 124 N NEVADA AVE | Hotel & Restaurant | 173.80 ft |
| 2) PAINTING WITH A TWIST | 115 N TEJON ST | Beer & Wine | 264.41 ft |
| 3) MEDITERRANEAN CAFE | 118 E KIOWA ST | Beer & Wine | 310.72 ft |
| 4) BREWER'S REPUBLIC TAP HOUSE & EVENTS @ ONE TEN BELOW | 110 N NEVADA AVE | Hotel & Restaurant | 317.55 ft |
| 5) BONNY & READ FINE SEAFOOD & STEAKS | 101 N TEJON ST | Hotel & Restaurant | 320.52 ft |
| 6) THE RABBIT HOLE | 101 N TEJON ST | Hotel & Restaurant | 328.64 ft |
| 7) RENDEZVOUS | 128 N TEJON ST | Tavern | 340.86 ft |
| 8) BINGO BURGER | 132 N TEJON ST | Hotel & Restaurant | 343.98 ft |
| 9) OSKAR BLUES COLORADO SPRINGS | 118 N TEJON ST | Hotel & Restaurant | 359.01 ft |
| 10) BAMBINO'S, INC. | 36 E BIJOU ST | Hotel & Restaurant | 407.47 ft |
| 11) THE FAMOUS | 31 N TEJON ST | Hotel & Restaurant | 483.66 ft |
| 12) EVEREST NEPAL RESTAURANT | 28 E BIJOU ST | Hotel & Restaurant | 496.53 ft |
| 13) MOOD TAPAS BAR, DISTRICT ELEVEN, BIRD TREE CAFE | 218 N TEJON ST | Hotel & Restaurant | 514.40 ft |
| 14) SHAME AND REGRET | 15 E BIJOU ST | Tavern | 533.04 ft |
| 15) T BYRD'S TACOS AND TEQUILA | 26 E KIOWA ST | Hotel & Restaurant | 549.69 ft |
| 16) COWBOYS | 25 N TEJON ST | Tavern | 552.57 ft |
| 17) JOSE MULDOONS | 222 N TEJON ST | Hotel & Restaurant | 568.55 ft |
| 18) BEAUTY BAR | 26 N TEJON ST | Lodging & Entertainment | 599.83 ft |
| 19) GASOLINE ALLEY | 28 N TEJON ST | Tavern | 624.69 ft |
| 20) YOO-MAE | 21 & 21-1/2 E. KIOWA ST | Hotel & Restaurant | 626.73 ft |
| 21) THE UTE AND YETI | 21 N NEVADA AVE | Beer & Wine | 646.48 ft |
| 22) RED MARTINI/BLONDIES | 22 N TEJON ST | Tavern | 655.27 ft |
| 23) CHIBA BAR | 17-19 E KIOWA ST | Tavern | 656.02 ft |
| 24) HILTON GARDEN INN | 125 N CASCADE AVE | Hotel & Restaurant | 668.93 ft |
| 25) THE MANSION / THE MEZZANINE | 20 N TEJON ST | Tavern | 709.16 ft |
| 26) AMERICAN LEGION POST NO. 5 | 15 E PLATTE AVE | Club | 765.27 ft |



OFFICE OF THE CITY CLERK

| | | | |
|---|----------------------|--------------------|-------------|
| 27) COLORADO BEVERAGE SERVICE | 221 E KIOWA ST | Tavern | 817.06 ft |
| 28) EL PASO CLUB | 30 E PLATTE AVE | Club | 873.69 ft |
| 29) ODYSSEY GASTROPUB | 311 N TEJON ST | Hotel & Restaurant | 902.35 ft |
| 30) THE MELTING POT | 30 E PIKES PEAK AVE | Hotel & Restaurant | 924.64 ft |
| 31) KIMBALL'S CINEMAS | 113 E PIKES PEAK AVE | Tavern | 1,013.69 ft |
| 32) FOUR BY BROTHER LUCK | 321 N TEJON ST | Hotel & Restaurant | 1,015.45 ft |
| 33) SPRINGS ORLEANS & MINING EXCHANGE HOTEL | 123 E PIKES PEAK AVE | Hotel & Restaurant | 1,018.08 ft |
| 34) THE RESTAURANT AT POOR RICHARD'S | 324 N TEJON ST | Hotel & Restaurant | 1,035.63 ft |
| 35) PHANTOM CANYON BREWING COMPANY | 2 E PIKES PEAK AVE | Brew Pub | 1,043.81 ft |
| 36) ROOSTER'S HOUSE OF RAMEN | 323 & 325 N TEJON ST | Hotel & Restaurant | 1,057.52 ft |
| 37) JAX FISH HOUSE AND OYSTER BAR | 11 S TEJON ST | Hotel & Restaurant | 1,098.80 ft |
| 38) TONY'S | 326 N TEJON ST | Hotel & Restaurant | 1,101.30 ft |
| 39) SUPERNOVA | 111 E BOULDER ST | Hotel & Restaurant | 1,101.51 ft |
| 40) COLORADO CRAFT | 15 S TEJON ST | Hotel & Restaurant | 1,134.09 ft |
| 41) THE PERK DOWNTOWN | 14 S TEJON ST | Hotel & Restaurant | 1,169.72 ft |
| 42) CHIPOTLE MEXICAN GRILL | 17 S TEJON | Hotel & Restaurant | 1,197.58 ft |
| 43) MINING EXCHANGE HOTEL OR THE GOLD ROOM | 18 S NEVADA AVE | Tavern | 1,201.18 ft |
| 44) THIRTY THREE | 18 S NEVADA AVE | Tavern | 1,213.36 ft |
| 45) JACK QUINN'S IRISH ALE HOUSE AND PUB | 21 S TEJON ST | Hotel & Restaurant | 1,242.07 ft |
| 46) THE WILD GOOSE MEETING HOUSE | 401 N TEJON ST | Hotel & Restaurant | 1,248.19 ft |
| 47) RED GRAVY | 23 S TEJON ST | Hotel & Restaurant | 1,268.81 ft |
| 48) FUJIYAMA | 22 S TEJON ST | Hotel & Restaurant | 1,273.35 ft |
| 49) RASTA PASTA | 405 N TEJON ST | Hotel & Restaurant | 1,304.05 ft |
| 50) EAST COAST DELI | 24 S TEJON ST | Hotel & Restaurant | 1,305.15 ft |
| 51) 3E's COMEDY CLUB | 1 S NEVADA AVE | Tavern | 1,318.55 ft |
| 52) URBAN EGG A DAYTIME EATERY | 28 S TEJON ST | Hotel & Restaurant | 1,335.04 ft |
| 53) THE THIRSTY PARROT | 32 S TEJON ST | Tavern | 1,386.15 ft |
| 54) SAIGON CAFÉ | 20 E COLORADO AVE | Beer & Wine | 1,424.62 ft |
| 55) THE ANTLERS & ANTLERS HOTEL | 4 S CASCADE AVE | Hotel & Restaurant | 1,532.69 ft |
| 56) SPICE ISLAND GRILL | 10 N SIERRA MADRE ST | Hotel & Restaurant | 1,645.20 ft |
| 57) LUCKY DUMPLING | 26 S WAHSATCH AVE | Hotel & Restaurant | 1,765.35 ft |
| 58) MACKENZIES CHOPHOUSE | 128 S TEJON ST | Hotel & Restaurant | 1,877.56 ft |
| 59) V F W PIKES PEAK POST 4051 | 430 E PIKES PEAK AVE | Club | 1,893.10 ft |
| 60) BRAKEMAN'S BURGERS, SANDWICH DEPOT AND TRACK 10 | 10 S SIERRA MADRE ST | Hotel & Restaurant | 2,000.10 ft |



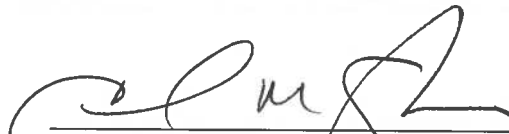
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| | | | |
|------------------------------|--------------------|--------------------|-------------|
| 61) TRIPLE NICKEL TAVERN LLC | 103 S WAHSATCH AVE | Tavern | 2,099.32 ft |
| 62) PIKES PEAK CENTER | 190 S CASCADE AVE | Tavern | 2,284.56 ft |
| 63) PANINO'S RESTAURANT | 604 N TEJON ST | Hotel & Restaurant | 2,333.88 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 September 24, 2020 to the following address of record:

Icons, LLC
d/b/a Icons
113 S. 11th Street
Colorado Springs, CO 80904



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

CC: vince@lindenlawgroup.com
joshuaandrewf@icloud.com
liquorpros@msn.com