



LIQUOR LICENSE OR FERMENTED MALT BEVERAGE LICENSE (ALCOHOL BEVERAGE) APPLICATION

Received:
CITY CLERK'S OFFICE
 2021 JAN 29 P 3:35

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 (includes Resort & Campus Complex)* *Hotel/Restaurant w/Optional* *Tavern*
- Brew Pub* *Distillery Pub* *Vintner's Restaurant* *Beer and Wine*
- Optional Premises* *Retail Liquor Store** *Liquor 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): Zapata 3 LLC	
2. Trade Name (DBA): Zapata Mexican Taco Shop	
3. Premises Address: 12229 Voyager Parkway Unit 140 City, State, Zip: Colorado Springs, CO 80921	Location Phone: (719) 314-8654
Property Tax Schedule No. : 6217203033	Zoning: PBC CU
4. Mailing Address: 8166 Moorebank Dr. City, State, Zip: Colorado Springs, CO 80908	Alt Phone: (719) 205-9730
Primary Contact Name And Title: Oscar Macias, Managing Member	Email: oscarm80918@gmail.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			

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
Oscar E. Macias	Managing Member	51%
Carmen Arasely Contreras	Member	49%

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
Voyager LLC 506 E. 3rd St., Salida, CO 81201	Tenant finish allowance	\$16,000.00
Los 3 Mexicanos, Inc. 5598 N. Academy Blvd. Colorado Springs, CO 80918	Unsecured loan	\$40,000.00
TOTAL INVESTMENT IN BUSINESS:		\$56,000.00

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Carmen Arasely Contreras

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

If leased, provide the terms: START DATE: 08/04/2020 END DATE: 09/30/2025

DIMENSIONS OF PREMISES: 32' x 41' 5" TOTAL SQUARE FOOTAGE: 1600 approx.

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

Anticipated number of employees: 8 Anticipated opening date: December 2020- open now

Will training be offered or required? Yes No --- If yes, through what agency? Liquor Pros

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 attachment	Oscar E. Macias	see attachment	see attachment

ATTACHMENT TO COLORADO SPRINGS LIQUOR LICENSE APPLICATION

**ZAPATA 3 LLC
d/b/a Zapata Mexican Taco Shop
12229 Voyager Parkway, Unit 140
Colorado Springs, CO 80921**

QUESTION 10: Oscar E. Macias is an officer, director and shareholder of the following corporations that hold hotel & restaurant liquor licenses:

Los 3 Mexicanos, Inc. dba Pueblo Viejo Family Mexican Restaurant, 5598 N. Academy Blvd., Colorado Springs, CO 80918; 01/2005 – present;

Macias LLC dba Zapata Mexican Taco Shop, 207 W. Rockrimmon Blvd., Suites E & G, Colorado Springs, CO 80919; 08/2019 – present.

He was formerly an officer, director and shareholder of the following corporations that hold hotel & restaurant liquor licenses:

Rancho Alegre, Inc. dba Pueblo Viejo Family Mexican Restaurant, 5934 Stetson Hills Blvd., Colorado Springs, CO 80923; 04/2010 – November 2018. He was also Manager at this location.

El Tequilero, Inc. dba Pueblo Viejo Family Mexican Restaurant, 310 S. Academy Blvd., Colorado Springs, CO 80910; 06/2014 – November 2018.

QUESTION 11: Oscar E. Macias was an officer, director and shareholder of the following corporation that holds a hotel & restaurant liquor license and which received a liquor license citation:

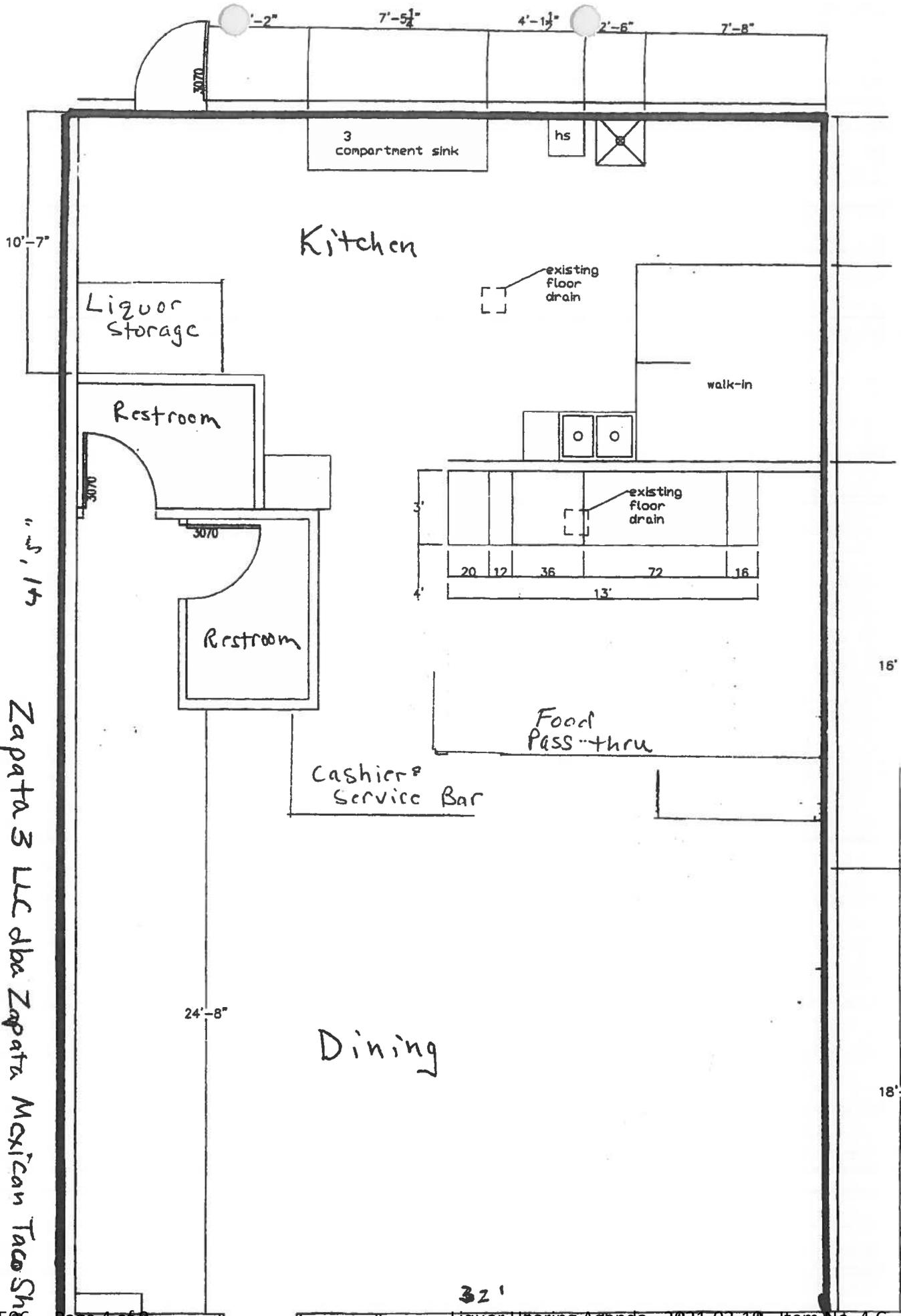
El Tequilero, Inc. dba Pueblo Viejo Family Mexican Restaurant, 310 S. Academy Blvd., Colorado Springs, CO 80910 was cited for sale to underage person on August 27, 2016. Five days of suspension were held in abeyance for one year, and licensee paid 5 days suspension by fine in lieu.

El Tequilero, Inc. dba Pueblo Viejo Family Mexican Restaurant, 310 S. Academy Blvd., Colorado Springs, CO 80910 was cited for removal of alcohol from licensed premises on 10/31/17 and paid a fine.

QUESTION 12: Oscar E. Macias was charged with DUI in 2000 in Woodland Park, CO.

QUESTION 13: see answer to Question 10, above. In addition to the above, Oscar Macias was employed as a server at Mazatlan Family Mexican Restaurant, 1899 S. Nevada Ave., Colorado Springs, CO 80906 from 1999 thru 2003. He was employed as a server at Pueblo Viejo Family Mexican Restaurant, 185 N. College, Fort Collins, CO 80524 from 2003 – 2004.

Zapata 3 LLC dba Zapata Mexican Taco Shop
 12229 Voyager Parkway Unit 140
 Colorado Springs, CO 80921



**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
2021 FEB 26 A 11: 13

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

Zapata 3, LLC
d/b/a **Zapata Mexican Taco Shop**
12229 Voyager Parkway, #140
Colorado Springs, CO 80921
Mailing Address:
8166 Moorebank Drive
Colorado Springs, CO 80908

Application No: N-0850506

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, March 19, 2021 at 9:00 A.M. by virtual hearing with remote participation** upon Zapata 3, LLC d/b/a Zapata Mexican Taco Shop ("Applicant") application for a new Hotel and Restaurant Liquor License at 12229 Voyager Parkway, #140, Colorado Springs, CO 80921. **Additional information related to appearance, remote participation, and public comment for this public hearing will be provided via email communication as soon as possible, but not later than Tuesday, March 16, 2021.**

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. Please contact the City Clerk's Office as soon as possible to make arrangements for picking up the poster. 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, March 9, 2021. 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, March 16, 2021.

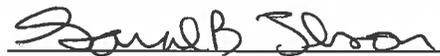
Pursuant to C.R.S. §44-3-312 and City Rule No. 7, the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant's application. **NOW THEREFORE** these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on January 29, 2021, 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 February 25, 2021.

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



ZAPATA3, LLC

d/b/a ZAPATA MEXICAN TACO SHOP

12229 VOYAGER PKWY

OFFICE OF THE CITY CLERK

License ID: 0850506



The survey boundary is 0.5 miles from the establishment

Map Prepared: 2/26/2021 11:30 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 0850506

ZAPATA3, LLC

d/b/a ZAPATA MEXICAN TACO SHOP

12229 VOYAGER PKWY

COLORADO SPRINGS, CO 80921

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) DUCA'S NEAPOLITAN PIZZA	12229 VOYAGER PKWY	Beer & Wine Liquor License	56.04 ft
2) SUSHI ATO	12245 VOYAGER PKWY	Hotel & Restaurant Liquor License	280.23 ft
3) THE PARKWAY TAVERN	12225 VOYAGER PKWY	Hotel & Restaurant Liquor License	353.47 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 February 25, 2021 to the following address of record:

Zapata 3, LLC
d/b/a Zapata Mexican Taco Shop
8166 Moorebank Drive
Colorado Springs, CO 80908



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

CC: Erika Kaiser <erikakaiser1@msn.com>
oscar80918@gmail.com