

CITY OF COLORADO SPRINGS
LIQUOR OR 3.2% FERMENTED MALT BEVERAGE APPLICATION

NEW LICENSE **TRANSFER OF OWNERSHIP**

Type of License applying for (Check One)

- | | | | | |
|--|---|---|--|-----------------------------------|
| <input type="checkbox"/> Hotel/Restaurant | <input type="checkbox"/> Hotel/Restaurant w/Optional Premises | <input checked="" type="checkbox"/> Tavern | <input type="checkbox"/> Beer & Wine | <input type="checkbox"/> Brew Pub |
| <input type="checkbox"/> Retail Liquor Store | <input type="checkbox"/> 3.2% Beer On Premises | <input type="checkbox"/> 3.2% Beer Off Premises | <input type="checkbox"/> 3.2% Beer On and Off Premises | |
| <input type="checkbox"/> Drugstore | <input type="checkbox"/> Racetrack | <input type="checkbox"/> Optional Premises | <input type="checkbox"/> Club | <input type="checkbox"/> Vinters |

APPLICANT INFORMATION

Name of Applicant: The Dirty Bourbon Dance Hall & Saloon CS, LLC	Property Tax Schedule No. : 63163-11-002
Trade Name (DBA): The Dirty Bourbon Dance Hall & Saloon	Business Telephone: (505) 449-7911
Address of Premises: 5783 N. Academy Blvd., Colo. Sprgs, CO 80918	Alternate Telephone: (505) 239-0612

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			

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.

NAME	POSITION HELD	%OWNED
Mark E. Travis	Managing Member	50%
Kyle T. Kinney	Managing Member	50%

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	\$970,000.00
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Source(s) of funds invested (provide names, banks, and indicate checking, savings, loan, promissory note, gift or other).

THE FOLLOWING INFORMATION MUST REFLECT THE SOLE SOURCE OF FUNDS INVESTED. NO OTHER PERSON OR PARTIES MAY HAVE A FINANCIAL INTEREST IN THE BUSINESS FOR WHICH THIS AFFIDAVIT IS SUBMITTED.

NAME/ADDRESS OF FUNDING SOURCE (bank(s), individual(s), et al.)	FUNDING SOURCE (checking/savings/ loan/ note/ gift)	AMOUNT
see attachment		

List applicant(s) prior experience in the sale of alcoholic beverages. Include dates and locations.

Business Name & Address	Applicant's Name	Experience/Position	Dates
The Dirty Bourbon Dance Hall & Saloon Albuquerque, NM	Mark E. Travis	Management/owner	06/2010 - present
	Kyle T. Kinney	Management/owner	06/2010 - present
See attachment for additional			

Has the applicant previously been issued a liquor or beer license (include any of partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? yes no

If yes, identify the business and any current or former financial interest in said business including any loans to or from a licensee.

Name of Business	Address	Type/amt. of Interest
The Dirty Bourbon Dance Hall & Saloon	9800 Montgomery Blvd NE, Albuquerque, New Mexico 87111	Mark Travis & Kyle Kinney are currently owners

PREMISES/ESTABLISHMENT

Terms of legal possession of the premises for which the application is made? own lease

If leased provide terms: Start date 2/25/2016 End date 10 years & 90 days after grant of liquor license

Dimensions of premises Approx. 98.1' x 107.5' Square footage 13,637 Seating Capacity _____

Is there a patio area? yes no --- If yes, provide dimensions 54.8' x 27.4'

Anticipated number of employees? 45 (including 21 servers)

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

Has the applicant or manager in Colorado, or any other State (include any of the partners, if a partnership members or manager if a limited liability company; or officers, stockholders or directors if a corporation), ever:	YES	NO
Been denied an alcohol beverage license?		X
Had an alcohol beverage license suspended or revoked?		X
Had interest in another entity where an alcohol beverage license was suspended or revoked?		X
Ever been charged or convicted of a crime, received a suspended sentence, a deferred sentence, or have charges pending?	X	
If yes, provide explanation, date(s) and location(s). <u>Mark E. Travis: DWI in Albuquerque, NM in 02/2006; and failure to obey traffic control device in Albuquerque, NM in December 2013. Kyle Kinney: Falsely obtaining services or accomodations, Albuquerque, NM in 02/2012</u>		

Has the applicant ever received a violation notice, suspension, or revocation for any liquor law violation, have charges pending; or has the applicant applied for and been denied a liquor or beer license anywhere in the United States?

Yes No

If yes, provide explanation, date(s) and location(s):

I declare under the 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 understand that any falsehood or omission will jeopardize the application as such falsehood or omission constitutes evidence regarding the character of the applicant.

[Signature]
Signature
Title: Manager

State of New Mexico
County of Bernalillo

Subscribed and sworn to before me this 1 day of March, 2016.

My Commission Expires: December 15, 2016

[Signature]
Notary Public
OFFICIAL SEAL
ALETA R. ANDRICK
NOTARY PUBLIC-State of New Mexico

THE DIRTY BOURBON DANCE HALL & SALOON CS, INC.
d/b/a The Dirty Bourbon Dance Hall & Saloon
5783 N. Academy Blvd.
Colorado Springs, CO 80918

Attachment to City of Colorado Springs Liquor License Application

Source of Funds:

Loan from Central Bank & Trust of Colorado Springs 1 S. Nevada Ave., Colorado Springs, CO 80903 (10 years) Secured by all business assets	\$679,000.00
Loan from The Dirty Bourbon Dance Hall & Saloon 9800 Montgomery Blvd. NE, Albuquerque, NM 87111 (3 years) Unsecured	\$150,000.00
Loan from Audrey Travis (unsecured) 7904 Woodleaf Dr., Albuquerque, NM 87109	\$ 31,000.00
Mark E. Travis, owner contribution: Bank of America savings account	\$ 80,000.00
Kyle T. Kinney, owner contribution: Bank of the West savings account	\$ 30,000.00
Kinetic Erindale Center, LLC, landlord 7600 N. 16 th St., Ste 100, Phoenix, AZ 85020 Tenant improvement allowance of up to \$204,555.00	

Prior experience of Mark E. Travis in the sale of alcoholic beverages, continued:

Pei Wei Asian Diner (Assistant Manager)
Nov 2005-Aug 2006
Uptown Park
2201 Louisiana Blvd. NE Suite G
Albuquerque, NM 87110

Pei Wei Asian Diner (Kitchen Manager)
Aug 2006-June 2007
The Promenade
7500 N Mesa St. Suite 101
El Paso, TX 79912

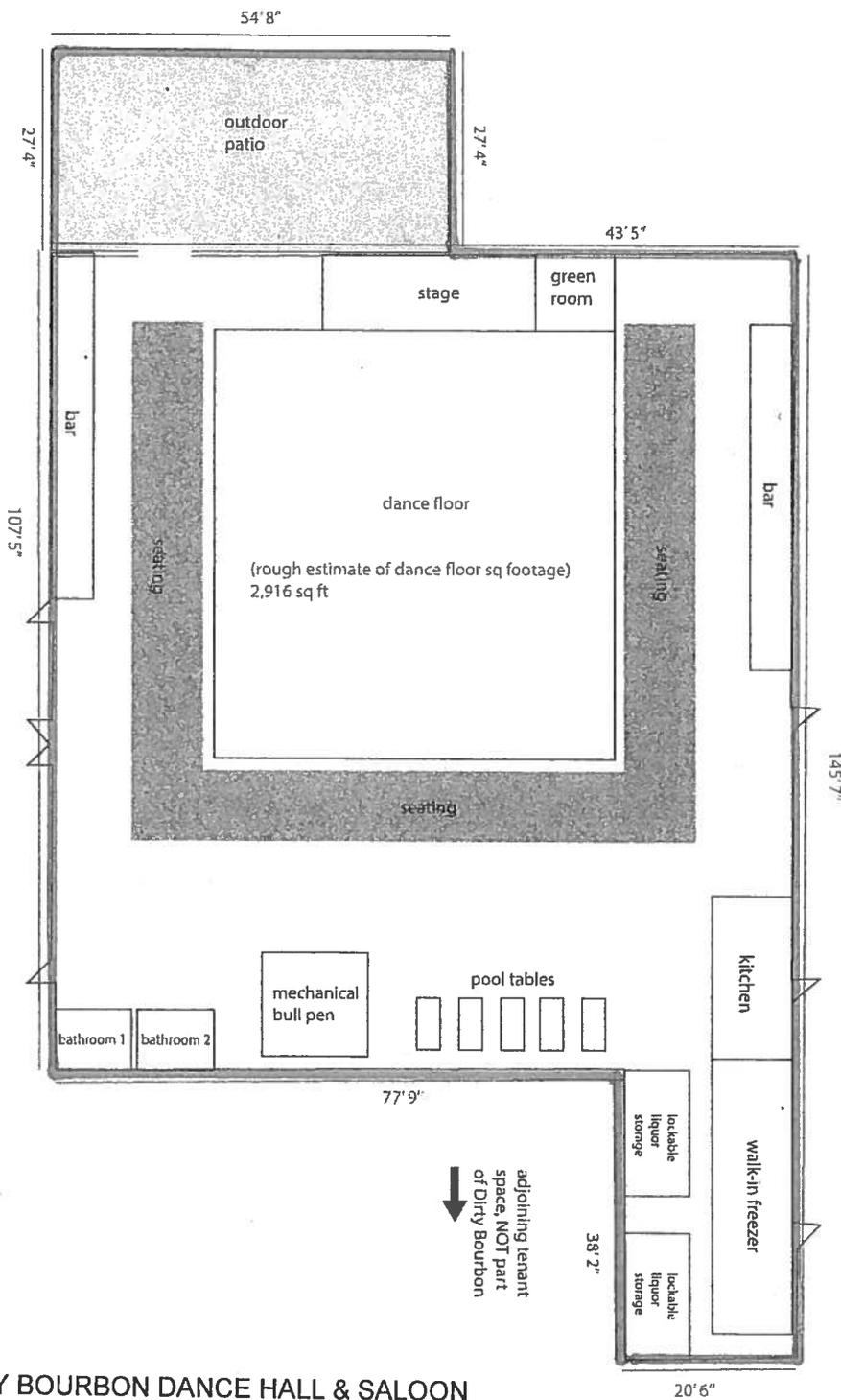
Pei Wei Asian Diner (General Manager)
June 2007-Feb 2008
Las Palmas
1325 George Dieter Dr. Space K2
El Paso, TX 79936

Pei Wei Asian Diner (General Manager)
Feb 2008- Oct 2008
Main Gate
845 E University Blvd. Suite 135
Tucson, AZ 85719

Pei Wei Asian Diner (General Manager)
Oct 2008- June 2009
Arcadia
4340 E Indian School Rd. Bldg. A Suite 23
Phoenix, AZ 85018

Pei Wei Asian Diner (General Manager)
June 2009-July 2010
Williams Center
5285 E Broadway Blvd. Suite 151
Tucson, AZ 85711

NOV 13 11:20
CITY CLERK'S OFFICE



The Dirty Bourbon Dance Hall and Saloon Colorado Springs Location

THE DIRTY BOURBON DANCE HALL & SALOON
 5783 N. ACADEMY BLVD.
 COLORADO SPRINGS, CO 80918

BEFORE THE COLORADO SPRINGS LIQUOR AND
BEER LICENSING BOARD
CITY OF COLORADO SPRINGS, STATE OF COLORADO
Address: 107 North Nevada Avenue
Council Chambers, City Hall
Colorado Springs, CO 80903

CITY CLERK'S OFFICE

2016 MAY 26 A 9:49

IN THE MATTER OF:

The Dirty Bourbon Dance Hall & Saloon CS, LLC d/b/a
The Dirty Bourbon Dance Hall & Saloon
5783 N. Academy Boulevard
Colorado Springs, CO 80918
Mailing Address:
5783 N. Academy Boulevard
Colorado Springs, CO 80918

▲ BOARD USE ONLY ▲

Application No: N-30557

NOTICE OF HEARING AND INITIAL FINDINGS OF FACT

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, June 17, 2016 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon The Dirty Bourbon Dance Hall & Saloon CS, LLC d/b/a The Dirty Bourbon Dance Hall & Saloon ("Applicant") application for a new Tavern Liquor License at 5783 N. Academy Boulevard, Colorado Springs, CO 80918.

At this meeting, the Board will consider the factors outlined in Rule No. 9.08 of the Local Rules of Procedure, and it is the Applicant's burden to provide the necessary evidence to satisfy the Board.

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, June 7, 2016.** 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, June 14, 2016.

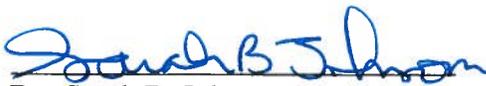
Pursuant to C.R.S. §12-47-312 and Local Rule No. 7 the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant's application. **NOW THEREFORE** these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on March 23, 2016, 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.
- 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.
- 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.
- 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.
- V. 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. §12-47-308.
- VII. Applicant is not a person prohibited as a licensee pursuant to C.R.S. §12-47-307.
- VIII. Pursuant to Local 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 May 26, 2016.

FOR THE CITY OF COLORADO
SPRINGS LIQUOR AND BEER
LICENSING BOARD


By: Sarah B. Johnson
City Clerk

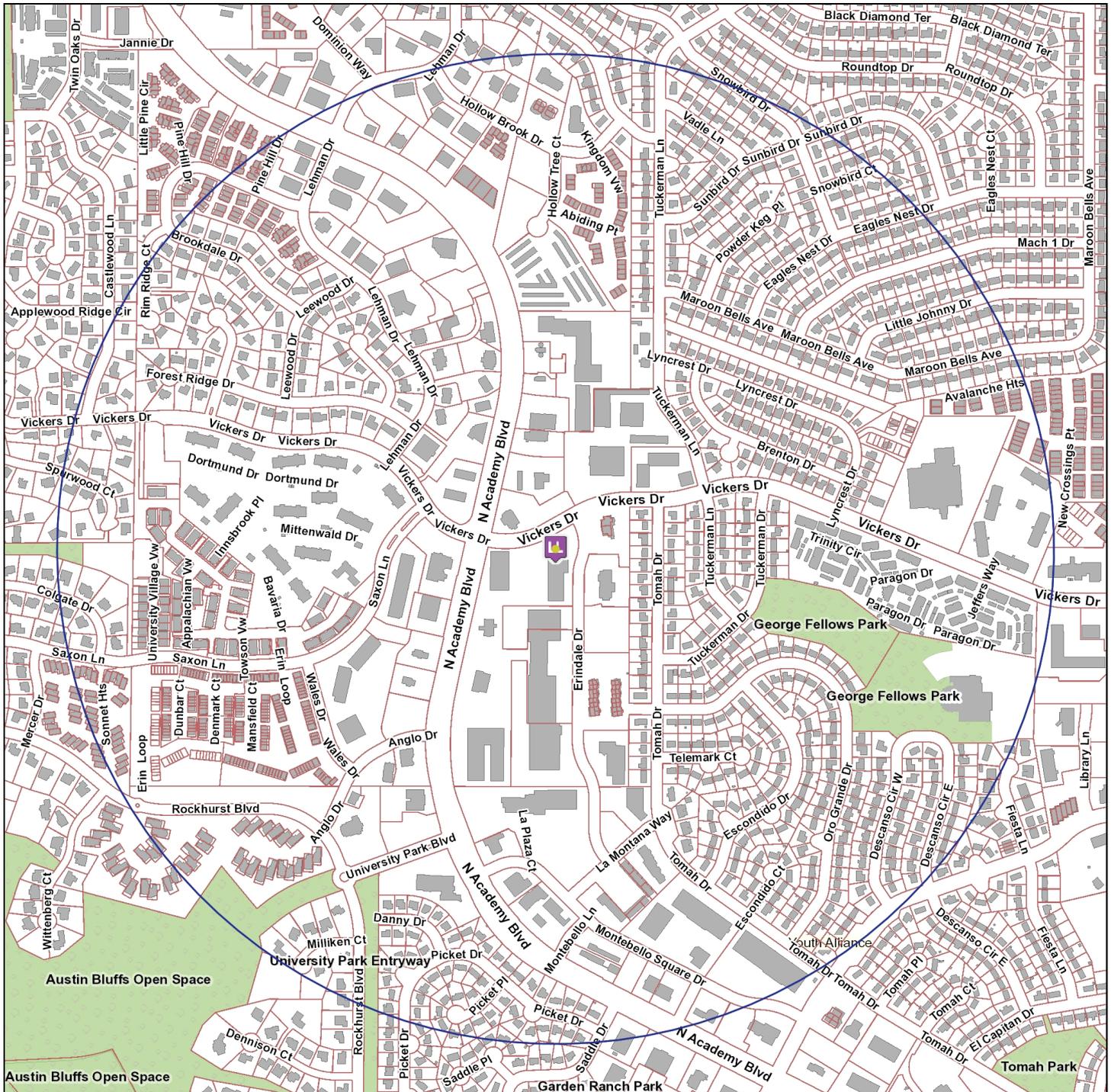
Direct questions regarding this notice and hearing to Lee McRae at 719-385-5106.

Liquor Survey Boundaries



THE DIRTY BOURBON DANCE HALL & SALOON CS, LLC
d/b/a THE DIRTY BOURBON DANCE HALL & SALOON
5783 N ACADEMY BLVD

OFFICE OF THE CITY CLERK
License ID: 30557



The survey boundary is 0.5 miles from the establishment

Map Prepared: 5/20/2016 7:55 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 30557

THE DIRTY BOURBON DANCE HALL & SALOON CS, LLC
d/b/a THE DIRTY BOURBON DANCE HALL & SALOON
5783 N ACADEMY BLVD
COLORADO SPRINGS, CO 80918

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) CHILI'S - COLORADO SPRINGS	5807 N ACADEMY BLVD	Hotel & Restaurant	292.18 ft
2) MOBO SUSHI JAPANESE RESTAURANT	5975 N ACADEMY BLVD	Hotel & Restaurant	1,176.21 ft
3) INDIA PALACE RESTAURANT	5644 N ACADEMY BLVD	Hotel & Restaurant	1,341.26 ft
4) PUEBLO VIEJO FAMILY MEXICAN REST	5598 N ACADEMY BLVD	Hotel & Restaurant	1,357.17 ft
5) PEAK PLACE COFFEEHOUSE	2360 MONTEBELLO SQUARE DR	Beer & Wine	2,197.71 ft
6) SPORTZ SKILLZ GOLF & TENNIS CENTER	2456 MONTEBELLO SQUARE DR	Beer & Wine	2,444.64 ft

CERTIFICATE OF MAILING

I, Lee McRae, 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 May 26, 2016 to the following address of record:

The Dirty Bourbon Dance Hall & Saloon CS, LLC
dba The Dirty Bourbon Dance Hall & Saloon
5783 N. Academy Boulevard
Colorado Springs, CO 80918



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

CC: metravis2@yahoo.com
ERIKA M. KAISER <erikakaiser1@msn.com>