

**BEFORE THE LOCAL LIQUOR AND BEER
LICENSING AUTHORITY,
CITY OF COLORADO SPRINGS,
STATE OF COLORADO**

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CITY CLERK'S OFFICE
2021 MAR 25 A 10:58

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IN THE MATTER OF:

APPLICANT

Topgolf USA CS, LLC
d/b/a **Topgolf**
165 Spectrum Loop
Colorado Springs, CO 80921
Mailing Address:
8750 N Central Expressway, #1200
Dallas, TX 75231

Application No: N-0850638

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, April 16, 2021 at 9:00 A.M. by virtual hearing with remote participation** upon Topgolf USA CS, LLC d/b/a Topgolf ("Applicant") application for a new Hotel and Restaurant Liquor with Optional Premise License at 165 Spectrum Loop, 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, April 13, 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, April 6, 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, April 13, 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 February 26, 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 March 25, 2021.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

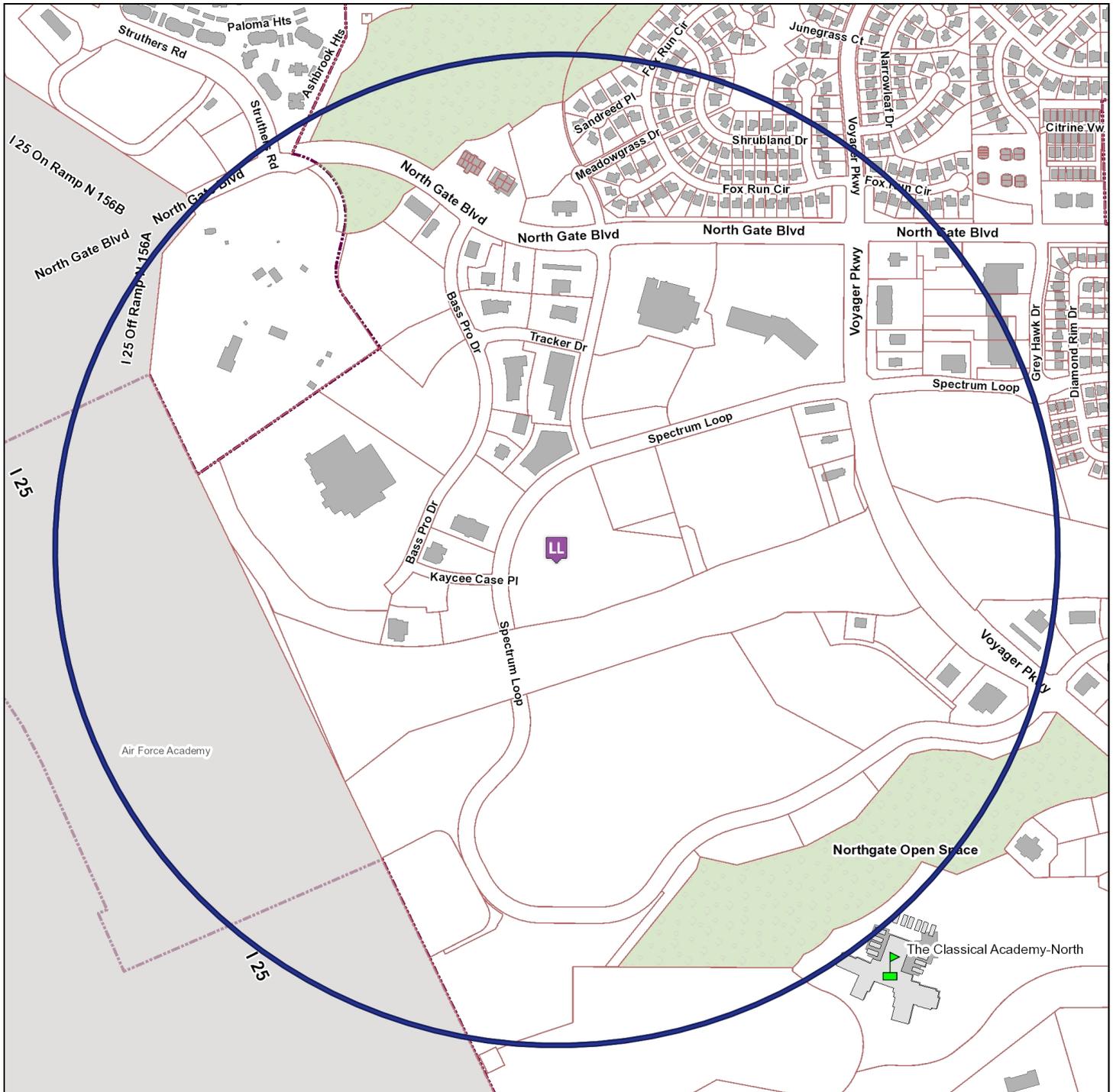
Direct questions regarding this notice and hearing to Colin M. Gordon at 719-385-5107.

Liquor Survey Boundaries



TOPGOLF USA CS, LLC
d/b/a TOPGOLF
165 SPECTRUM LOOP

OFFICE OF THE CITY CLERK
License ID: 0850638



The survey boundary is 0.5 miles from the establishment

Map Prepared: 3/25/2021 11:14 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 0850638

TOPGOLF USA CS, LLC
d/b/a TOPGOLF
165 SPECTRUM LOOP
COLORADO SPRINGS, CO 80921

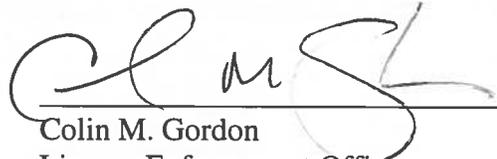
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) OVERDRIVE RACEWAY	196 SPECTRUM LOOP	Tavern Liquor License	494.74 ft
2) BUTTERMILK A BREAKFAST EATERY	13141 BASS PRO DR	Hotel & Restaurant Liquor License	596.64 ft
3) BOURBON BROTHERS SMOKEHOUSE AND TAVERN	13021 BASS PRO DR	Hotel & Restaurant Liquor License	647.01 ft
4) THE BRASS TAP	13271 BASS PRO DR	Tavern Liquor License	1,041.44 ft
5) MOMMA PEARL'S CAJUN KITCHEN	162 TRACKER DR	Hotel & Restaurant Liquor License	1,253.62 ft
6) DOG HAUS	162 TRACKER DR	Hotel & Restaurant Liquor License	1,264.71 ft
7) MOD PIZZA	13461 BASS PRO DR	Beer & Wine Liquor License	1,517.06 ft
8) MANGOSTEEN THAI STREET FOOD	383 SPECTRUM LOOP	Beer & Wine Liquor License	1,556.79 ft
9) EL PADRINO MEXICANO	13425 VOYAGER PKWY	Hotel & Restaurant Liquor License	2,142.21 ft
10) BEASTS AND BREWS	7 SPECTRUM LOOP	Hotel & Restaurant Liquor License	2,325.88 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 March 25, 2021 to the following address of record:

Topgolf USA CS, LLC
d/b/a Topgolf
8750 N Central Expressway, #1200
Dallas, TX 75231



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

CC: vicki.thomas@gray-robinson.com
liquorpros@msn.com