



OFFICE OF THE CITY CLERK

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

Received

CITY CLERK'S OFFICE

2020 MAR 12 P 12:44

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)

- | | | | |
|---|--|--|--|
| <input type="checkbox"/> Hotel/Restaurant (or Resort) | <input type="checkbox"/> Hotel/Restaurant w/Optional | <input type="checkbox"/> Tavern | <input type="checkbox"/> Brew Pub |
| <input type="checkbox"/> Distillery Pub | <input type="checkbox"/> Vintner's Restaurant Liquor | <input type="checkbox"/> Beer and Wine | <input type="checkbox"/> Optional Premises |
| <input type="checkbox"/> Retail Liquor Store* | <input type="checkbox"/> Licensed Drugstore* | <input type="checkbox"/> Racetrack | <input type="checkbox"/> Arts |
| <input checked="" type="checkbox"/> Lodging & Entertainment | <input type="checkbox"/> FMB (Beer) On Premises | <input type="checkbox"/> 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):**

HITT LLC

2. Trade Name (DBA): Legends Miniature Golf and Batting Cages**3. Premises Address:** 6654 Dalby Dr., Colorado Springs, CO 80918
City, State, Zip: **Location Phone:** 719-266-0249**Property Tax Schedule No. :** 6312413057 **Zoning:** PBC CU AO**4. Mailing Address:** 5538 Blue Moon Drive, *CSL 80924*
City, State, Zip: **Alt Phone:** 719-266-0249**Primary Contact Name And Title:** Cary "Norman" Hittle **Email:** legendsminigolf@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	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
Cary Norman Hittle	Member/Mgr	80
Tara Christie Hittle	Member	20
N/A		
N/A		
N/A		
N/A		

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
KeyBank National Association	Business Checking	10,000
Colorado Springs, CO		
TOTAL INVESTMENT IN BUSINESS:		\$ 10,000 0

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Cary Norman Hittle

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

If leased, provide the terms: START DATE: 01/01/2020 END DATE: 12/31/2030

DIMENSIONS OF PREMISES: 110 x 180 x 240 x 130 x 390 x 290 TOTAL SQUARE FOOTAGE: Approx 67,000 sq. ft

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

Anticipated number of employees: 20 Anticipated opening date: Currently Operates

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			
N/A			
N/A			

**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 APR 23 A 9:00

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

HITT, LLC

d/b/a Legends Miniature Golf and Batting Cages

6654 Dalby Drive

Colorado Springs, CO 80918

Mailing Address:

5538 Blue Moon Drive

Colorado Springs, CO 80924

Application No: N-37062

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, May 15, 2020 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon HITT, LLC d/b/a Legends Miniature Golf and Batting Cages ("Applicant") application for a new Lodging and Entertainment Liquor License at 6654 Dalby Drive, Colorado Springs, CO 80918. **Additional information related to appearance, remote participation, and public comment for this public hearing will be provided as soon as possible, but not later than Tuesday, May 12, 2020.**

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, May 5, 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, May 12, 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 March 12, 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 April 23, 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

HITT LLC

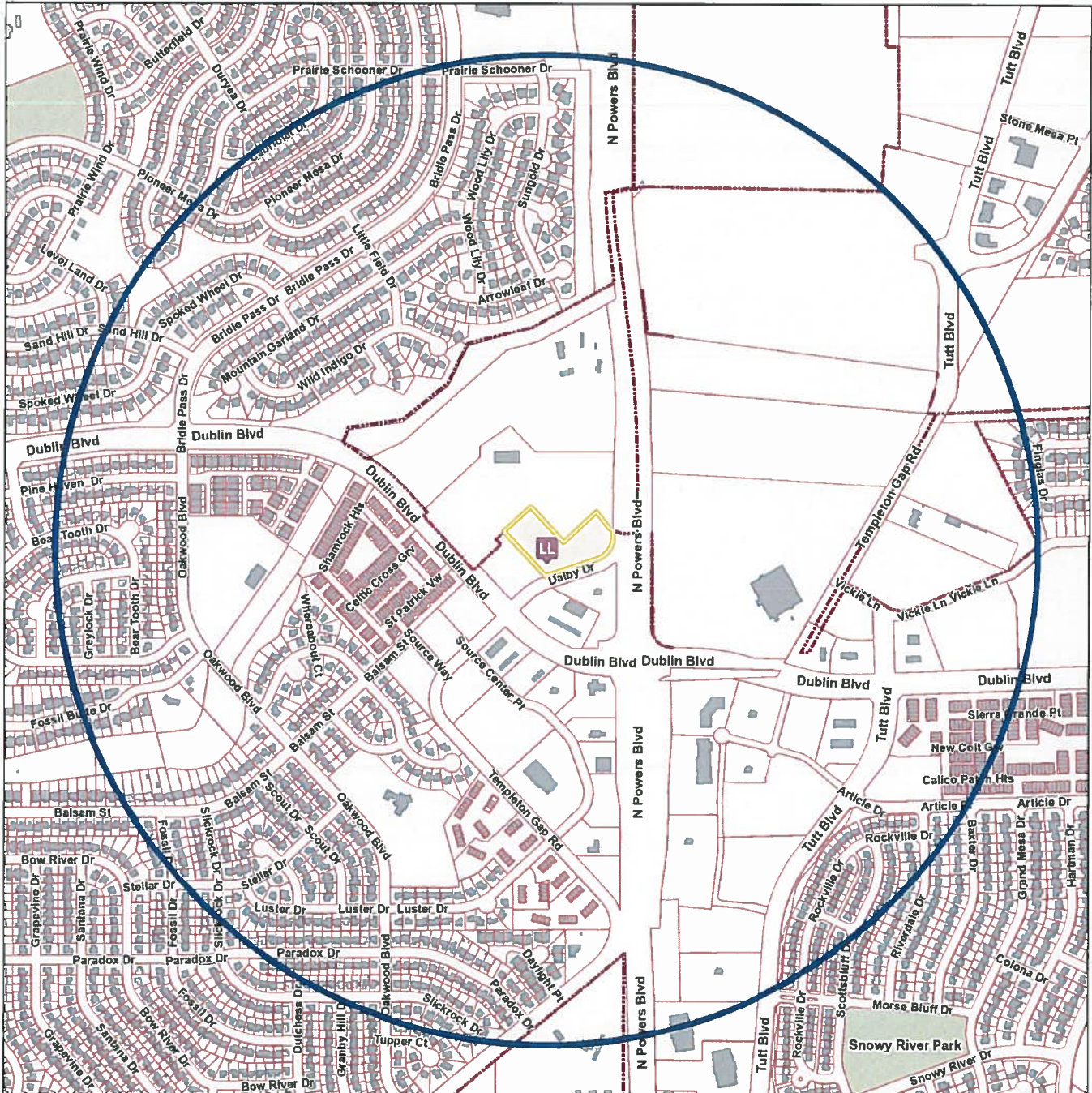
d/b/a LEGENDS MINIATURE GOLF AND BATTING CAGES

6654 DALBY DR



OFFICE OF THE CITY CLERK

License ID: 37062



0 0.25 0.5 1 Mile

The survey boundary is 0.5 miles from the establishment

Map Prepared: 3/20/2020 10:24 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 37062

HITT LLC

d/b/a LEGENDS MINIATURE GOLF AND BATTING CAGES

6654 DALBY DR

COLORADO SPRINGS, CO 80918

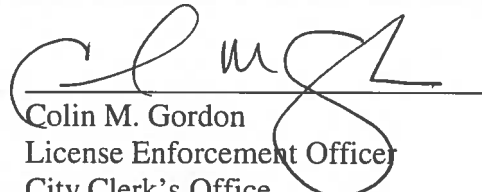
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) FUZZY'S TACO SHOP	5915 DUBLIN BLVD	Hotel & Restaurant	1,241.78 ft
2) SALSA BRAVA/URBAN EGG	5925 DUBLIN BLVD	Hotel & Restaurant	1,321.06 ft
3) BEAUTY BAR SALON & SPA	5925 DUBLIN BLVD	Lodging & Entertainment	1,389.33 ft
4) MOD PIZZA	5925 DUBLIN BLVD	Beer & Wine	1,459.71 ft
5) SKIRTED HEIFER II	5935 DUBLIN BLVD	Hotel & Restaurant	1,525.35 ft
6) COLORADO'S RIB & CHOP HOUSE	5935 DUBLIN BLVD	Hotel & Restaurant	1,591.65 ft
7) KANPAI : JAPANESE RESTAURANT & SUSHI	5935 DUBLIN BLVD	Hotel & Restaurant	1,770.08 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 April 23, 2020 to the following address of record:

HITT, LLC
d/b/a Legends Miniature Golf and Batting Cages
5538 Blue Moon Drive
Colorado Springs, CO 80924



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

CC: vince@lindenlawgroup.com
legendsminigolf@gmail.com
liquorpros@msn.com