



OFFICE OF THE CITY CLERK

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

Received: CITY CLERK'S OFFICE 2021 JAN 29 A 10: 34

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.

[X] NEW LICENSE [] TRANSFER OF OWNERSHIP

Type of License applying for (Check One)

- [X] 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): Dice Guys LLC
2. Trade Name (DBA): The Fifty-Niner
3. Premises Address: 2409 W Colorado Ave, Unit 110 and 120 Colorado Springs, CO 80904 Location Phone: 719-331-4226
Property Tax Schedule No.: 7411233004 Zoning: C6
4. Mailing Address: 805 Hercules Place Colorado Springs, CO 80905 Alt Phone:
Primary Contact Name And Title: Adam Stepan, Owner Email: adam@dice-guys.com

5. IF THIS IS A TRANSFER OF AN EXISTING LICENSE - THE FOLLOWING MUST BE ANSWERED:
Table with 4 columns: Present trade name of establishment (dba), Present State License No., Present Class of License, Present Expiration Date

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.
Table with 3 columns: NAME, POSITION HELD, %OWNED

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
Chase Bank	Checking	\$72,055
Chase Bank	Checking	\$152,100
TOTAL INVESTMENT IN BUSINESS:		\$ 224,155

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Adam Stepan

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

If leased, provide the terms: START DATE: 12/20/2019 END DATE: 12/31/2024

DIMENSIONS OF PREMISES: 60' x 22' TOTAL SQUARE FOOTAGE: 2,160

Is there a patio area? Yes No --- If yes, provide dimensions N/A

Anticipated number of employees: 3 Anticipated opening date: 02/01/2021

Will training be offered or required? Yes No --- If yes, through what agency? Health Communications, Inc

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?

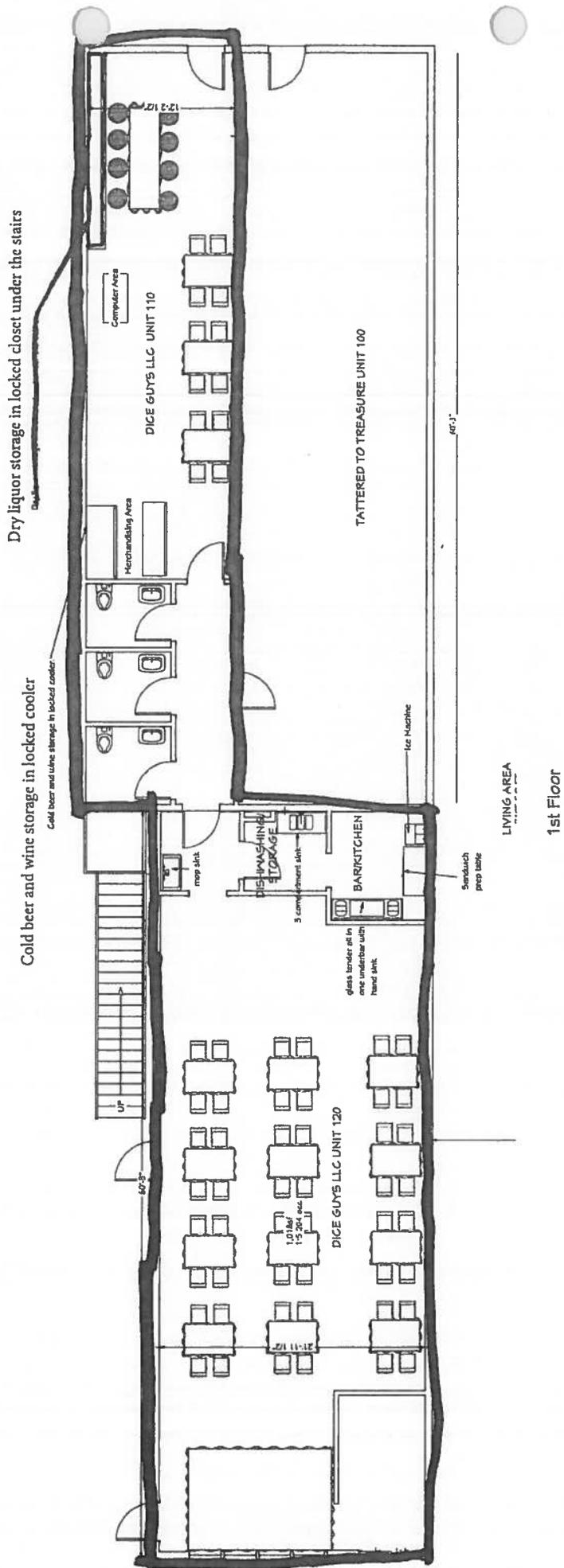
Yes No IF YES, ATTACH a statement or affidavit of explanation, including date(s) and location(s).

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
Chili's Bar and Grill 1706 E Cheyenne Mountain Blvd Colorado Springs, CO 80906	Adam Stepan	Waitstaff/Barstaff	2000-2004



<p>BEFORE THE LOCAL LIQUOR AND BEER LICENSING AUTHORITY, CITY OF COLORADO SPRINGS, STATE OF COLORADO</p> <p>Address: 30 South Nevada Avenue, Suite 101 Colorado Springs, CO 80903 Telephone: (719) 385-5901 Fax Number: (719) 385-5114 Email: cityclerk@springsgov.com</p>	<p>CITY CLERK'S OFFICE 2021 FEB 26 A 11: 14</p> <p>▲ CLERK USE ONLY ▲</p>
<p>IN THE MATTER OF:</p> <p>APPLICANT Dice Guys, LLC d/b/a The Fifty-Niner 2409 W Colorado Avenue, #110 & 120 Colorado Springs, CO 80904 <u>Mailing Address:</u> 805 Hercules Place Colorado Springs, CO 80905</p>	<p>Application No: N-0850524</p>
<p align="center">NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</p>	

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 Dice Guys, LLC d/b/a The Fifty-Niner (“Applicant”) application for a new Hotel and Restaurant Liquor License at 2409 W Colorado Avenue, #110 & 120, Colorado Springs, CO 80904. **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

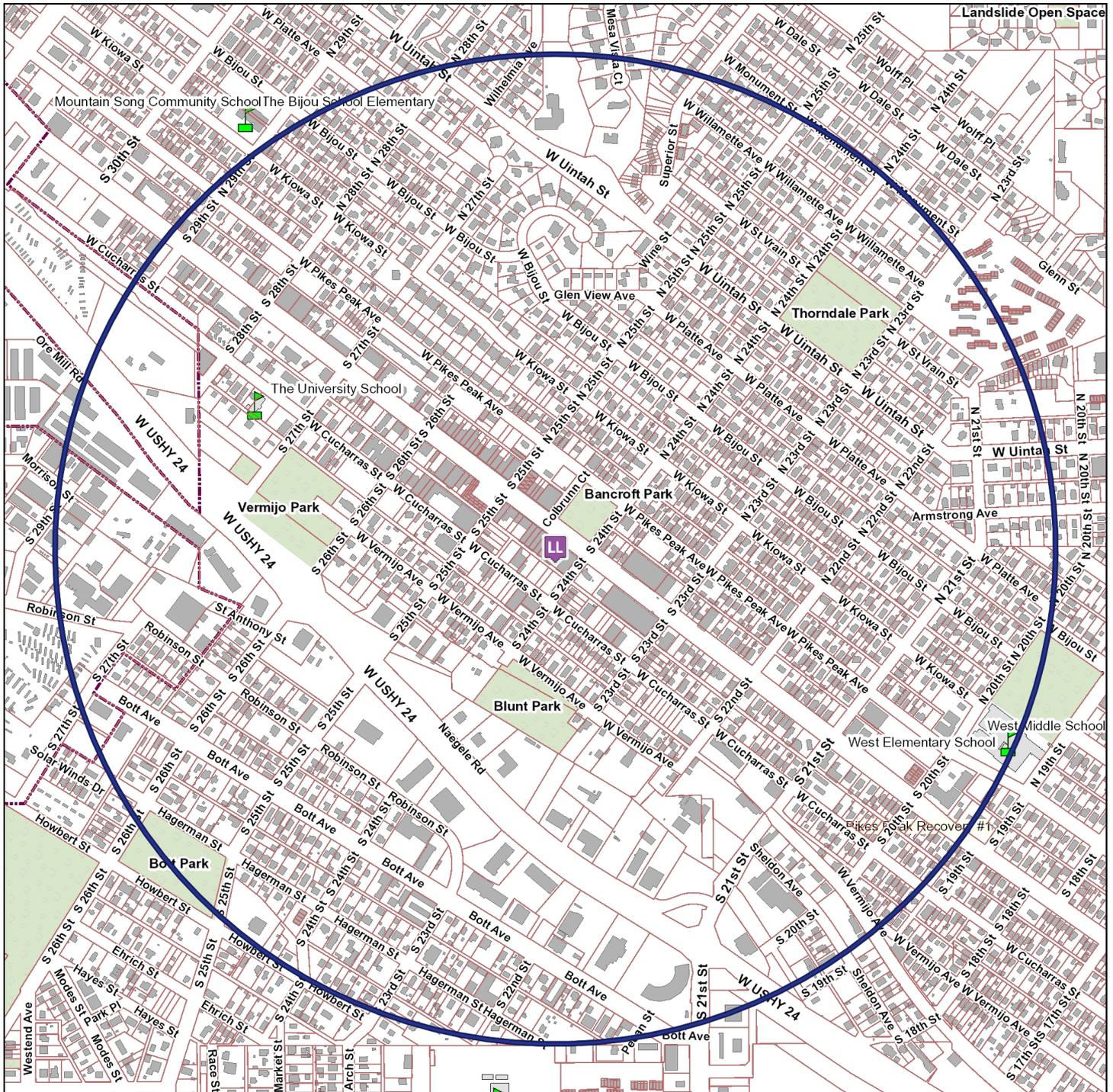
Direct questions regarding this notice and hearing to Colin M. Gordon at 719-385-5107.

Liquor Survey Boundaries



DICE GUYS, LLC
d/b/a THE FIFTY-NINER
2409 W COLORADO AVE

OFFICE OF THE CITY CLERK
License ID: 0850524



The survey boundary is 0.5 miles from the establishment

Map Prepared: 2/26/2021 11:45 AM

Copyright © 2021 City of Colorado Springs on behalf of the Colorado Springs Utilities. All rights reserved. This work, and/or the data contained hereon, may not be modified, republished, used to prepare derivative works or commercially exploited in any manner without the prior express written consent of the City of Colorado Springs. This work was prepared utilizing the best data available at the time of creation. Neither the City of Colorado Springs, the Colorado Springs Utilities, nor any of their employees makes any warranty, express or implied, or assumes any legal liability or responsibility for accuracy, completeness, or usefulness of any data contained hereon. The City of Colorado Springs, Colorado Springs Utilities, and their employees explicitly disclaim any responsibility for the data contained hereon.



OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 0850524

DICE GUYS, LLC
d/b/a THE FIFTY-NINER
2409 W COLORADO AVE
COLORADO SPRINGS, CO 80904

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) THUNDER AND BUTTONS II	2415 W COLORADO AVE	Hotel & Restaurant Liquor License	104.95 ft
2) LA BAGUETTE	2417 W COLORADO AVE	Hotel & Restaurant Liquor License	134.82 ft
3) JORGE'S	2427 W COLORADO AVE	Hotel & Restaurant Liquor License	208.24 ft
4) CUCURU	2332 W COLORADO AVE	Tavern Liquor License	270.55 ft
5) JIVES COFFEE LOUNGE	16 COLBRUNN CT	Hotel & Restaurant Liquor License	286.21 ft
6) FRONT RANGE BARBEQUE INC	2330 W COLORADO AVE	Hotel & Restaurant Liquor License	315.07 ft
7) MOTHER MUFF'S	2432 W COLORADO AVE	Hotel & Restaurant Liquor License	372.43 ft
8) MONSE'S TASTE OF EL SALVADOR	115 S 25TH ST	Tavern Liquor License	387.76 ft
9) SLICE420	2501 W COLORADO AVE	Hotel & Restaurant Liquor License	485.66 ft
10) DAT'S ITALIAN	2514 W COLORADO AVE	Hotel & Restaurant Liquor License	634.32 ft
11) SUPERNOVA WEST	2521 W COLORADO AVE	Hotel & Restaurant Liquor License	772.81 ft
12) MOUNTAIN SHADOWS RESTAURANT	2223 W COLORADO AVE	Hotel & Restaurant Liquor License	866.51 ft
13) PIZZERIA RUSTICA	2527 W COLORADO AVE	Hotel & Restaurant Liquor License	869.64 ft
14) BON TON'S CAFE	2601 W COLORADO AVE	Hotel & Restaurant Liquor License	992.50 ft
15) TAPATERIA	2607 W COLORADO AVE	Hotel & Restaurant Liquor License	1,070.61 ft
16) JAKE & TELLY'S GREEK TAVERNA	2616 W COLORADO AVE	Hotel & Restaurant Liquor License	1,182.40 ft
17) WILD GINGER THAI RESTAURANT	2628 W COLORADO AVE	Hotel & Restaurant Liquor License	1,347.23 ft



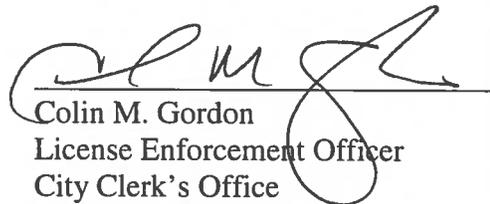
OFFICE OF THE CITY CLERK

18) ALCHEMY	2625 W COLORADO AVE	Hotel & Restaurant Liquor License	1,359.75 ft
19) WESTSIDE TATTOO	2031 W COLORADO AVE	Beer & Wine Liquor License	1,813.58 ft
20) PARAVICINI ITALIAN BISTRO	2802 W COLORADO AVE	Hotel & Restaurant Liquor License	2,068.96 ft
21) PUB DOG COLORADO	2207 BOTT AVE	Hotel & Restaurant Liquor License	2,163.64 ft
22) COLORADO MOUNTAIN BREWERY	600 S 21ST ST	Brew Pub Liquor License	2,342.74 ft
23) WYE LINE	600 S 21ST ST	Hotel & Restaurant Liquor License	2,382.65 ft
24) SECRET GARDEN NURSERY	420 S 19TH ST	Tavern Liquor License	2,577.92 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:

Dice Guys, LLC
d/b/a The Fifty-Niner
805 Hercules Place
Colorado Springs, CO 80905



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

CC: paul@coloradolawgroup.com
adam@dice-guys.com
genevieve@coloradolawgroup.com