

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: OVERDRIVE RACEWAY LLC.	Property Tax Schedule No. : 6207200038 4009
Trade Name (DBA): OVERDRIVE RACEWAY	Business Telephone: (719) 473-8930
Address of Premises: 196 SPECTRUM LOOP COLORADO SPRINGS	Alternate Telephone: (303) 587-7546

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

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
JAMES MUNDLE	MANAGER / OWNER	41%
JENNIFER ITUNDLE	MANAGER / OWNER	41%
GARY ERICKSON		3%
KEN ROEWE		5%
STEVE GAGE		5%
BRAD DILLINGER		3%

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	\$
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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
PARAGON BANK	LOAN	4,265,200⁰⁰

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

Business Name & Address	Applicant's Name	Experience/Position	Dates
CASTLE ROCK MERCHANTS ASSOC.	JAMES MUNDLE	PRESIDENT	2004-2011

Has the applicant previously been issued a liquor or beer license (include any of the 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

PREMISES/ESTABLISHMENT

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

If leased provide terms: Start date End date

Dimensions of premises 276 X 191 Square footage 5032 Seating Capacity 324

Is there a patio area? ☐ yes ☒ no -- If yes, provide dimensions

Anticipated number of employees? 23

Will training be offered or required? ☒ yes ☐ no -- If yes, through what agency? TBD

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).		

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.

State of CO
County of El Paso

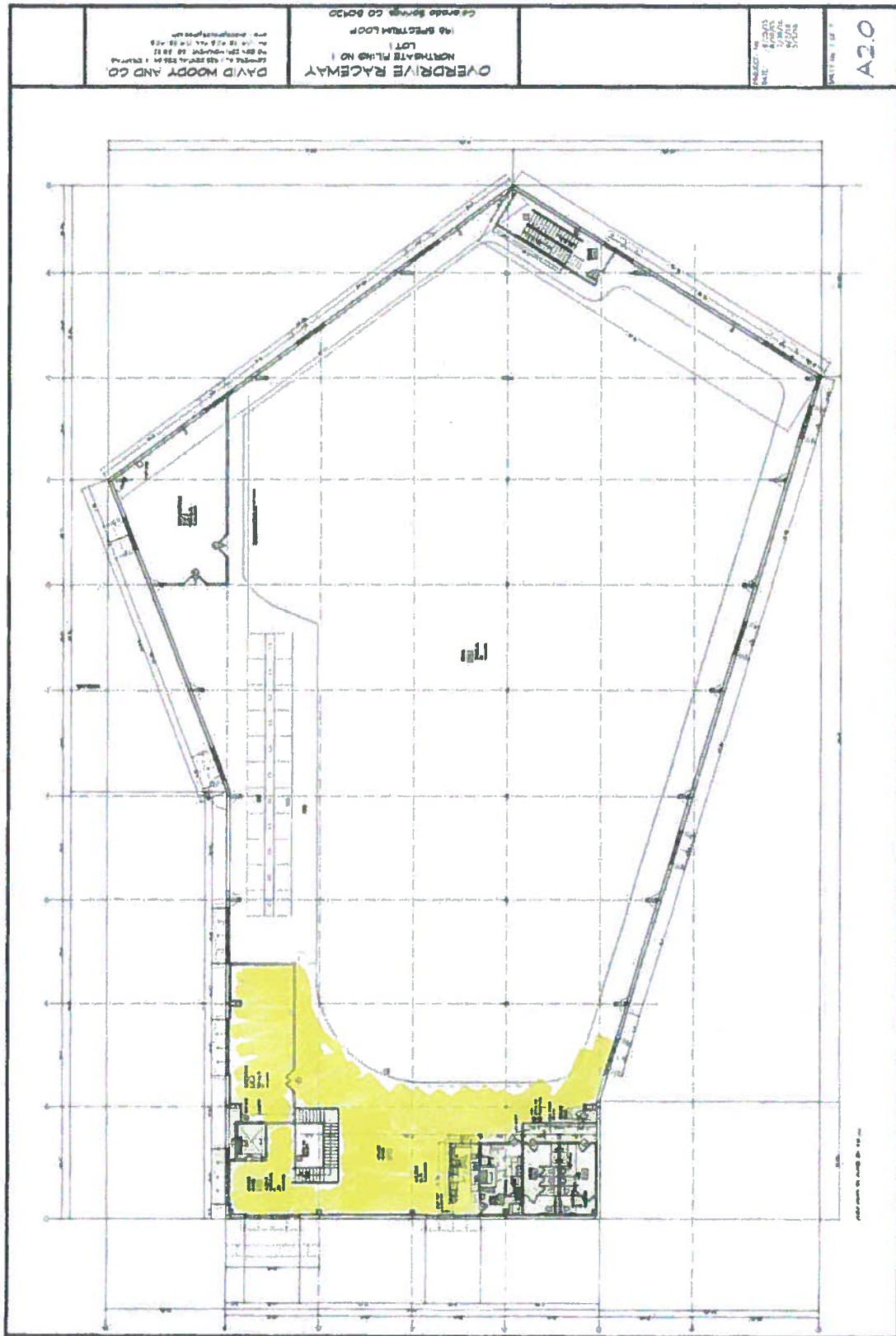
Catherine Vitro
Notary Public
State of Colorado
Notary ID 20154011561
My Commission Expires March 20, 2019

John H. Fisher
Signature
Title: OWNER / MANAGER

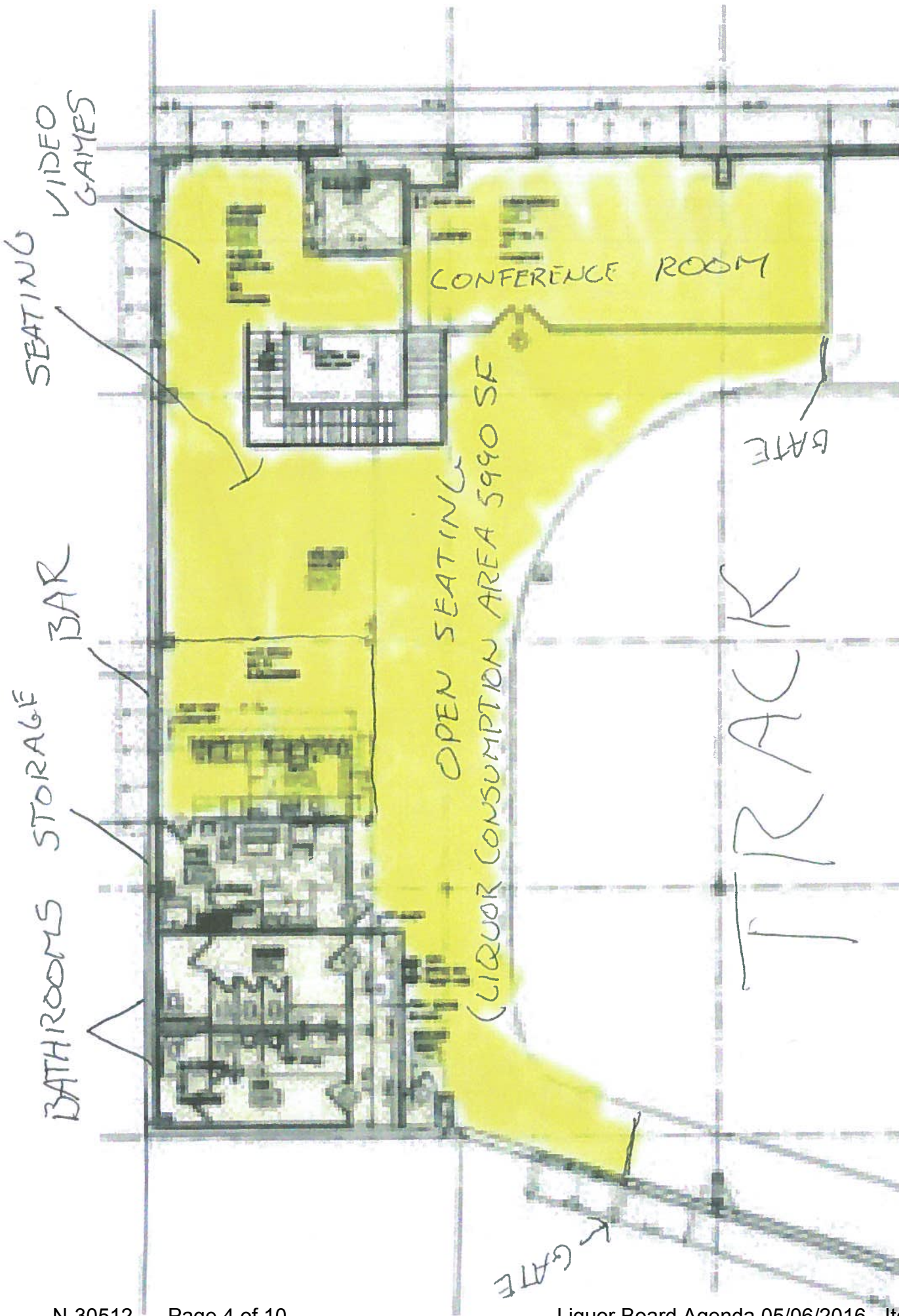
Subscribed and sworn to before me this 3 day of March, 20 16.

My Commission Expires: March 20, 2019

Catherine Vitro
Notary Public



Liquor License for upstairs.



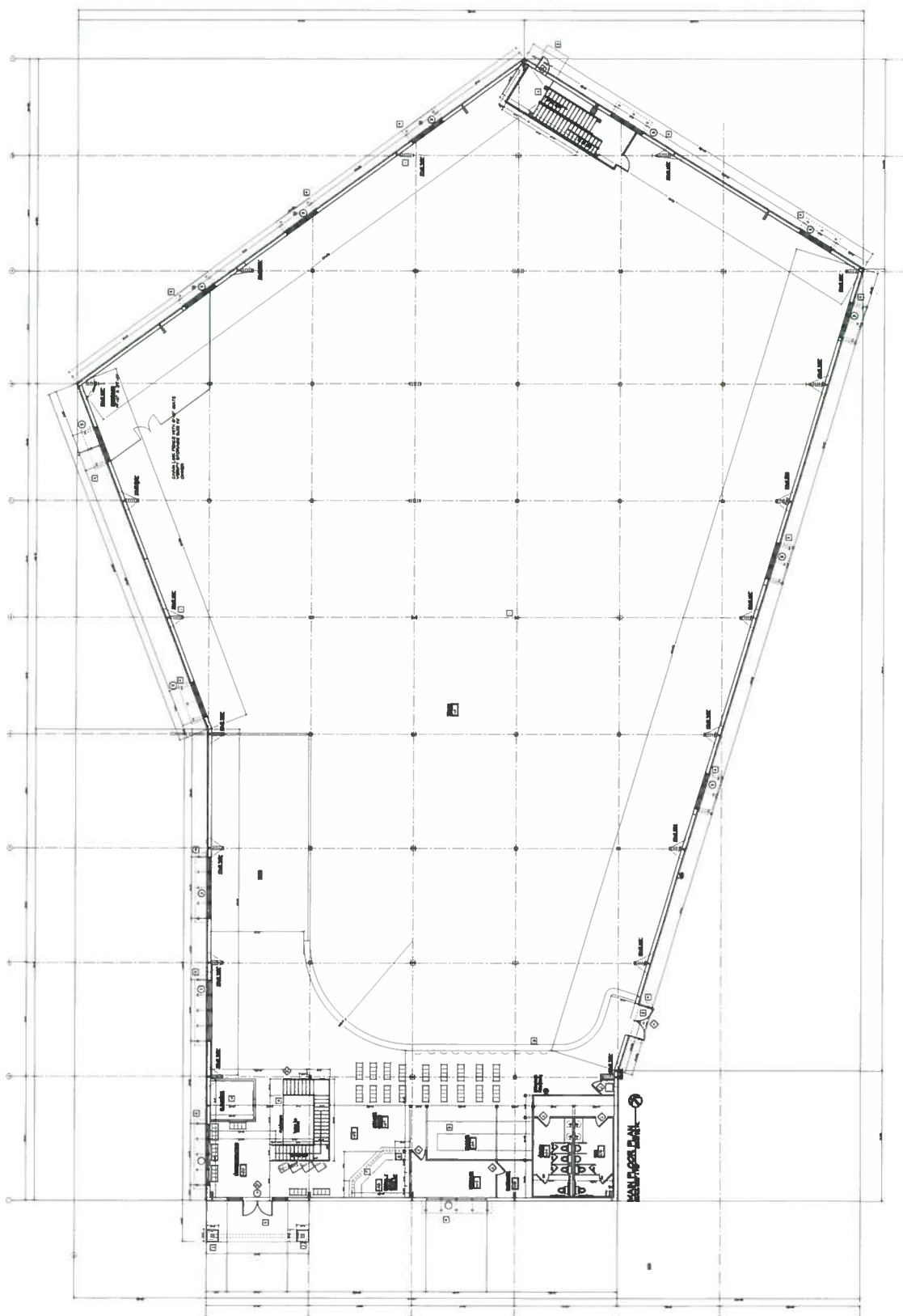
A1.0

SHEET No. 1 OF 2

PROJECT No. 23-115
DATE 8/10/15

OVERDRIVE RACEWAY
NORTHSTAR FILMS NO. 1
LOT 1
186 SPECTRUM LOOP
Colorado Springs CO 80920

DAVID WOODY AND CO
CONSULTING ARCHITECTS
100 BOX 204 NORTH-ENT CO 80920
PH 719-594-0200 FAX 719-594-0203
email: dwoody@dcacdesign.com



FIRST FLOOR NOT LICENSED

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 APR 15 A 8:13
<hr/> IN THE MATTER OF: Overdrive Raceway, LLC d/b/a Overdrive Raceway 196 Spectrum Loop Colorado Springs, CO 80921 Mailing Address: P.O. Box 2305 Castle Rock, CO 80104	<hr/> <p style="text-align: center;">▲ BOARD USE ONLY ▲</p> <hr/> Application No: N-30512
NOTICE OF HEARING AND INITIAL FINDINGS OF FACT	

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, May 6, 2016 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon Overdrive Raceway, LLC d/b/a Overdrive Raceway ("Applicant") application for a new Tavern Liquor License at 196 Spectrum Loop, Colorado Springs, CO 80921.

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, April 26, 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, May 3, 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 3, 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 evidenced 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 April 15, 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



OVERDRIVE RACEWAY LLC
d/b/a OVERDRIVE RACEWAY
196 SPECTRUM LOOP

OFFICE OF THE CITY CLERK
License ID: 30512



The survey boundary is 0.5 miles from the establishment

Map Prepared: 4/12/2016 3:49 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 30512

OVERDRIVE RACEWAY LLC

d/b/a OVERDRIVE RACEWAY

196 SPECTRUM LOOP

COLORADO SPRINGS, CO 80921

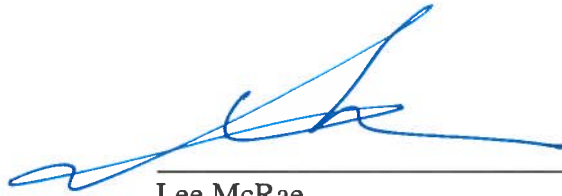
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) MIKADO ASIAN BISTRO	13141 BASS PRO DR	Hotel & Restaurant	234.72 ft
2) SOUTHERN HOSPITALITY SOUTHERN KITCHEN COLO SPGS	13021 BASS PRO DR	Hotel & Restaurant	675.91 ft
3) UNCLE BUCK'S FISHBOWL AND GRILL	13012 BASS PRO DR	Hotel & Restaurant	1,135.97 ft
4) CB & POTTS RESTAURANT & TAPROOM	261 KAYCEE CASE PL	Hotel & Restaurant	1,176.12 ft
5) EL PADRINO MEXICANO	13425 VOYAGER PKWY	Hotel & Restaurant	1,978.53 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 April 15, 2016 to the following address of record:

Overdrive Raceway, LLC
dba Overdrive Raceway
P.O. Box 2305
Castle Rock, CO 80104



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

CC: jim@overdriveraceway.com