

# CITY OF COLORADO SPRINGS

## LIQUOR OR 3.2% FERMENTED MALT BEVERAGE APPLICATION



NEW LICENSE



TRANSFER OF OWNERSHIP

Type of License applying for (Check One)

- ☒ Hotel/Restaurant   
 ☐ Hotel/Restaurant w/Optional Premises   
 ☐ Tavern   
 ☐ Beer & Wine   
 ☐ Brew Pub  
☐ Retail Liquor Store   
☐ 3.2% Beer On Premises   
☐ 3.2% Beer Off Premises   
☐ 3.2% Beer On and Off Premises  
☐ Drugstore   
☐ Racetrack   
☐ Optional Premises   
☐ Club   
☐ Vinters

### APPLICANT INFORMATION

Name of Applicant: <u>I.O. Wings #5 LLC</u>	Property Tax Schedule No. : <u>6401404017</u>
Trade Name (DBA): <u>Wings Stop #5</u>	Business Telephone: <u>719-638-9464</u>
Address of Premises: <u>1580 Spore Center Dr. #105, Colo. Spgs. 80915</u>	Alternate Telephone: <u>719-233-5103</u>

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
Tye Olsen	managing member	100%

### FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	\$ <u>500,000</u>
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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
5 Star Bank	loan	\$350,000
Tye Olsen	Savings	\$150,000

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

Business Name & Address	Applicant's Name	Experience/Position	Dates
Wing Stop 10056 Nelson Hills Blvd C/S 80923	Tye Olsen	managing member	2003 - 2016 (present)
Wing Stop 530 S. Academy C/S 80910	Tye Olsen	managing member	2002 - present
Wing Stop 1914 Southgate Rd C/S 80906	Tye Olsen	managing member	2004 - present

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; 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/\$
Wingstop	530 S. Academy C/S 80910	100% / \$0
Wingstop	6056 Metson Hills Blvd C/S 80923	100% / \$0
Wingstop	1914 Southgate Rd C/S 80906	100% / \$0

### PREMISES/ESTABLISHMENT

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

If leased provide terms: Start date 8-17-16 End date 8-17-26

\* Dimensions of premises 62'10" x 24'10" Square footage 1476 Seating Capacity 30

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

Anticipated number of employees? 10

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

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):

No charges pending / Dismissed. Add to a minor. One instance only.  
6056 Metson Hills Blvd C/S 80923 2/10  
Lic # 1284970002

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 \_\_\_\_\_  
Title: Managing Member

State of Colorado  
County of El Paso

Subscribed and sworn to before me this 22 day of July, 20 16.

My Commission Expires: 10/4/16

Notary Public

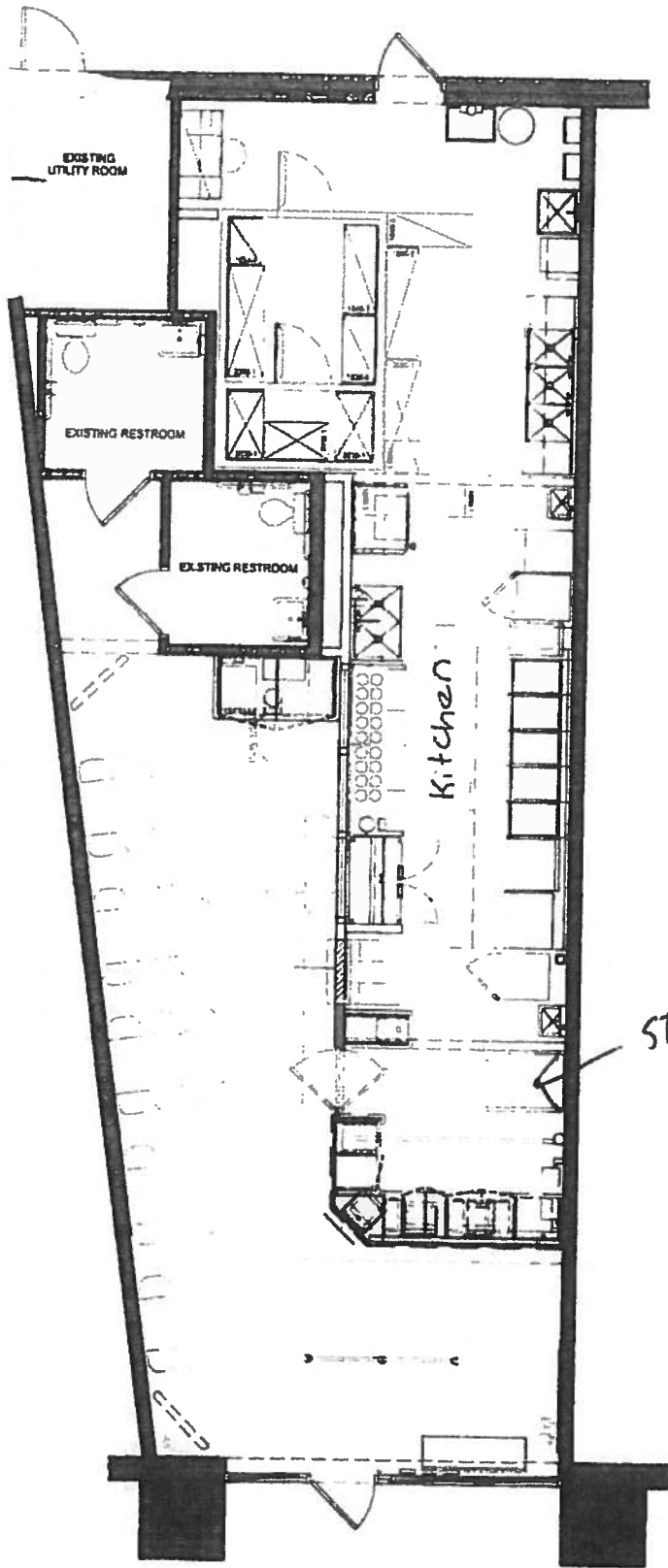
**PROJECT DATA:**

OVERALL NET LEASE (USABLE) AREA:  
 KITCHEN, COOKING, PREP & LAMINAR AREAS:  
 EATING AREA:  
 BREAK (STANDDOWN) AREA:  
 COOLER / FREEZER AREA:  
 RESTROOM, MEN & WOMEN RESTROOM AREAS:  
 EATING ANALYSIS:  
 TOTAL OCCUPANT LOAD

1,478 SQ. FT. (NET USABLE SPACE)  
 164 SQ. FT. @ 1000 (KITCHEN) = 3 OCCUPANTS  
 414 SQ. FT. @ 1115 = 20 OCCUPANTS  
 80 SQ. FT. @ 115 = 20 OCCUPANTS  
 80 SQ. FT. (ACCESSORY USE, NOT APPLICABLE)  
 164 SQ. FT. (ACCESSORY USE, NOT APPLICABLE)  
 20 TOTAL SEATS  
 45 OCCUPANTS

**LAYOUT NOTES:**  
 - REAR EXIT DOOR NEEDS TO BE  
 RELOCATED FOR THE WALLS  
 - ELECTRICAL PANEL NEEDS TO BE  
 RELOCATED

*Not Part  
of my space*



*10-13-16* *Tyr D*



GL#TBD4

**PROJECT LOCATION:**  
 COLORADO SPRINGS, CO

**DRAWING NAME:**  
 SCHEMATIC  
 EQUIPMENT PLAN

ISSUE DATE: 08/02/2016 REVISED DATE: 08/02/2016  
 REVISED DATE: 08/02/2016

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 OCT 14 A 10:42
IN THE MATTER OF:  T.O. Wings #5, LLC d/b/a <b>Wingstop #5</b> 1580 Space Center Drive, #105 Colorado Springs, CO 80915 Mailing Address: 3597 Blue Heron Spring Lane Colorado Springs, CO 80908	▲ BOARD USE ONLY ▲
	Application No: N-31281
<b>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</b>	

### NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, November 4, 2016 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon T.O. Wings #5, LLC d/b/a Wingstop #5 ("Applicant") application for a new Hotel and Restaurant Liquor License at 1580 Space Center Drive, #105, Colorado Springs, CO 80915.

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, October 25, 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, November 1, 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 August 19, 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 October 14, 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

T.O. WINGS #5, LLC

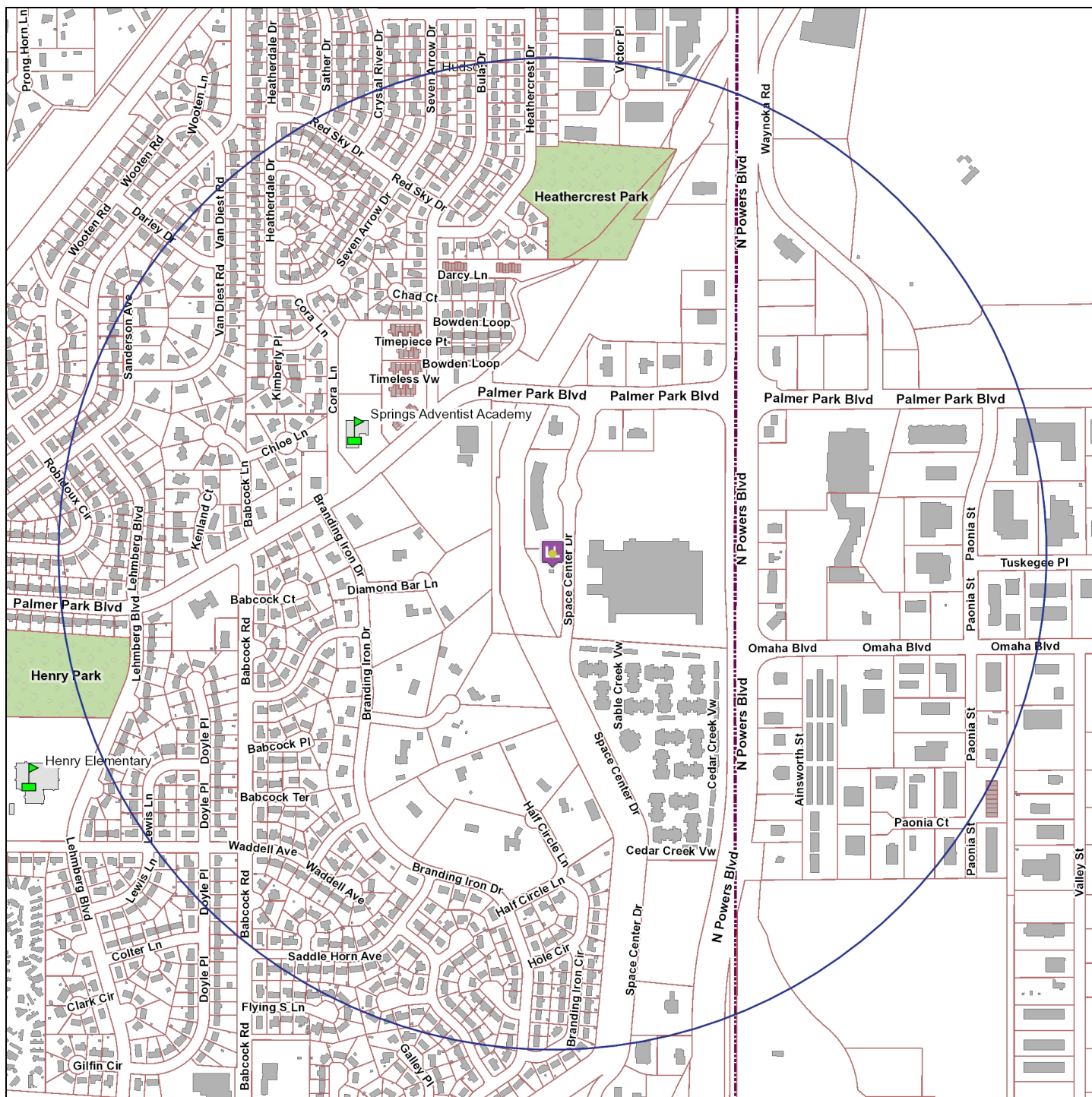
d/b/a WINGSTOP #5

1580 SPACE CENTER DR #105



OFFICE OF THE CITY CLERK

License ID: 31281



The survey boundary is 0.5 miles from the establishment

Map Prepared: 10/13/2016 3:30 PM

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## OFFICE OF THE CITY CLERK

### HEARING LETTER ATTACHMENT

License ID: 31281

T.O. WINGS #5, LLC

d/b/a WINGSTOP #5

1580 SPACE CENTER DR #105

COLORADO SPRINGS, CO 80915

### EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

Within the boundary area of the proposed establishment, there are no existing licenses of a similar type.

## CERTIFICATE OF MAILING

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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 October 14, 2016 to the following address of record:

T.O. Wings #5, LLC  
dba Wingstop #5  
3597 Blue Heron Spring Lane  
Colorado Springs, CO 80908



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

CC: chickenman491@msn.com