



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

OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE
2018 DEC 20 P 2:41

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)

- ☐ Hotel/Restaurant (or Resort) ☐ Hotel/Restaurant w/Optional ☐ Tavern ☐ Brew Pub
☐ Distillery Pub ☐ Vintner's Restaurant Liquor ☒ Beer and Wine ☐ Optional Premises
☐ Retail Liquor Store* ☐ 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): Bad Axe Throwing USA, Inc.	
2. Trade Name (DBA): Bad Axe Throwing USA	
3. Premises Address: City, State, Zip: 3506-3536 N. Academy Blvd. #3536, C. Springs, CO 80917	Location Phone: 888-435-0001
Property Tax Schedule No. : 6327409025	Zoning: C5/CR
4. Mailing Address: City, State, Zip: 3506-3536 N. Academy Blvd. #3536, C. Springs, CO 80917	Alt Phone: 905-334-5445
Primary Contact Name And Title: Mario Zelaya, President and Sole Shareholder	Email: mario.zelaya@badaxethrowing.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. <u>**NOTE:</u> ATTACH ONE AFFIRMATION AND CONSENT (page 3), and ONE APPLICANT INTERVIEW (page 4), FOR EACH NAME LISTED.		
NAME	POSITION HELD	%OWNED
Mario Zelaya	President	100

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
Bank of America	Business Operating -- Checking	10,000
TOTAL INVESTMENT IN BUSINESS:		\$ 10,000

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name:

Benjamin Edgington - CURRENT OPERATING MGR - REGISTRATION NOT REQUIRED

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

If leased, provide the terms: START DATE: 3/15/2018 END DATE: 5/14/2023

DIMENSIONS OF PREMISES: 68' 7" x 66' 9" (interior) TOTAL SQUARE FOOTAGE: 4,762 (outside walls)

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

Anticipated number of employees: 8 Anticipated opening date: Currently Operating

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. See Attached

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?

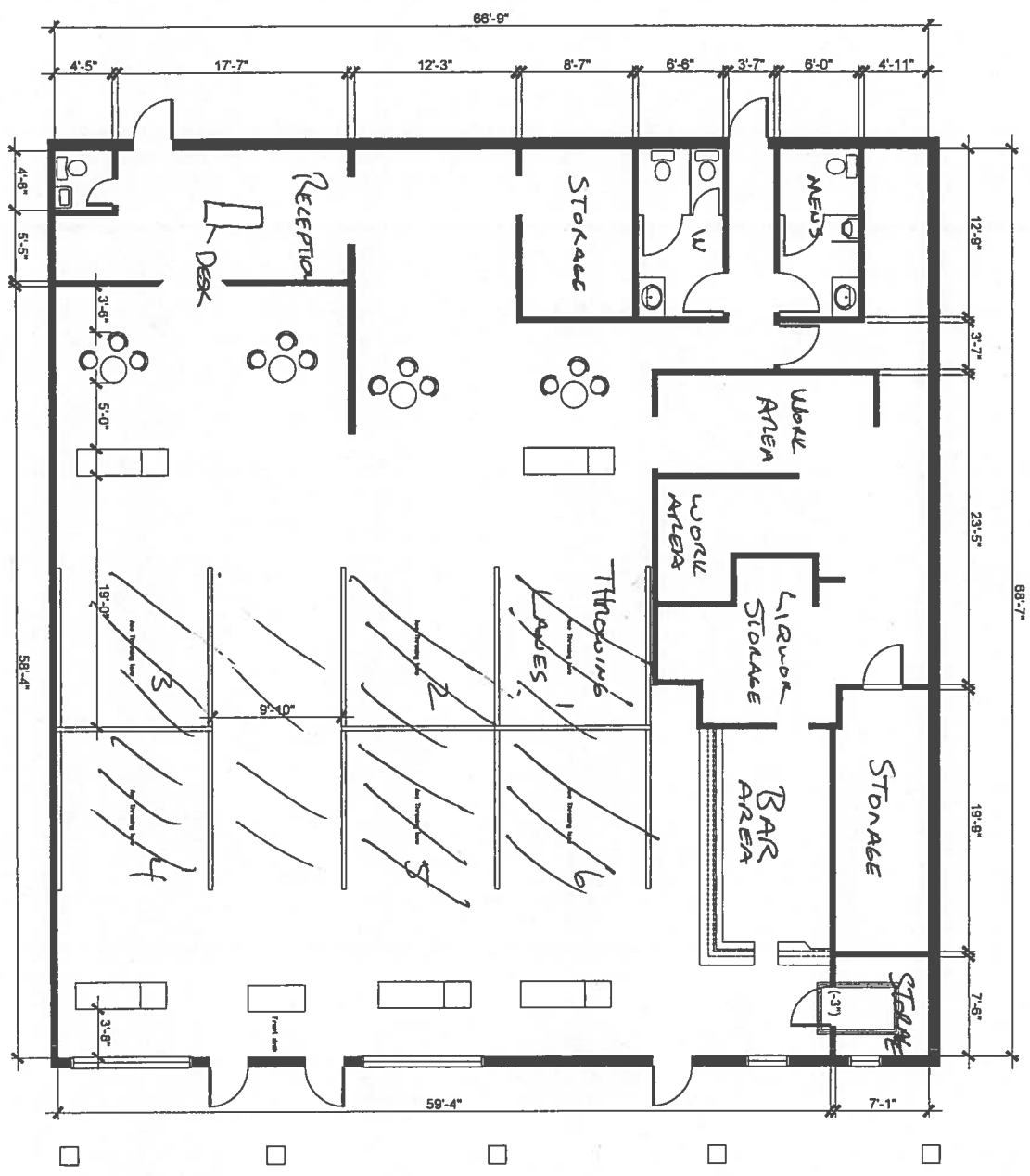
☐ Yes ☒ No IF YES, ATTACH a statement or affidavit of explanation, including date(s) and location(s).

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.

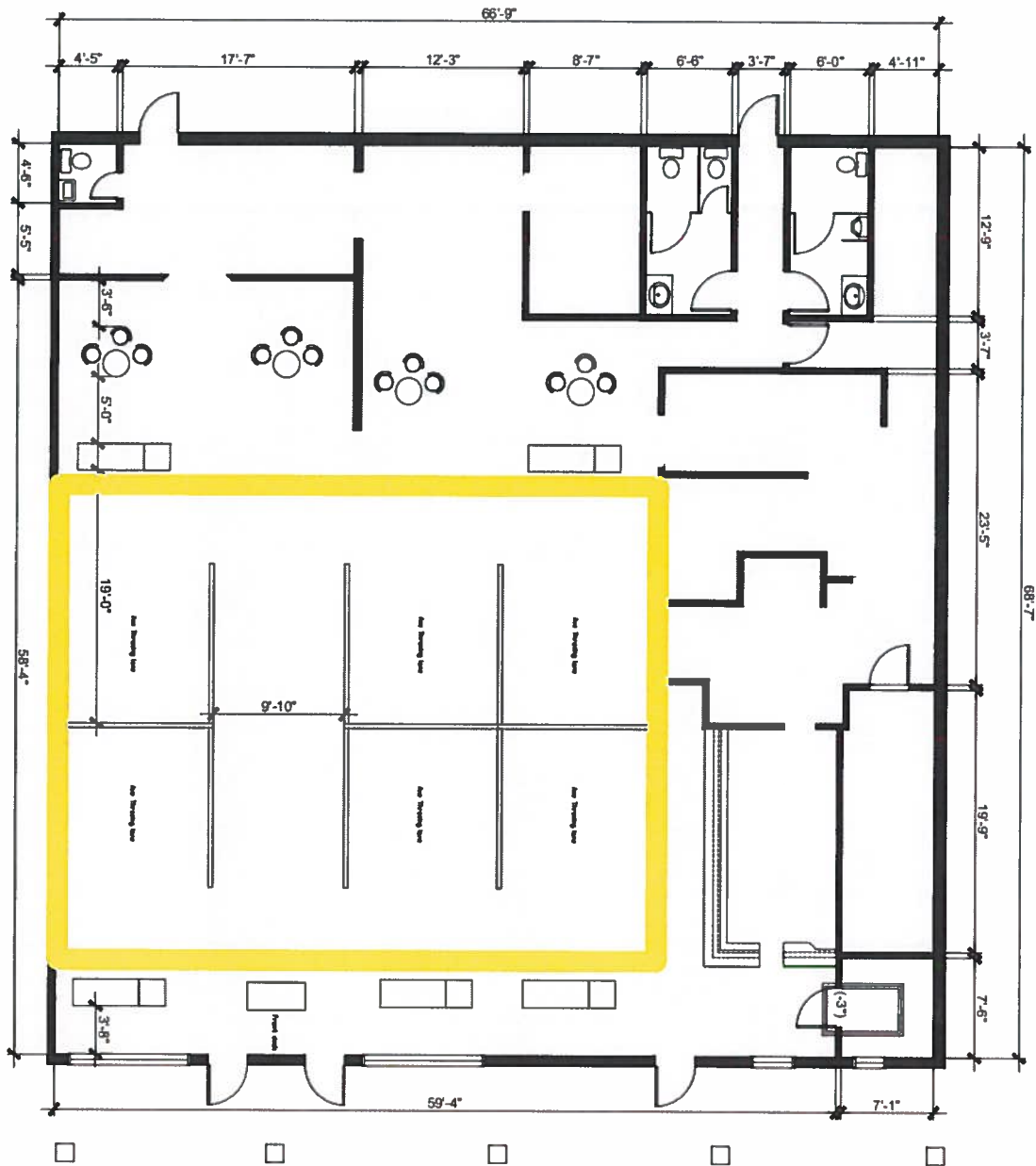
Business Name & Address	Applicant's Name	Experience/Position	Dates
Bad Axe Throwing USA, Inc.	Mario Zelaya	President/Owner	Approx 9-9-2017 to Current
7338 North Washington St., Denver CO			
Not Applicable			



1 PROPOSED FLOORPLAN
A-1.0 SCALE 1/4" = 1'-0"

A-1.0	PROPOSED ADDITION/RENOVATION FOR:	FLOORPLAN	REVISIONS	BY	DATE
			DATE:	SCALE: 1/4" = 1'-0"	
			DRAWN BY:	CHE BY:	

PROPOSED FLOORPLAN
SCALE 1/4" = 1'-0"



A-1.0	PROPOSED ADDITION/RENOVATION FOR	FLOORPLAN	REVISIONS	BY	DATE
			DATED	SCALE 1/4" = 1'-0"	
			DRAWN BY	CHE BY	

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 2019 JAN 11 A 8:48 ▲ CLERK USE ONLY ▲
IN THE MATTER OF: APPLICANT Bad Axe Throwing USA, Inc. d/b/a Bad Axe Throwing USA 3506-3536 N. Academy Boulevard. #3536 Colorado Springs, CO 80917 Mailing Address: 3506-3536 N. Academy Boulevard. #3536 Colorado Springs, CO 80917	Application No: N-34981

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, February 1, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Bad Axe Throwing USA, Inc. d/b/a Bad Axe Throwing USA ("Applicant") application for a new Beer and Wine License at 3506-3536 N. Academy Boulevard. #3536, Colorado Springs, CO 80917.

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. 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, January 22, 2019. 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, January 29, 2019.

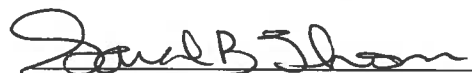
Pursuant to C.R.S. §44-3-312 and City Rule No. 7, the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant's application. NOW THEREFORE these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on December 20, 2018, 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 January 10, 2019.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

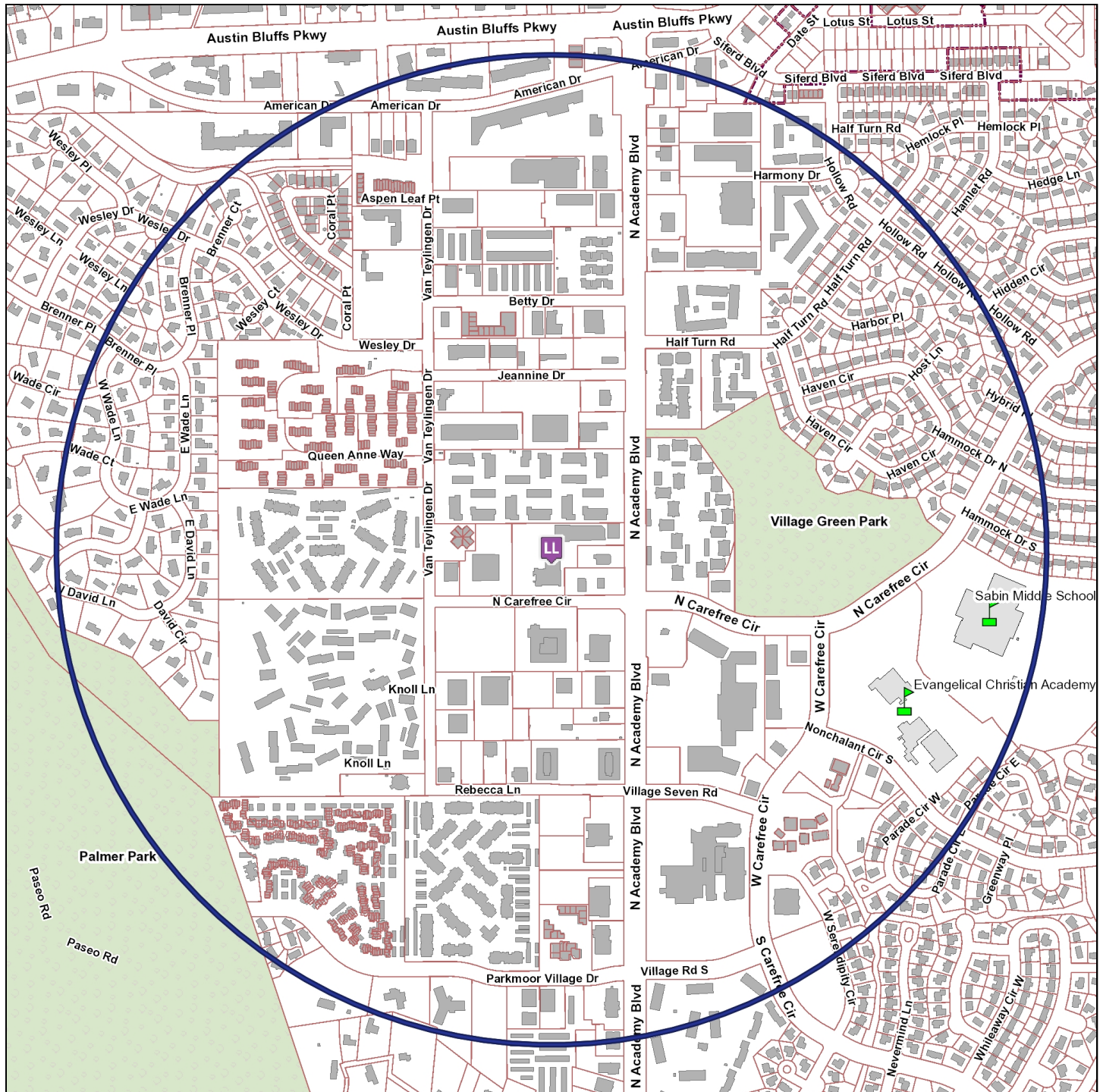
Direct questions regarding this notice and hearing to Colin M. Gordon at 719-385-5107.

Liquor Survey Boundaries



BAD AXE THROWING USA, INC
d/b/a BAD AXE THROWING USA
3506-3536 N ACADEMY BLVD #3536

OFFICE OF THE CITY CLERK
License ID: 34981



The survey boundary is 0.5 miles from the establishment

Map Prepared: 1/9/2019 8:56 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 34981

BAD AXE THROWING USA, INC
d/b/a BAD AXE THROWING USA
3506-3536 N ACADEMY BLVD #3536
COLORADO SPRINGS, CO 80917

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) THE SOCIAL	3506 N ACADEMY BLVD	Tavern	141.14 ft
2) CLUB Q	3430 N ACADEMY BLVD	Hotel & Restaurant	722.57 ft
3) KING PIN, INC.	3410 N ACADEMY BLVD	Tavern	800.79 ft
4) C. J's SPORTS BAR	3535 N CAREFREE CIR	Tavern	968.91 ft
5) SONESTA ES SUITES COLORADO SPRINGS	3880 N ACADEMY BLVD	Hotel & Restaurant	1,394.93 ft
6) LAS PALMITAS #2	3589 N CAREFREE CIR	Hotel & Restaurant	1,435.67 ft
7) RINGO'S LOUNGE IN THE VILLAGE	3440 W CAREFREE CIR	Tavern	1,437.06 ft
8) COGSTONE BREWING CO.	3858 VILLAGE SEVEN RD	Brew Pub	1,448.51 ft
9) COPPERHEAD ROAD	3330 N ACADEMY BLVD	Tavern	1,536.14 ft
10) HARMONY BOWL	3845 N ACADEMY BLVD	Hotel & Restaurant	2,074.66 ft
11) MI MEXICO FAMILY MEXICAN RESTAURANT	3956 N ACADEMY BLVD	Hotel & Restaurant	2,283.37 ft
12) THE PLAYING FIELD	3958 N ACADEMY BLVD	Tavern	2,330.77 ft
13) JADE DRAGON	3958 N ACADEMY BLVD	Hotel & Restaurant	2,420.10 ft
14) SAN CHANG HOUSE	3659 AUSTIN BLUFFS PKWY	Hotel & Restaurant	2,572.96 ft
15) WILD WINGS N' THINGS	3609 AUSTIN BLUFFS PKWY	Hotel & Restaurant	2,594.62 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 January 11, 2019 to the following address of record:

Bad Axe Throwing USA, Inc.
dba Bad Axe Throwing USA
3506-3536 N. Academy Boulevard. #3536
Colorado Springs, CO 80917



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

CC: vince@lindenlawgroup.com
mario.zelaya@badaxethrowing.com
liquorpros@msn.com