

**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 MAY 16 A 8:32

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

Academy Philly Cheesesteak, Inc.
d/b/a **Taste of Philly Academy**
3552-3554 N. Academy Boulevard
Colorado Springs, CO 80917
Mailing Address:
3552-3554 N. Academy Boulevard
Colorado Springs, CO 80917

Application No: N-35554

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, June 7, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Academy Philly Cheesesteak, Inc. d/b/a Taste of Philly Academy ("Applicant") application for a new Hotel and Restaurant Liquor License at 3552-3554 N. Academy Boulevard, 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, May 28, 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, June 4, 2019.

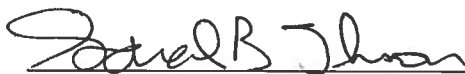
Pursuant to C.R.S. §44-3-312 and City Rule No. 7, the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant's application. NOW THEREFORE these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on March 27, 2019, 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 May 16, 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

ACADEMY PHILLY CHEESESTEAK INC.

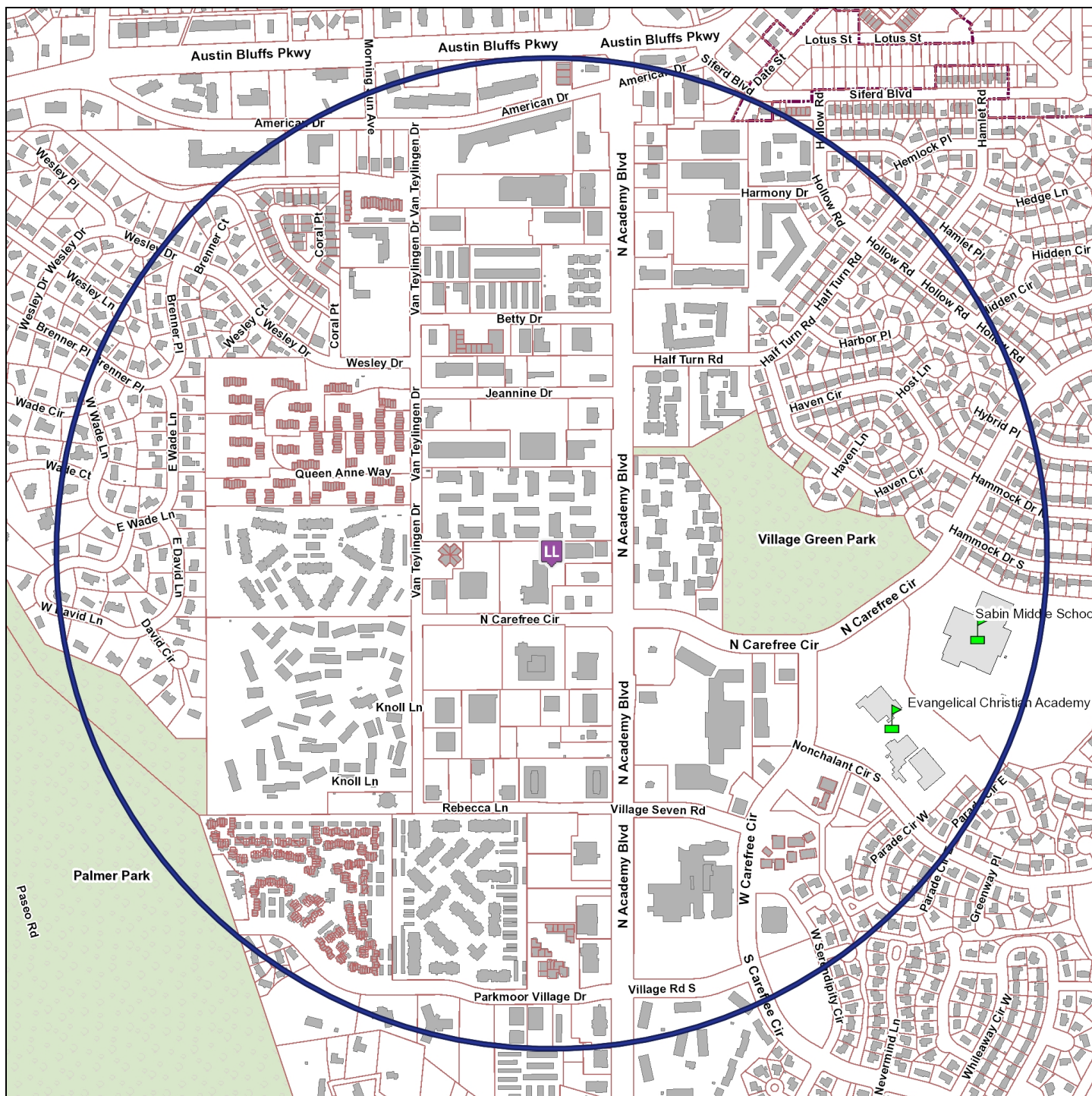
d/b/a TASTE OF PHILLY ACADEMY

3552-3554 N ACADEMY BLVD



OFFICE OF THE CITY CLERK

License ID: 35554



The survey boundary is 0.5 miles from the establishment

Map Prepared: 5/14/2019 10:11 AM

Copyright © 2019 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: 35554

ACADEMY PHILLY CHEESESTEAK INC.

d/b/a TASTE OF PHILLY ACADEMY

3552-3554 N ACADEMY BLVD

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) BAD AXE THROWING USA	3500 N ACADEMY BLVD	Beer & Wine	101.76 ft
2) THE SOCIAL	3506 N ACADEMY BLVD	Tavern	226.10 ft
3) CLUB Q	3430 N ACADEMY BLVD	Hotel & Restaurant	795.86 ft
4) KING PIN, INC.	3410 N ACADEMY BLVD	Tavern	897.61 ft
5) C. J's SPORTS BAR	3535 N CAREFREE CIR	Tavern	953.39 ft
6) SONESTA ES SUITES COLORADO SPRINGS	3880 N ACADEMY BLVD	Hotel & Restaurant	1,317.21 ft
7) LAS PALMITAS #2	3589 N CAREFREE CIR	Hotel & Restaurant	1,423.97 ft
8) RINGO'S LOUNGE IN THE VILLAGE	3440 W CAREFREE CIR	Tavern	1,430.38 ft
9) COGSTONE BREWING CO.	3858 VILLAGE SEVEN RD	Brew Pub	1,471.74 ft
10) COPPERHEAD ROAD	3330 N ACADEMY BLVD	Tavern	1,602.50 ft
11) HARMONY BOWL	3845 N ACADEMY BLVD	Hotel & Restaurant	1,975.50 ft
12) MI MEXICO FAMILY MEXICAN RESTAURANT	3956 N ACADEMY BLVD	Hotel & Restaurant	2,201.11 ft
13) THE PLAYING FIELD	3958 N ACADEMY BLVD	Tavern	2,261.65 ft
14) JADE DRAGON	3958 N ACADEMY BLVD	Hotel & Restaurant	2,340.59 ft
15) SAN CHANG HOUSE	3659 AUSTIN BLUFFS PKWY	Hotel & Restaurant	2,500.92 ft
16) WILD WINGS N' THINGS	3609 AUSTIN BLUFFS PKWY	Hotel & Restaurant	2,540.01 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 May 16, 2019 to the following address of record:

Academy Philly Cheesesteak, Inc.
dba Taste of Philly Academy
3552-3554 N. Academy Boulevard
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: Lawrence.Lucero@D11.org
academytasteofphilly@yahoo.com