



OFFICE OF THE CITY CLERK

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

Received:

CITY CLERK'S OFFICE

2019 JUN 24 P 12:43

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):

MACIAS LLC

2. Trade Name (DBA): Zapata Mexican Taco Shop

3. Premises Address: 207 W Rockrimmon Blvd Suites E & G Colo Spgs CO 80919
City, State, Zip:

Location Phone: (719) 314-8654

Property Tax Schedule No.: 7312412244

Zoning: PBC-HS

4. Mailing Address: 5557 Wyatt Earp Way Colorado Springs CO 80923
City, State, Zip:

Alt Phone:

Primary Contact Name And Title: Oscar Macias

Email: oscarm80918@gmail.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			

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.**

NAME	POSITION HELD	%OWNED
Oscar E. Macias	Managing Member	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
see attachment		
TOTAL INVESTMENT IN BUSINESS:		\$ 100,000.00

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Luis Fernando Macias Lopez

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

If leased, provide the terms: START DATE: 05/01/2018 END DATE: 04/30/2023

DIMENSIONS OF PREMISES: 42' x 50' approx TOTAL SQUARE FOOTAGE: 2,126 sq. ft.

Is there a patio area? ☒ Yes ☐ No --- If yes, provide dimensions 9' x 40'

Anticipated number of employees: 6 Anticipated opening date: 6/30/2019

Will training be offered or required? ☒ Yes ☐ No --- If yes, through what agency? Liquor Pros

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
See attachment			

ATTACHMENT TO COLORADO SPRINGS LIQUOR LICENSE APPLICATION

**MACIAS, LLC
d/b/a Zapata Mexican Taco Shop
207 W. Rockrimmon Blvd, Suites E & G
Colorado Springs, CO 80919**

Question 7:

ENT Federal Credit Union, Colorado Springs, CO	checking/savings	\$30,000.00
Los 3 Mexicanos Inc, 5598 N. Academy Blvd., Colorado Springs, CO 80918	loan	\$10,000.00
Rocky Ocean Properties #1, LLC 1320 Oak Hills Dr. Colorado Springs, CO 80919	tenant improvement allowance	\$50,000.00
American Express	credit card	<u>\$10,000.00</u>
TOTAL		\$100,000.00

QUESTION 10: Oscar E. Macias is an officer, director and shareholder of the following corporation that holds a hotel & restaurant liquor license:

Los 3 Mexicanos, Inc. dba Pueblo Viejo Family Mexican Restaurant, 5598 N. Academy Blvd., Colorado Springs, CO 80918; 01/2005 – present;

He was formerly an officer, director and shareholder of the following corporations that hold hotel & restaurant liquor licenses:

Rancho Alegre, Inc. dba Pueblo Viejo Family Mexican Restaurant, 5934 Stetson Hills Blvd., Colorado Springs, CO 80923; 04/2010 – November 2018. He was also Manager at this location.

El Tequilero, Inc. dba Pueblo Viejo Family Mexican Restaurant, 310 S. Academy Blvd., Colorado Springs, CO 80910; 06/2014 – November 2018.

QUESTION 11: Oscar E. Macias was an officer, director and shareholder of the following corporation that holds a hotel & restaurant liquor license and which received a liquor license citation:

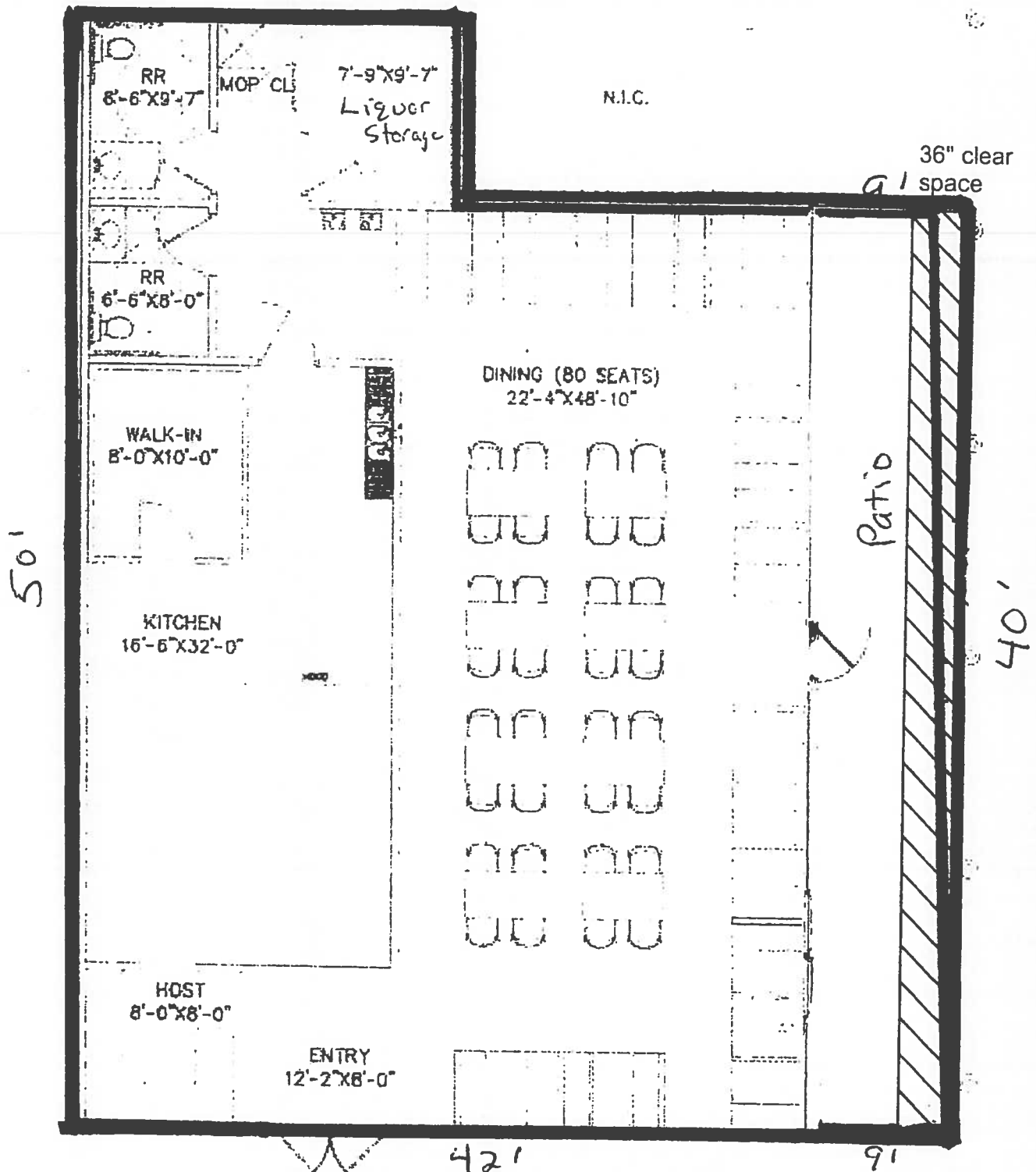
El Tequilero, Inc. dba Pueblo Viejo Family Mexican Restaurant, 310 S. Academy Blvd., Colorado Springs, CO 80910 was cited for sale to underage person on August 27, 2016. Five days of suspension were held in abeyance for one year, and licensee paid 5 days suspension by fine in lieu.

QUESTION 12: Oscar E. Macias was charged with DUI in 2000 in Woodland Park, CO.

QUESTION 13: see answer to Question 10, above. In addition to the above, Oscar Macias was employed as a server at Mazatlan Family Mexican Restaurant, 1899 S. Nevada Ave., Colorado Springs, CO 80906 from 1999 thru 2003. He was employed as a server at Pueblo Viejo Family Mexican Restaurant, 185 N. College, Fort Collins, CO 80524 from 2003 – 2004.

REVISED PLAN

7/5/20



Macias, LLC dba Zapata Mexican Taco Shop
207 W. Rockrimmon Blvd. Suites E & G
Colorado Springs, CO 80919

**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 JUL 16 A 10:41

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

Macias, LLC
d/b/a **Zapata Mexican Taco Shop**
207 W Rockrimmon Boulevard, #E & G
Colorado Springs, CO 80919
Mailing Address:
5557 Wyatt Earp Way
Colorado Springs, CO 80923

Application No: N-35915

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, August 2, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Macias, LLC d/b/a Zapata Mexican Taco Shop ("Applicant") application for a new Hotel and Restaurant Liquor License at 207 W Rockrimmon Boulevard, #E & G, Colorado Springs, CO 80919.

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, July 23, 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, July 30, 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 June 26, 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 July 11, 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

MACIAS LLC

d/b/a ZAPATA MEXICAN TACO SHOP

207 W ROCKRIMMON BLVD #E & G



OFFICE OF THE CITY CLERK

License ID: 35915



0 0.25 0.5 1 Mile

The survey boundary is 0.5 miles from the establishment

Map Prepared: 7/16/2019 9:01 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 35915

MACIAS LLC

d/b/a ZAPATA MEXICAN TACO SHOP

207 W ROCKRIMMON BLVD #E & G

COLORADO SPRINGS, CO 80919

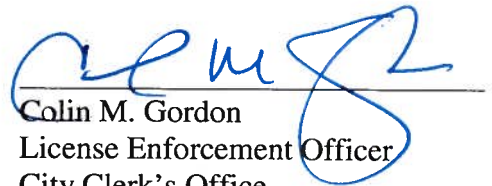
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) CLEATS BAR AND GRILL	6624 DELMONICO DR	Tavern	195.09 ft
2) MOMMA PEARLS CAJUN KITCHEN	6620 DELMONICO DR	Beer & Wine	215.29 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 July 11, 2019 to the following address of record:

Macias, LLC
d/b/a Zapata Mexican Taco Shop
5557 Wyatt Earp Way
Colorado Springs, CO 80923


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

CC: erikakaiser1@msn.com
oscar80918@gmail.com