

LIQUOR LICENSE APPLICATION <u>OR</u> 3.2% FERMENTED MALT BEVERAGE LICENSE APPLICATION (ALCOHOL BEVERAGE)

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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.

Return fully comple	ted applications to the City Cle	rk's Office, 30 S. N	evada Avenue, Suite	e 101, 80903.		
new Li	CENSE	TRANSFER O	F OWNERSHIP			
	Type of License applying	ng for (Check On	e)			
☐ Hotel/Restaurant (or Resort) [☐ Hotel/Restaurant w/Optional	☐ Tavern	☐ Bre	w Pub		
☐ Distillery Pub	☐ Vintner's Restaurant	☐ Beer and Win	e 🗌 Opt	ional Premises		
Retail Liquor Store*	Liquor Licensed Drugstore*	Racetrack	☐ Arts	5		
Lodging & Entertainment	3.2% Beer On Premises	3.2% Beer Of	f Premises 🔲 3.2%	& Beer On & Off Premises		
* New Retail Liquor Store (RLS) and Liq	uor Licensed Drugstore (LLD) appl	ications may not be v	vithin 1500' of an exis	ting RLS or LLD location.		
Section A: APPLICANT/L	ICENSEE INFORMATIO	N				
1. Name of Applicant/Licensee Cinemark USA, Inc.	e (list Corporation/LLC/Partn	nership/Associati	on/Sole Proprieto	or):		
2. Trade Name (DBA): Ciner	mark Tinseltown USA ar	nd XD				
3. Premises Address: 1545 E. Chey City, State, Zip:	yenne Mountain Boulevard rings, CO 80906		Location Phone: (719	9) 576-5082		
Property Tax Schedule No. :	6432103019		Zoning: PB(CHR		
Oity, Otate, Zip.	allas Pkwy., Ste. 500, Pla	no, TX 75093	Alt Phone: (30	3) 333-9810		
Primary Contact Name And Title: Brian C.	Proffitt, Attorney		Email: brian@	fostergraham.com		
5. IF THIS IS A TRANSFER OF AN	EXISTING LICENSE - THE FO	LOWING MUST B	E ANSWERED: *Ch	ange of License Class		
Present trade name of establishm				Present Expiration Date		
NA Cinemark Tinseltow,	n USA+ XD 03-727	2 Beer	Wine	1/8/2020		
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.						
NAMI	-		TION HELD	%OWNED		
Cinemark H			nt Company	100%		
Mark Zo			and Director	0%		
Sean Gar			asurer, Asst. Sec., and D			
Michael Ca	availer	Executive VP, Gene	ral Counsel, and Secr	retary 0%		

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30 South Nevada Avenue, Suite 101, Colorado Springs, CO 80903 • TEL 719-385-5901 • FAX 719-385-5114 • www.coloradosprings.gov/liquor

Section B: FINANCIAL INFOR	VATION	Section 1	
7. Source(s) of funds invested for total pr		erv costs (provide names, ba	nks, and indicate checking.
savings, loan, promissory note, gift or oth			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
THE FOLLOWING INFORMATION MUST PARTIES MAY HAVE A FINANCIAL INTER	REFLECT THE ENTIRE SOU	RCE OF FUNDS INVESTED.	NO OTHER PERSON OR
NAME/ADDRESS OF FUNDING		FUNDING SOURCE	AMOUNT
(bank(s), individual(s), et		ing/savings/ loan/ note/ gift)	
Existing corporate funds		Checking	~ \$ 10,000
Bank of America/Merrill Lyn	<u>.ch</u>	<u> </u>	
			İ
	TOTAL	INVESTMENT IN BUSINESS:	-\$ 10,000
Section C: PREMISES / LOCAT	ION INFORMATION		
8. Registered Manager Name: Tricia A			
9. Terms of legal possession for which	h application is made:	OWN LEA	SE OTHER
If leased, provide the terms: START	DATE: 1998	_ END DATE: 2031	
DIMENSIONS OF PREMISES: 204' 4 1		SQUARE FOOTAGE: ~ 90	882 of
		-	,002 51
Is there a patio area? 🗌 Yes 🔳 No	- If yes, provide dimension	ns N/A	
Anticipated number of employees:128	currently Anticina	ted opening date: N/A	
Anticipated number of employees.	Anticipa	ted opening date	
Will training be offered or required? 🔳 Y	'es 🗌 No If yes, th	nrough what agency? <u>In-hou</u>	se training
Section D: BACKGROUND INFO	ORMATION	gin and the first	
10. Has the applicant/licensee, any partr	ners, any officers, any stock	holders or directors, or any	manager of said applicant
previously been issued an alcohol bevera	ge license, or nave a financia a statement or affidavit of ex	•	•
former financial interest in said business i	including any loans to or fron	n another license or licensee	·
11. Has the applicant/licensee, any partrever received a violation notice, suspen-	ners, any officers, any stock	holders or directors, or any	manager of said applicant
pending, or been denied any alcohol beve			iw violation, nave charges
🗌 Yes 🔳 No IF YES, ATTACH a s			
12. Has the applicant/licensee, any partrever been convicted of any crime, received			
	atement or affidavit of explan		
13. List every individual applicant's prior			
Business Name & Address	Applicant's Name	Experience/Position	Dates
Please see attached.			
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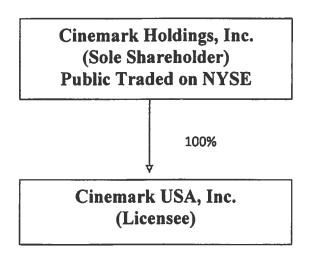
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Supplemental Response to Question #6:

Name	Address	DOB	Position	% Owned
Cinemark Holdings, Inc.	3900 Dallas Pkwy., Ste. 500 Plano, TX 75093	N/A	Parent Co. & Shareholder	100%
Mark Zoradi	5694 Lake District Dr. The Colony, TX	03/20/54	CEO & Director	0%
Sean Gamble	5411 Bent Tree Dr. Dallas, TX 75248	09/18/74	Executive VP, CFO, Treasurer, Asst. Secretary, & Director	0%
Michael Cavalier	418 W. Louisiana St. McKinney, TX 75069	08/22/66	Executive VP – General Counsel & Secretary	0%

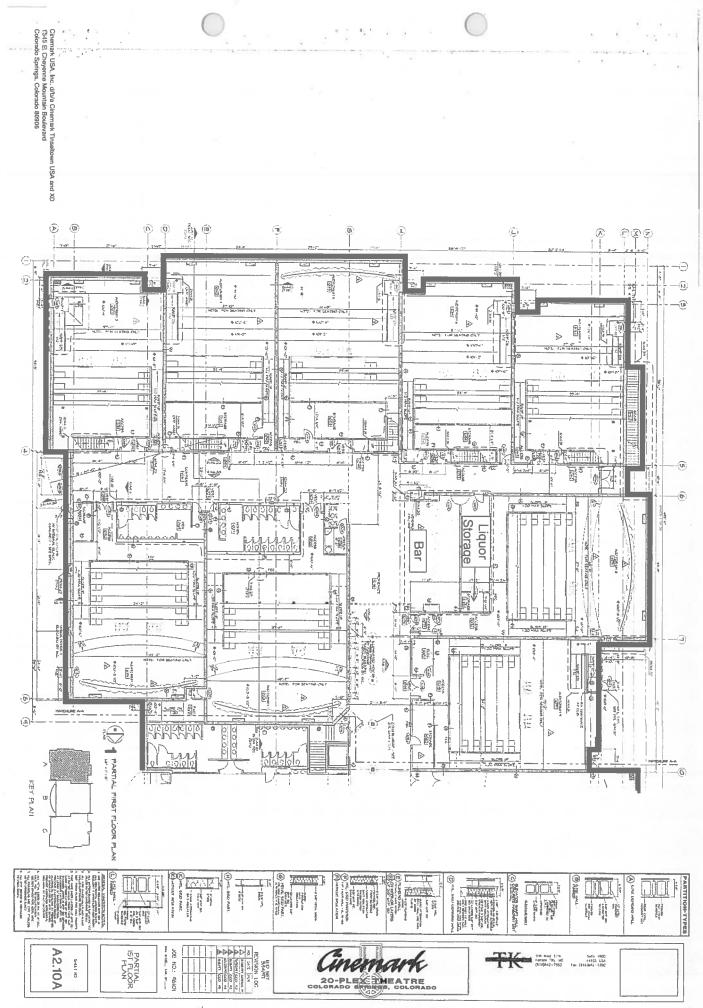


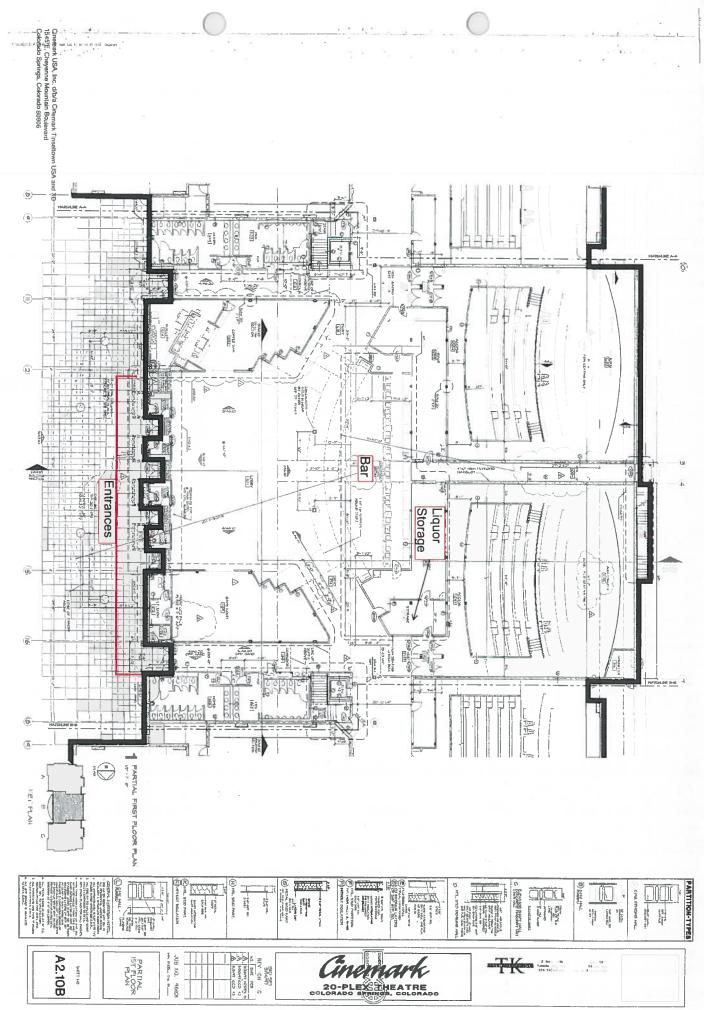
Supplemental Response to Question #10

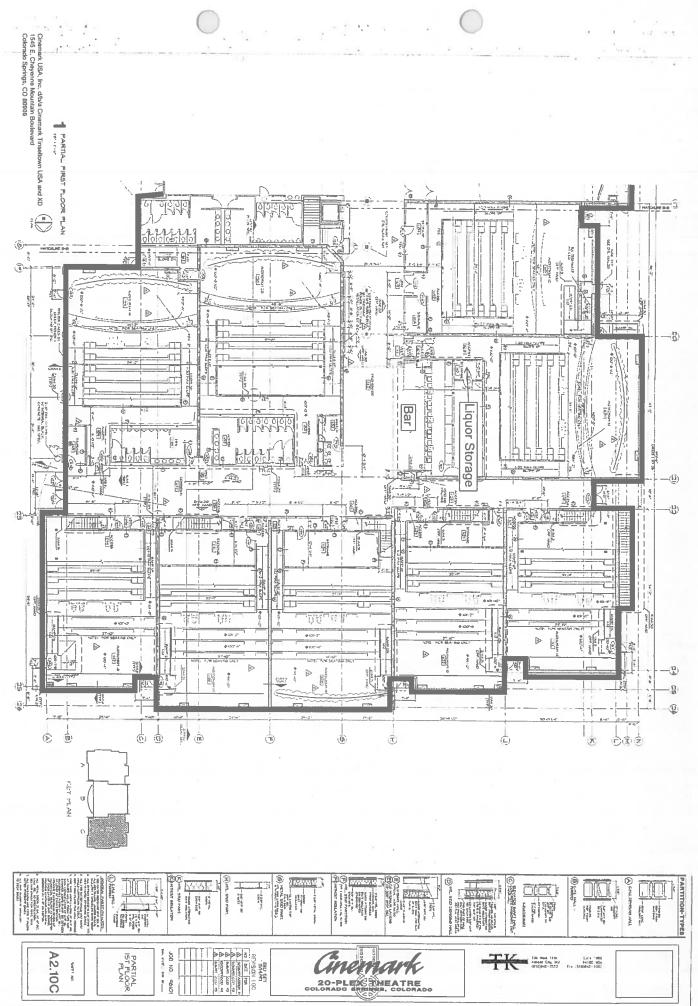
ST	City	Address	Zip Code	License Type
CA	Danville	4175 Blackhawk Plaza Circle	94526	Beer and Wine
ОН	Columbus	2570 Bethel Rd.	43220	Full Liquor
TX	College Station	1401 Earl Rudder Frwy South	77845	Beer and Wine
IN	Mishawaka	910 W. Edison Rd	46545	Beer and Wine
TX	Harlingen	401 S. Expressway 83	78550	Beer and Wine
TX	Weslaco	2113 West Expressway 83	78596	Beer and Wine
TX	The Woodlands	1600 Lake Robbins Drive	77380	Beer and Wine
CA	Tracy	3300 N. Naglee Rd.	95376	Beer and Wine
TX	Beaumont	3855 Interstate 10 South	77705	Beer and Wine
ОН	North Canton	4720 Mega St. NW	44720	Full Liquor
TX	Plano	3800 Dallas Parkway	75093	Full Liquor
OH	Boardman	7401 Market St.	44512	Beer and Wine
TX	Lubbock	2535 82nd Street	79423	Beer and Wine
OR	Springfield	2900 Gateway	97477	Beer and Wine
TX	El Paso	11855 Gateway West	79936	Beer and Wine
TX	El Paso	7440 Remcon Cir.	79912	Beer and Wine
TX	Pflugerville	15436 F.M. 1825	78660	Beer and Wine
TX	Amarillo	9100 Canyon Drive	79119	Beer and Wine
co	Colorado Springs	3305 Cinema Pt.	80922	Beer and Wine
co	Colorado Springs	1545 E. Cheyenne Mountain Blvd.	80906	Beer and Wine
TX	Plano	7201 N. Central Expressway	75025	Full Liquor
TX	Katy	1030 W. Grand Parkway N.	77449	Beer and Wine
MO	Kansas City	526 Nichols Rd.	64112	Full Liquor
ОН	Valley View	6001 Canal Road	44125	Full Liquor
FL	Orlando	5150 International Drive	32819	Beer and Wine
TX	Webster	20915 Gulf Freeway	77598	Beer and Wine
TX	Brownsville	2370 North Expressway	78521	Beer and Wine
TX	Sherman	3310 Town Center Street	75092	Full Liquor
SC	Myrtle Beach	2100 Coastal Grand Circle	29577	Beer and Wine
TX	The Woodlands	9595 Six Pines Dr.	77380_	Beer and Wine
TX	Denton	2825 Wind River	76210	Beer and Wine
LA	Baton Rouge	10000 Perkins Rowe, Suite 125	70810	Beer and Wine
TX	Rosenberg	3420 Vista Drive	77471	Beer and Wine
TX	Bee Cave	12812 Hill Country Blvd	78738	Beer and Wine
TX	Houston	310 Memorial City Mall	77024	Beer and Wine
TX	Austin	9900 S. IH-35 Service Road SB	78748_	Beer and Wine
TX	Laredo	5300 San Dario, Suite 2206	78041	Beer and Wine
CA	Mountain View	1500 N. Shoreline Blvd.	94043	Beer and Wine
CA	Orange	1701 W. Katella Ave.	92867	Beer and Wine
CA	Ventura			Beer and Wine
CA	Union City	32100 Union Landing	94587	Beer and Wine
NV	Las Vegas	4500 W. Tropicana Blvd	89103	Full Liquor
NV	Reno	210 E. Plumb Ln.	89502	Beer and Wine

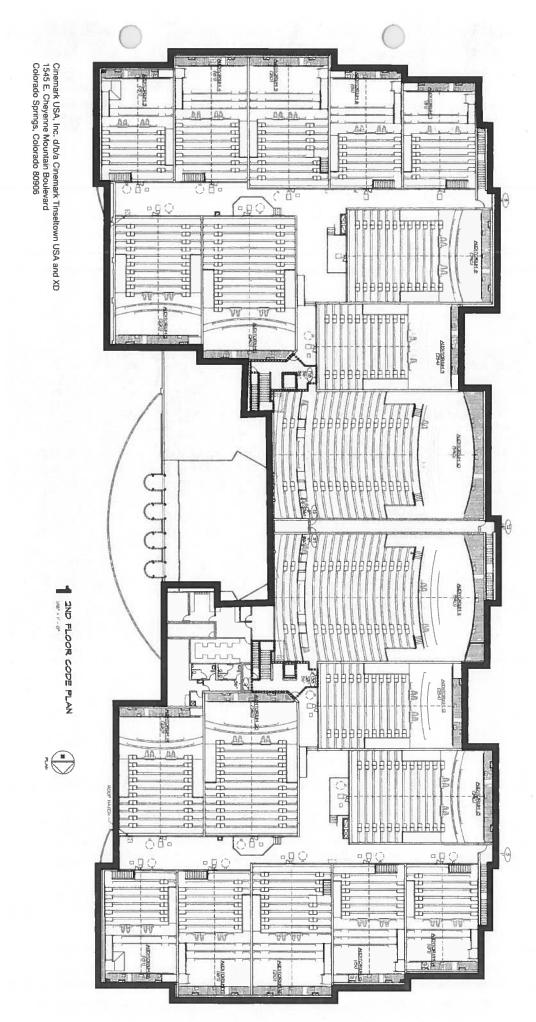
OR	Portland	4040 SE 82nd Ave	97266	Beer and Wine
TX	Corpus Christi	6685 South Padre Island	78412	Beer and Wine
IL	Evanston	1715 Maple Ave.	60201	Full Liquor
CA	Milpitas	1010 Great Mall Drive	95035	Beer and Wine
CA	Sacramento	1015 4th St.	95814	Beer and Wine
CA	San Francisco	845 Market St. Suite 500	94103	Beer and Wine
CA	San Jose	3088 Olsen Dr.	95128	Beer and Wine
CA	·	71800 Highway 111 Suite A137	92270	Beer and Wine
	Rancho Mirage Des Moines		50266	Beer and Wine
IA		101 Jordan Creek Pkwy		
CA	Huntington Beach	7777 Erdinger Ave. Suite 170	92647	Beer and Wine
OR	Beaverton	3200 SW Hocken Ave.	97005	Beer and Wine
NV	Las Vegas	4949 N. Rancho	89130	Beer and Wine
NV	Las Vegas	9776 Las Vegas Blvd. South	89183	Full Liquor
NV	Reno	Sierra Summit Shopping Center	89511	Beer and Wine
CA	Napa	195 Gasser Dr.	94559	Beer and Wine
CA	Los Angeles	12746 W. Jefferson Blvd. Ste. 3	90094	Full Liquor
TX	Cedar Park	1335 E. Whitestone Blvd.	78613	Full Liquor
TX	Harker Heights	201 E. Central Expressway	76548	Beer and Wine
CA	Apple Valley	18935 Bear Valley Rd.	92308	Beer and Wine
FL	Boca Raton	3200 Airport Road	33431	Full Liquor
FL	Boynton Beach	1151 N. Congress Ave	33426	Full Liquor
CA	Fremont	43917 Pacific Commons Blvd	94538	Beer and Wine
KY	Louisville	5000 Shelbyville Road	40207	Full Liquor
MD	Towson	111 E. Joppa Rd.	21286	Full Liquor
TX	Pharr	600 N. Jackson Rd.	78577	Beer and Wine
TX	Temple	4501 S. General Bruce Drive	76502	Beer and Wine
ОН	Cincinnati	3025 Disney Street	45209	Full Liquor
FL	Lakeland	3800 Highway 98 N	33809	Beer and Wine
TX	Spring	21440 Kuykendahl Rd.	77379	Beer and Wine
TX	Edinburg	2001 W. Trenton, Suite 116	78539	Full Liquor
TX	El Paso - Montana	12704 Montana Avenue	79938	Beer and Wine
PA	Pittsburgh ·	851 Providenence Blvd.	15237	Full Liquor
AR	Little Rock	18 Colonel Glenn Plaza Drive	72210	Beer and Wine
CA	Los Angeles	6081 Center Drive	90045	Full Liquor
CT	Manchester	99 Redstone Road	06045	Full Liquor
СТ	Milford	1201 Boston Post Rd Ste 3000	06460	Full Liquor
IA	Davenport	3601 E. 53rd St.	52807	Beer and Wine
KY	Florence	7860 Mall Road	41042	Full Liquor
KY	Okolona	9700 Preston Crossing Blvd	40229	Full Liquor
ОН	Cincinnati	5870 Harrison Ave.	45248	Beer and Wine
ОН	Beavercreek	4489 Glengarry Drive	45440	Full Liquor
ОН	West Carrollton	195 Mall Woods Dr	45449	Full Liquor
ОН	Huber Heights	7737 Waynetowne Blvd	45424	Beer and Wine
ОН	Milford	500 Rivers Edge Dr.	45150	Beer and Wine
ОН	Toledo	5001 Monroe Street	43623	Full Liquor
PA	Philadelphia	4012 Walnut St	19104	Full Liquor
			20121	Beer and Wine

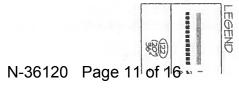
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VA	Fairfax	11900 Palace Way	22030	Full Liquor
TX	Fort Worth	2300 Green Oaks Road	76116	Beer and Wine
TX	Roanoke	850 E. HWY114	76262	Full Liquor
TX	El Paso - Sunland	750 Sunland Park Dr. Ste. T01	79912	Full Liquor
СО	Fort Collins	215 East Foothills Parkway	80525	Beer and Wine
CA	La Quinta	48-820 Washington Street	92253	Beer and Wine
СТ	North Haven	550 Universal Drive	06473	Full Liquor
AL	Huntsville	370 The Bridge St. NW - Unit A	35806	Full Liquor
IA	Altoona	2227 Adventureland Dr. NW	50009	Beer and Wine
CA	Downey	8840 Apollo Way	90242	Beer and Wine
LA	Lake Charles	3416 Derek Dr.	70607	Beer and Wine
AZ	Tucson	1300 E Tucson Marketplace	85713	Beer and Wine
CA	Sacramento	1590 Ethan Way	95826	Beer and Wine
IL	West Dundee	2000 Spring Hill Mall	60118	Full Liquor
WA	Bellevue	575 Bellevue Sq.	98004	Full Liquor
NC	Asheville	1640 Hendersonville Rd	28803	Beer and Wine
NC	Charlotte	9630 Monroe Rd	28270	Beer and Wine
NC	Raleigh	4840 Grove Barton Rd.	27613	Beer and Wine
TX	New Caney	21750 Valley Ranch Parkway	77357	Beer and Wine
VA	Newport News	11810 Fountain Way	23606	Full Liquor











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 AUG 15 P 3: 07

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

Cinemark USA, Inc. d/b/a Cinemark Tinseltown USA and XD 1545 E. Cheyenne Mountain Boulevard Colorado Springs, CO 80906 Mailing Address: 3900 Dallas Parkway, #500 Plano, TX 75093 Application No: N-36120

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, September 6, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903 upon Cinemark USA, Inc. d/b/a Cinemark Tinseltown USA and XD ("Applicant") application for a new Lodging and Entertainment Liquor License at 1545 E. Cheyenne Mountain Boulevard, Colorado Springs, CO 80906.

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**, **August 27**, **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, September 3, 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 May 21, 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 August 15, 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.

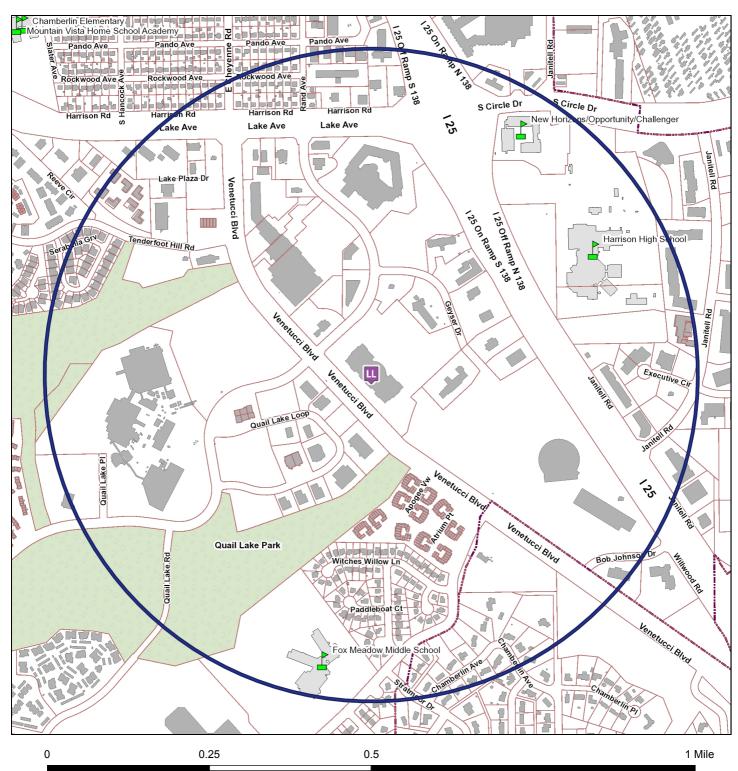
Liquor Survey Boundaries

CINEMARK USA, INC d/b/a CINEMARK TINSELTOWN USA AND XD 1545 E CHEYENNE MOUNTAIN BLVD



OFFICE OF THE CITY CLERK

License ID: 36120



The survey boundary is 0.5 miles from the establishment

Map Prepared: 8/15/2019 10:38 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

CINEMARK USA, INC d/b/a CINEMARK TINSELTOWN USA AND XD 1545 E CHEYENNE MOUNTAIN BLVD COLORADO SPRINGS, CO 80906 License ID: 36120

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

	Business d/b/a	Business Address	<u>License Type</u>	
1)	CINEMARK TINSELTOWN USA AND XD	1545 E CHEYENNE BLVD	Beer & Wine	9.69 ft
2)	OLD CHICAGO	1579 E CHEYENNE MOUNTAIN BLVD	Hotel & Restaurant	730.61 ft
3)	OUTBACK STEAKHOUSE	2825 GEYSER DR	Hotel & Restaurant	1,025.27 ft
4)	BUFFALO WILD WINGS #277	2905 GEYSER DR	Hotel & Restaurant	1,057.80 ft
5)	CARRABBA'S ITALIAN GRILL #602	2815 GEYSER DR	Hotel & Restaurant	1,060.46 ft
6)	RESIDENCE INN	2765 GEYSER DR	Hotel & Restaurant	1,106.67 ft
7)	CHUCK E. CHEESE	2925 GEYSER DR	Beer & Wine	1,159.15 ft
8)	DOUBLETREE BY HILTON COLORADO SPRINGS	1775 E CHEYENNE MTN BLVD	Hotel & Restaurant	1,540.44 ft
9)	BROADMOOR WORLD ARENA-CENTERPLATE	3185 VENETUCCI BLVD	Hotel & Restaurant w/ Optional Premise	1,672.27 ft
10)	CHILI'S HAMBURGER GRILL & BAR	1706 E CHEYENNE MTN BLVD	Hotel & Restaurant	1,910.71 ft

Date Prepared: 8/15/2019 10:41 AM

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 August 15, 2019 to the following address of record:

Cinemark USA, Inc. d/b/a Cinemark Tinseltown USA and XD 3900 Dallas Parkway, #500 Plano, TX 75093

Colin M. Gordon

License Enforcement Officer

City Clerk's Office

30 S. Nevada Avenue, Suite 101 Colorado Springs, CO 80903

CC: bproffitt@runprolaw.com aclark@runprolaw.com