



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

OFFICE OF THE CITY CLERK

Received

CITY CLERK'S OFFICE

2019 SEP 30 P 3:57

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):

HavanaGrill, LLC

2. Trade Name (DBA): HavanaGrill

3. Premises Address: 2165 Academy Pl, Colorado Springs, CO 80909
City, State, Zip:

Location
Phone: Not Assigned yet

Property Tax Schedule No. : 6402219036

Zoning: OC

4. Mailing Address: 2165 Academy Pl, Colorado Springs, CO 80909
City, State, Zip:

Alt Phone: 719-244-8048

Primary Contact
Name And Title: Carlos Rodriguez

Email: hgrillco@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
Not Applicable	Not Applicable	Not Applicable	Not Applicable

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
Carlos A. Rodriguez	Member	50
Elvin Garcia	Member	50
N/A		
N/A		
N/A		
N/A		

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
U.S. Bank		Checking	50,000
Colorado Springs, CO			
N/A			
N/A			
TOTAL INVESTMENT IN BUSINESS:			\$ 50,000.00 0

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Elvin Garcia

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

If leased, provide the terms: START DATE: October 1, 2019 END DATE: September 30, 2022

DIMENSIONS OF PREMISES: 150 x 80 Approx TOTAL SQUARE FOOTAGE: 11,000

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

Anticipated number of employees: 25 Anticipated opening date: November or December 2019

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.

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
HavanaGrill 3748 Astrozon Blvd, Colorado Springs, CO 80910	Elvin Garcia	Member	06/2018 - Present
HavanaGrill 3748 Astrozon Blvd, Colorado Springs, CO 80910	Carlos Rodriguez	Member	06/2018 - Present
Casavana 13600 SW 152 St., Miami FL 33177	Carlos Rodriguez	Operator/Owner	1998 - 2014

Supplement

Colorado Springs Liquor License Application

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?

Carlos Rodriguez:

Possession Controlled Substance, D/S Successfully Completed, 6/2009; Felony Battery, D/S Completed, 2012. No convictions.

Elvin NMN Garcia:

Cann/Sell/Del PSNW/I and Drug Paraphernalia, 2008. All conditions of sentence completed. Non-adjudication. No convictions.

**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 OCT -9 P 2: 36

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

HavanaGrill, LLC
d/b/a **HavanaGrill**
2165 Academy Place
Colorado Springs, CO 80909
Mailing Address:
2165 Academy Place
Colorado Springs, CO 80909

Application No: N-36434

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, November 1, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon HavanaGrill, LLC d/b/a HavanaGrill ("Applicant") application for a new Hotel and Restaurant Liquor License at 2165 Academy Place, Colorado Springs, CO 80909.

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, October 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, October 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 September 30, 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 evidenced 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 October 10, 2019.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

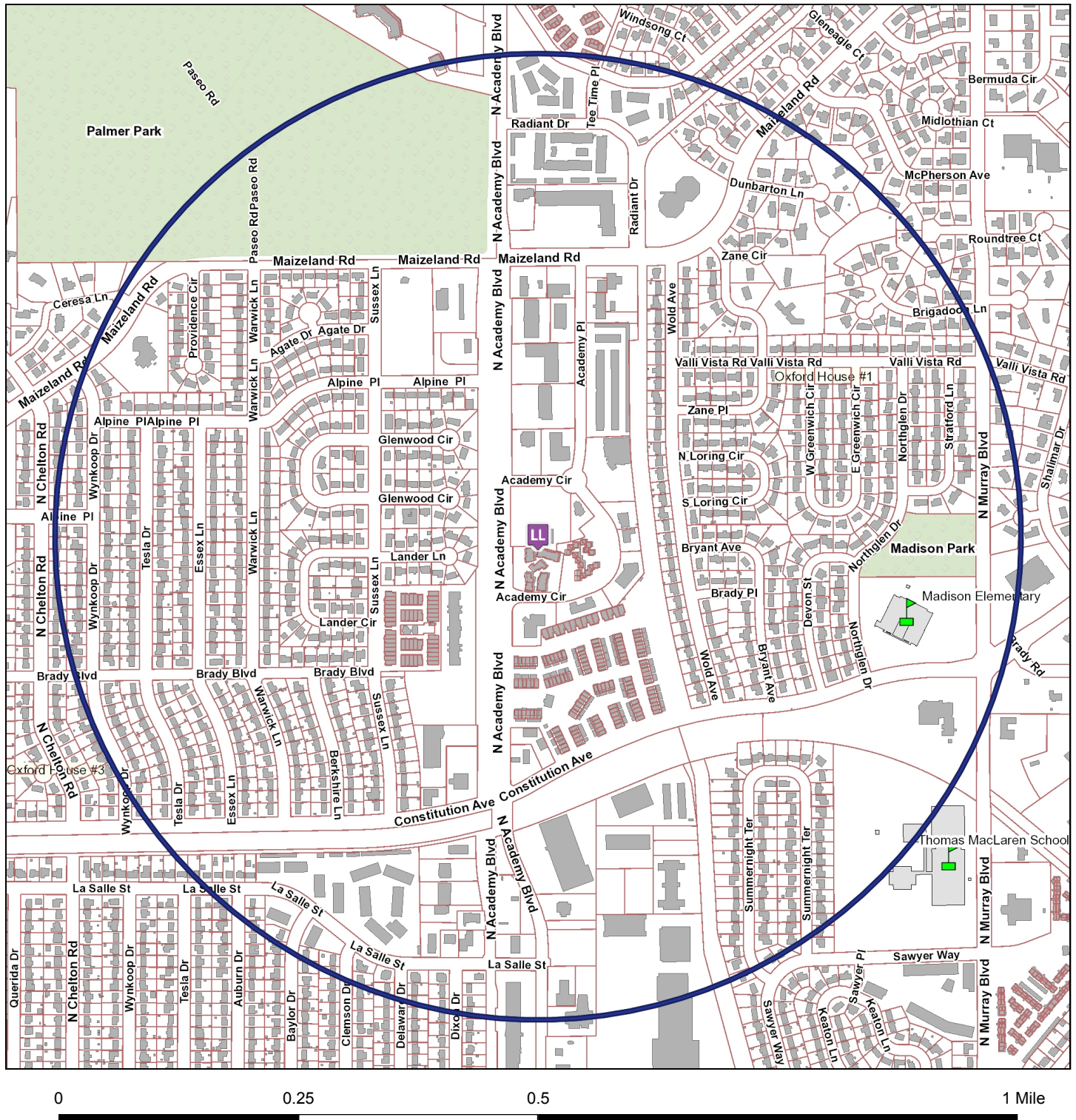
Direct questions regarding this notice and hearing to Colin M. Gordon at 719-385-5107.

Liquor Survey Boundaries



HAVANAGRILL, LLC
d/b/a HAVANAGRILL
2165 ACADEMY PL

OFFICE OF THE CITY CLERK
License ID: 36434



The survey boundary is 0.5 miles from the establishment

Map Prepared: 10/9/2019 9:47 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 36434

HAVANAGRILL, LLC
d/b/a HAVANAGRILL
2165 ACADEMY PL
COLORADO SPRINGS, CO 80909

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) THE PLACE IN BACK	2370 ACADEMY PL	Tavern	1,217.74 ft
2) LATIN QUARTERS	1865 N ACADEMY BLVD	Tavern	1,734.47 ft
3) EL REY DEL TACO #2	3874-3878 MAIZELAND RD	Hotel & Restaurant	1,757.51 ft
4) ROCCO'S ITALIAN RESTAURANT	3802 MAIZELAND RD	Hotel & Restaurant	1,859.19 ft
5) ROCK'S SPORTS BAR & GRILL	1840 N ACADEMY BLVD	Tavern	1,885.58 ft
6) EASTSIDE AERIE	1830 N ACADEMY BLVD	Club	2,031.88 ft
7) MUSASHI STEAKHOUSE	1765 N ACADEMY BLVD	Hotel & Restaurant	2,034.55 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 October 10, 2019 to the following address of record:

HavanaGrill, LLC
d/b/a HavanaGrill
2165 Academy Place
Colorado Springs, CO 80909



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

CC: vince@lindenlawgroup.com
hgrillco@gmail.com; liquorpros@msn.com