

**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
2024 MAR 18 PM3:25**

▲ **CLERK USE ONLY** ▲

IN THE MATTER OF:

APPLICANT

Stick Horses in Pants, LLC
d/b/a **Peak Improv Theater**
3440 N Carefree Circle, Suite 140-150
Colorado Springs, CO 80917
Mailing Address:
3440 N Carefree Circle, Suite 140-150
Colorado Springs, CO 80917

Application No: N-0855950

NOTICE OF POSTPONED HEARING

WHEREAS, this matter was to come before the Local Licensing Authority Hearing Officer for hearing on Friday, March 15, 2024 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903 regarding an application by Stick Horses in Pants, LLC d/b/a Peak Improv Theater ("Applicant") for a new Tavern Liquor License at 3440 N Carefree Circle, Suite 140-150, Colorado Springs, CO 80917, as outlined in the Notice of Hearing and Initial Findings of Fact dated February 22, 2024, and incorporated herein by reference; and

WHEREAS, on March 15, 2024 all City of Colorado Springs administrative offices and the Municipal Court Building were closed due to inclement weather; and

WHEREAS, the meeting was therefore cancelled with all scheduled items to be postponed to the next available meeting date of the Liquor and Beer Licensing Authority; and

WHEREAS, the next available meeting date of the Liquor and Beer Licensing Authority is scheduled for April 5, 2024; and

WHEREAS, the City Clerk has therefore reset the application hearing to the postponed date of **April 5, 2024**.

NOTICE OF POSTPONED HEARING

NOW THEREFORE, pursuant to the Local Licensing Authority's order and Rule Nos. 4.03 and 6.03 of the Liquor and Beer Rules and Regulations for the City of Colorado Springs ("City Rules"),

YOU ARE HEREBY NOTIFIED that the new Application Hearing will have a **TENTATIVE** hearing date before the Local Licensing Authority Hearing Officer on **Friday, April 5, 2024 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** regarding the Stick Horses in Pants, LLC d/b/a Peak Improv Theater (“Applicant”) application for a new Tavern Liquor License at 3440 N Carefree Circle, Suite 140-150, Colorado Springs, CO 80917.

At this hearing 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. 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, April 2, 2024.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done March 18, 2024.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

Direct questions regarding this notice and hearing to Brittany Morris at 719-385-5115.

CERTIFICATE OF MAILING

I, Brittany Morris, hereby certify that I have mailed a true copy of the foregoing **NOTICE OF POSTPONED HEARING** by United States mail, first class postage paid, on March 18, 2024 to the following address of record:

Stick Horses in Pants, LLC
dba Peak Improv Theater
3440 N Carefree Circle, Suite 140-150
Colorado Springs, CO 80917



Brittany Morris
License Specialist II
City Clerk's Office
30 S. Nevada Avenue, Suite 101
Colorado Springs, CO 80903

CC: business@peakimprov.com



Received: *Submitted*
12/16/23
Amended 12/18

LIQUOR LICENSE OR FERMENTED MALT BEVERAGE LICENSE (ALCOHOL BEVERAGE) APPLICATION

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 (includes Resort & Campus Complex)* *Hotel/Restaurant w/Optional* *Tavern*
- Brew Pub* *Distillery Pub* *Vintner's Restaurant* *Beer and Wine*
- Optional Premises* *Retail Liquor Store** *Liquor Licensed Drugstore** *Racetrack*
- Arts* *Club* *Lodging & Entertainment* *FMB (Beer) On-Premises* *Fermented Malt Beverage and Wine*

* 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): Stick Horses in Pants LLC	
2. Trade Name (DBA): Peak Improv Theater	
3. Premises Address: City, State, Zip: 3440 N Carefree Cir Ste 140-150, Colo Spgs CO 80917	Location Phone: 719-463-8359
Property Tax Schedule No. : 6327409029	Zoning: C5
4. Mailing Address: City, State, Zip: 3440 N Carefree Cir, Colorado Springs, CO 80917	Alt Phone: 847-744-0873
Primary Contact Name And Title: Benjamin Ethan Goldman, Program Director	Email: business@peakimprov.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

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
Benjamin Ethan Goldman	Program Director	25
Janine Lee Choung	Business Manager	25
Casey Pamplin	Marketing Director	25
Meggan Hyde	Educator	25

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
The Stick Horses in Pants, LLC 3440 N Carefree Cir, Colorado Springs, CO 80917	Checking	\$15,000
TOTAL INVESTMENT IN BUSINESS:		\$ 15,000

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Benjamin Ethan Goldman

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

If leased, provide the terms: START DATE: 12/1/2023 END DATE: 11/30/2028

DIMENSIONS OF PREMISES: approx 55 ft x 41 ft TOTAL SQUARE FOOTAGE: 2208 sq ft

Is there a patio area? Yes No — If yes, provide dimensions _____

Anticipated number of employees: 10 Anticipated opening date: 1/1/2024

Will training be offered or required? Yes No — If yes, through what agency? _____

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
The Exchane 526 S Tejon St, Colorado Springs, CO 80906	Benjamin Ethan Goldman	Front of House	11/1/2022-Current

Janine Lee Choung - Additional Information

Additional Previous Addresses

1645 Gatehouse Circle Drive, Colorado Springs, CO. 80904 Dates: 2016 - 2017

1224 Quivira Drive, Colorado Springs, Co. 80910, Dates: 2015 - 2016

914 Teal Street, Colorado Springs, Co. 80910, Dates: 2014 - 2015

616 N. Weber street, Colorado Springs, CO. 80903, Dates: 2012 - 2014

Name of Employer or Business Address (Street, Number, City, State, Zip) Position Held From To

LA HENNA BOHEME 809 MANITOU AVE, MANITOU SPRINGS,
COLORADO, 80829
MANAGER 08/2019 NOW

RED DOG COFFEE 739 MANITOU AVE, MANITOU SPRINGS,
COLORADO, 80829
BARISTA 2018 03/2020

Question 8: Has the individual applicant ever been convicted of a crime, received a suspended sentence, a deferred sentence, or have charges pending?

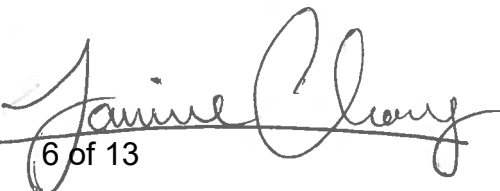
YES.

- DOMESTIC VIOLENCE - COLORADO SPRINGS, COLORADO - WINTER OF 2013
 - Arrested for domestic violence incident in 2019, then to jail, was bailed out. Judge wanted a year probation (At most, I believe) with breathalyzer testing once to multiple times a week. Completed without any issues.
- FAILURE TO APPEAR & BENCH WARRANT - GREENFIELD, INDIANA - 2012?
 - Failure to appear for a Traffic Violation (driving on a suspended license, and possibly not providing insurance information) which led to a bench warrant. Turned myself in the very next day, was arrested and booked, but also bailed out the same day. Put on driving probation for 3 years, I think? Completed the probation without any issues.

DR 8404-I (03/20/19)

10. Have you ever been convicted of a crime or received a suspended sentence, deferred sentence, or forfeited bail for any offense in criminal or military court or do you have any charges pending? (If yes, explain in detail.) YES.

- DOMESTIC VIOLENCE - COLORADO SPRINGS, COLORADO - WINTER OF 2013
 - Arrested for domestic violence incident in 2019, then to jail, was bailed out. Judge wanted a year probation

X 

DATE: 12/02/23

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- FAILURE TO APPEAR & BENCH WARRANT - GREENFIELD, INDIANA - 2012?

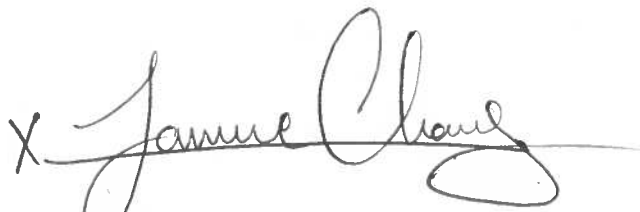
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Completed the

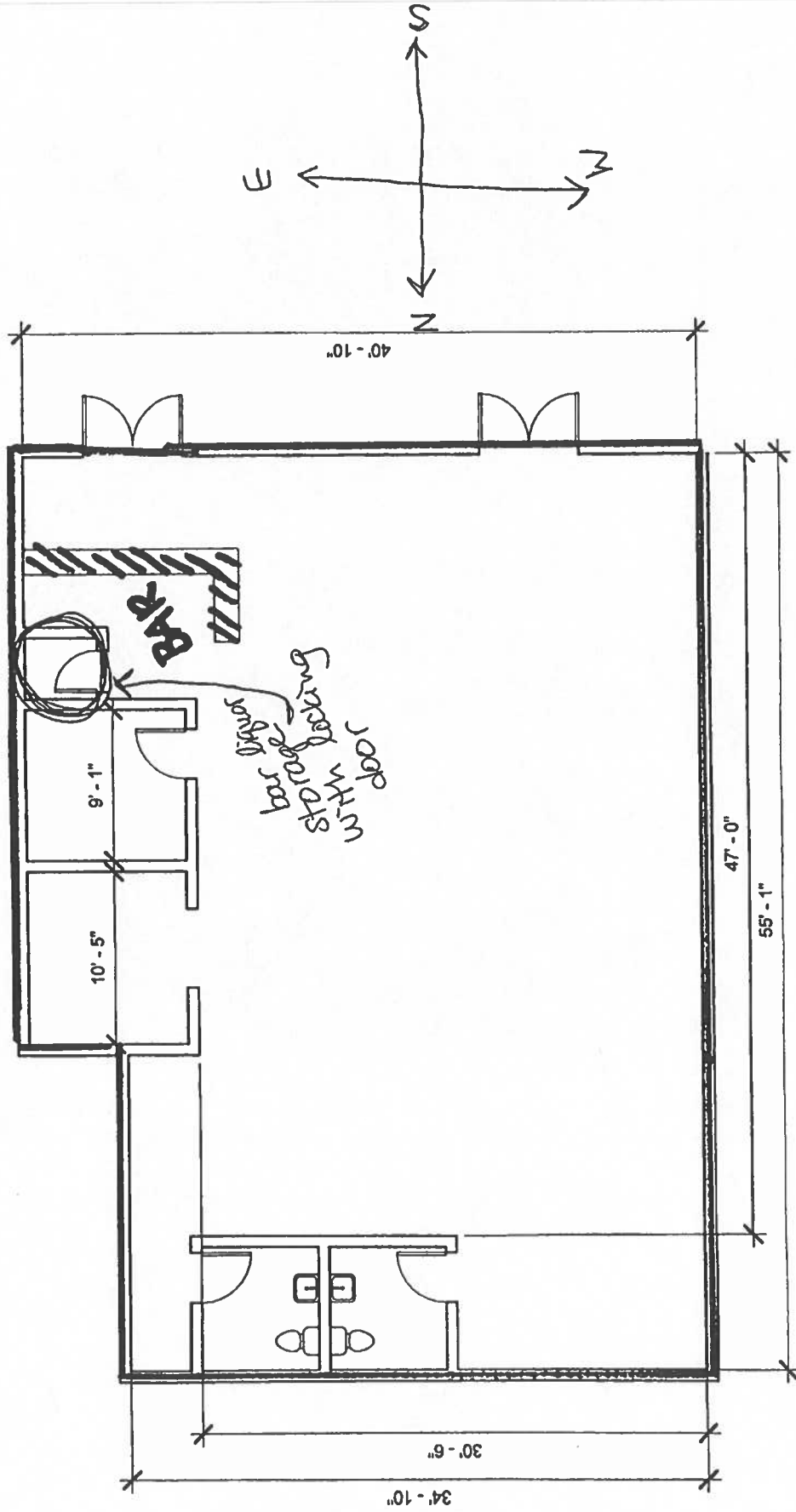
probation without any issues.

X 

DATE: 12/2/2023

**Business Name: PEAK IMPROV
THEATER**

3440 N CAREFREE CIRCLE #140 & 150



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**BEFORE THE LOCAL LIQUOR AND BEER
LICENSING AUTHORITY,
CITY OF COLORADO SPRINGS,
STATE OF COLORADO**

Address: 30 South Nevada Avenue, Suite 101
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IN THE MATTER OF:

APPLICANT

Stick Horses in Pants, LLC
d/b/a **Peak Improv Theater**
3440 N Carefree Circle, Suite 140-150
Colorado Springs, CO 80917
Mailing Address:
3440 N Carefree Circle, Suite 140-150
Colorado Springs, CO 80917

Application No: N-0855950

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, March 15, 2024 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Stick Horses in Pants, LLC d/b/a Peak Improv Theater ("Applicant") application for a new Tavern Liquor License at 3440 N Carefree Circle, Suite 140-150, 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, March 5, 2024. 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, March 12, 2024.

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 6, 2023, 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 February 22, 2024.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

Direct questions regarding this notice and hearing to Brittany Morris at 719-385-5115.

CERTIFICATE OF MAILING

I, Brittany Morris, 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 February 22, 2024 to the following address of record:

Stick Horses in Pants, LLC
d/b/a Peak Improv Theater
3440 N Carefree Circle, Suite 140-150
Colorado Springs, CO 80917



Brittany Morris
License Specialist II
City Clerk's Office
30 S. Nevada Avenue, Suite 101
Colorado Springs, CO 80903

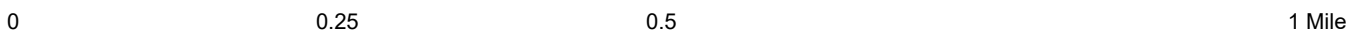
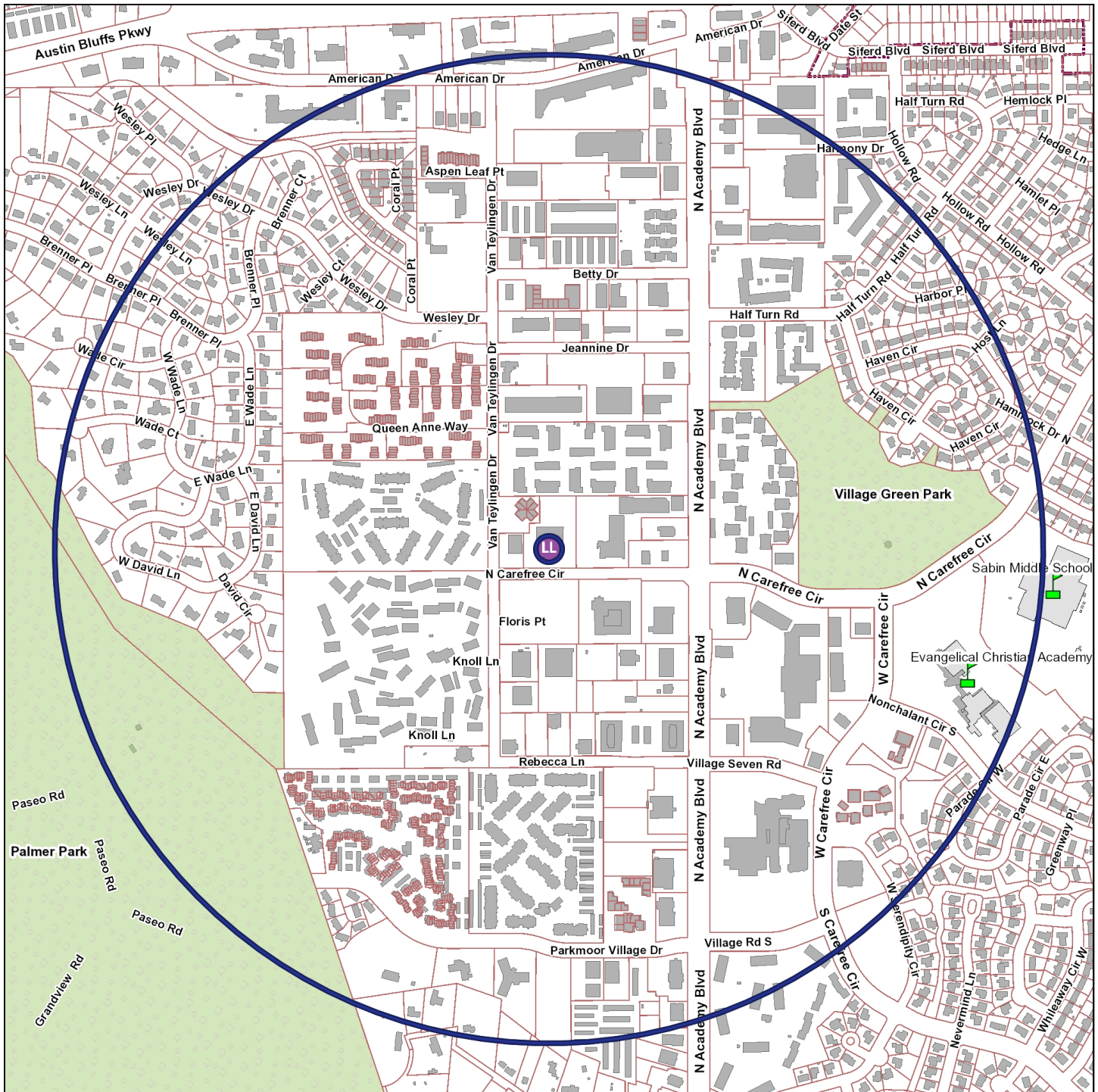
CC: business@peakimprov.com

Liquor Survey Boundaries



STICK HORSES IN PANTS LLC
d/b/a PEAK IMPROV THEATER
3440 N CAREFREE CIR

OFFICE OF THE CITY CLERK
License ID: 0855950



The survey boundary is 0.5 miles from the establishment

Map Prepared: 2/22/2024 12:57 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 0855950

STICK HORSES IN PANTS LLC
d/b/a PEAK IMPROV THEATER
3440 N CAREFREE CIR
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) VIP ENTERTAINMENT	3506 N ACADEMY BLVD	Tavern Liquor	353.01 ft
2) BAD AXE THROWING USA	3500 N ACADEMY BLVD	Beer & Wine Liquor License	383.05 ft
3) TASTE OF PHILLY ACADEMY	3552-3554 N ACADEMY BLVD	Hotel & Restaurant Liquor License	476.12 ft
4) KING PIN INC.	3410 N ACADEMY BLVD	Tavern Liquor License	600.08 ft
5) CLUB Q	3430 N ACADEMY BLVD	Hotel & Restaurant Liquor License	714.79 ft
6) GOLD MINE MINI GOLF	3402 N ACADEMY BLVD	Lodging and Entertainment Liquor License	913.27 ft
7) ELEPHANT THAI	3408 N ACADEMY BLVD	Hotel and Restaurant	978.75 ft
8) BLOW BEAUTY AND EXTENSIONS	3371 N ACADEMY BLVD	Lodging and Entertainment	1,243.64 ft
9) CAREFREE BAR & GRILL	3535 N CAREFREE CIR	Hotel & Restaurant Liquor License	1,404.94 ft
10) NOM NOM THAI	3303 N ACADEMY BLVD	Hotel and Restaurant	1,465.39 ft
11) COPPERHEAD ROAD	3330 N ACADEMY BLVD	Tavern Liquor License	1,500.50 ft
12) SONESTA ES SUITES COLORADO SPRINGS	3880 N ACADEMY BLVD	Hotel & Restaurant Liquor License	1,591.89 ft
13) COGSTONE BREWING CO.	3858 VILLAGE SEVEN RD	Brew Pub Liquor License	1,594.33 ft
14) THE LOUNGE IN THE VILLAGE	3440 W CAREFREE CIR	Tavern Liquor	1,669.16 ft
15) LAS PALMITAS #2	3589 N CAREFREE CIR	Hotel & Restaurant Liquor License	1,746.76 ft
16) HARMONY BOWL	3845 N ACADEMY BLVD	Hotel & Restaurant Liquor License	2,383.00 ft
17) LATIN QUARTERS	3958 N ACADEMY BLVD	Tavern Liquor	2,467.18 ft
18) MI MEXICO FAMILY MEXICAN RESTAURANT	3956 N ACADEMY BLVD	Hotel & Restaurant Liquor License	2,485.94 ft
19) JADE DRAGON	3958 N ACADEMY BLVD	Hotel & Restaurant Liquor License	2,607.31 ft