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:	Application No. N. 0854222
APPLICANT Q-mmunity, LLC	Application No: N-0854332
d/b/a Club Q	
3430 N Academy Boulevard	
Colorado Springs, CO 80917	
Mailing Address:	
411 Lakewood Circle, Suite C108	
Colorado Springs, CO 80910	
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 Q-mmunity, LLC d/b/a Club Q ("Applicant") for a new Tavern Liquor License at 3430 N Academy Boulevard, 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 Q-mmunity, LLC d/b/a Club Q ("Applicant") application for a new Tavern Liquor License at <u>3430 N Academy Boulevard</u>, 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

nes Jean

By: Sarah B. Johnson City Clerk

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

2

## **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:

Q-mmunity, LLC dba Club Q 411 Lakewood Circle, Suite C108 Colorado Springs, CO 80910

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

CC: vince@lindenlawgroup.com bh@matthewhaynesteam.com liquorpros@msn.com

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COLORADO	``````````````````````````````````````	
	ENSE <u>OR</u> FERMEN LICENSE (ALCOH N	
for a license. In the ever application, that act or or	y person to knowingly make ant any person knowingly nission shall, in addition to use issued upon the basis of	makes any false statem all other remedies, be gi
	I MUST BE FULLY COMPLE Ily completed applications to	
$\checkmark$	NEW LICENSE Type of Lic	TRANSF
Brew Pub         Optional Premises         Arts       Club	udes Resort & Campus Con Distillery Pub Retail Liquor Store* Lodging & Entertainmen LS) and Liquor Licensed Drugs	<ul> <li>☐ Vintner's Res</li> <li>☐ Liquor Licens</li> <li>at</li> <li>☐ FMB (Beer) Or</li> </ul>
1. Name of Applicar Q-mmunity, LLC	ICANT/LICENSEE IN ht/Licensee (list Corporation	
2. Trade Name (DBA 3. Premises Addres City, State, Zip: Property Tax Schedu	s: 3430 N Academy Blvd	Colorado Springs CO 8
4. Mailing Address: City, State, Zip: Primary Contact	411 Lakewood Cir., Ste C ethany Henry, authorized a	

Received: CITY CLERK'S OFFICE 2023 FEB 27 A 8: 47

#### omit any pertinent information on any application nent or omits any pertinent information on any rounds for denial of the license or for suspension y Code §2.1.404.

FEES AND ALL REQUIRED ATTACHMENTS. 30 S. Nevada Avenue, Suite 101, 80903.

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	NSE	IRANS	FER OF C	WNERSHIP	
	Type of License app	lying for (Ch	eck One)		
Hotel/Restaurant (includes Resort &	Campus Complex)	Hotel/Restau	rant w/Opti	onal 🗹 Taverr	1
Brew Pub Distillery F	Pub 🗌	Vintner's Res	staurant	🗌 Beer a	nd Wine
Optional Premises 🛛 Retail Liqu	or Store*	Liquor Licen	sed Drugst	ore* 🔲 Raceti	ack
Arts Club Lodging &	Entertainment	FMB (Beer) O	n Premises	FMB (	Beer) Off Premises
ew Retail Liquor Store (RLS) and Liquor I	icensed Drugstore (LLD)	applications ma	y not be with	in 1500' of an exis	ting RLS or LLD location.
Section A: APPLICANT/LIC		TION	The second		
I. Name of Applicant/Licensee (I			Associatio	n/Sole Propriet	tor):
	ist corporation/EEo/	arthorompir	1000014110		
Q-mmunity, LLC					
2. Trade Name (DBA): Club Q					
<b>3. Premises Address:</b> City, State, Zip: 3430 N Ad	ademy Blvd Colorado	Springs CO 8		_ocation Phone:	(719) 570-1429
Property Tax Schedule No. : 6	334101022		2	Zoning:	C5 P
4. Mailing Address: City, State, Zip: 411 Lakewoo	od Cir., Ste C108, Colo	Springs, CO	80910	Alt Phone:	719-510-2836
				Email: bh@ma	atthewhaynesteam.com
	authorized agent for p	urposes of liq	uur iicen		
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	XISTING LICENSE - TH	E FOLLOWING	S MUST BE	ANSWERED: ass of License	Present Expiration Dat
Name And Title:         Bethany Henry,           5. IF THIS IS A TRANSFER OF AN E.	XISTING LICENSE - TH	E FOLLOWING License No.	G MUST BE Present Cla		Present Expiration Dat 7/20/ 262-

NAME	POSITION HELD	%OWNE
Matthew Haynes	Member	100
N/A		al
N/A		

Page 1 - City of Colorado Springs - Alcohol Beverage License Application

30 South Nevada Avenue, Suite 101, Colorado Springs, CO 80903 • TEL 719-385-5901 • FAX 719-385-5114 • www.coloradosprings.gov/liquor N-0854332 4 of 13 Liquor Hearing Agenda - 2024-03-15 - Item No. 3.B.

7. Source(s) of funds invested for total pur savings, loan, promissory note, gift or othe			iks, and indicate checking
THE FOLLOWING INFORMATION MUST R PARTIES MAY HAVE A FINANCIAL INTERE			
NAME/ADDRESS OF FUNDING S (bank(s), individual(s), et a		FUNDING SOURCE cking/savings/ loan/ note/ gift)	AMOUNT
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Chase Bank			10,000.00
N/A		a) A. S. M. M. L. M.	
N/A			
N/A			
N/A			
	TOTA	L INVESTMENT IN BUSINESS:	\$ 10,000.00
Section C: PREMISES / LOCATI	ON INFORMATION		
8. Registered Manager Name:	Matthew	/ Haynes	
a Tarms of local passagaian for which	application is made:		
9. Terms of legal possession for which	application is made:		
If leased, provide the terms: START	DATE: April 1, 2023	END DATE: March	31, 2028
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	(8; 16 x 21 TOTA	SQUARE FOOTAGE: 470	0
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Rev 09/2020

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

 N-0854332
 5 of 13
 Liquor Hearing Agenda - 2024-03-15 - Item No. 3.B.

 2024-04-05 - Item No. 3.B.

### SUPPLEMENT TO: LIQUOR LICENSE OR FERMENTED MALT BEVERAGE LICENSE (ALCOHOL BEVERAGE) APPLICATION

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?

Matthew Haynes has or has held interests in the following liquor licenses:

- 1. G.I.G. Inc., dba Club Q., 3430 N. Academy Blvd., Colorado Springs, CO 80923; Owner; 2014- Present.
- 2. Orbit Lounge, LLC, dba Orbit Lounge, 411 Lakewood Circle Units C-104 et al, Colorado Springs, CO 80910; Owner, 3/15/22 Present.
- 3. Loyal T's LLC dba V Bar by Club Q, 19 E. Kiowa, Colorado Springs, CO 80903; Owner; 2015 2018.

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?

#### ANSWER: Yes.

1) On or about March 23, 2017, G.I.G. Inc., dba Club Q, License No. 41-44008-0000, was served with a violation of C.R.S. 12-47-901(1)(a.5)(1) for Sale to an Underage Patron, and accepted a ten day suspension, with five days held in abeyance, for which a fine-in-lieu of suspension was paid. G.I.G. Inc., successfully completed the conditions of the Stipulation reached with the Liquor Enforcement Division. Matthew Haynes was not personally involved in the violation.

2) On or about July 2, 2016, Loyal T's, LLC dba V Bar by Club Q (license no longer active) was cited for the following: 1) Failure to Permit Inspection, 1 C.C.R. 203-2 Regulation 47-700; 2) Failure to have sandwiches and light snacks available for consumption; C.R.S. §12-47-412; 3) Sale after Hours, C.R.S. §12-47-901(5)(b)(I); and 4) Consumption after Hours; C.R.S. § 12-47-901(5)(b)(I). The Employee responsible for the violations was terminated. Matthew Haynes was not personally involved in the circumstances involving the citations. The licensee accepted a Stipulation with the City of Colorado Springs for a 30-day suspension, with 20 days of said suspension held in abeyance. The License successfully completed the terms of the Stipulation.

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?

Matthew Haynes: Conviction: Unauthorized Use of Access Devices, Orlando, Fl, 1991. Paid Restitution. 5 Year Probation Successfully Completed.

Initials

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Liquor Hearing Agenda - 2024-03-15 - Item No. 3.B. 2024-04-05 - Item No. 3.B. **13.** List every individual applicant's prior experience in the sale of alcoholic beverages. Attach supplement as needed.

#### **Continued from Form:**

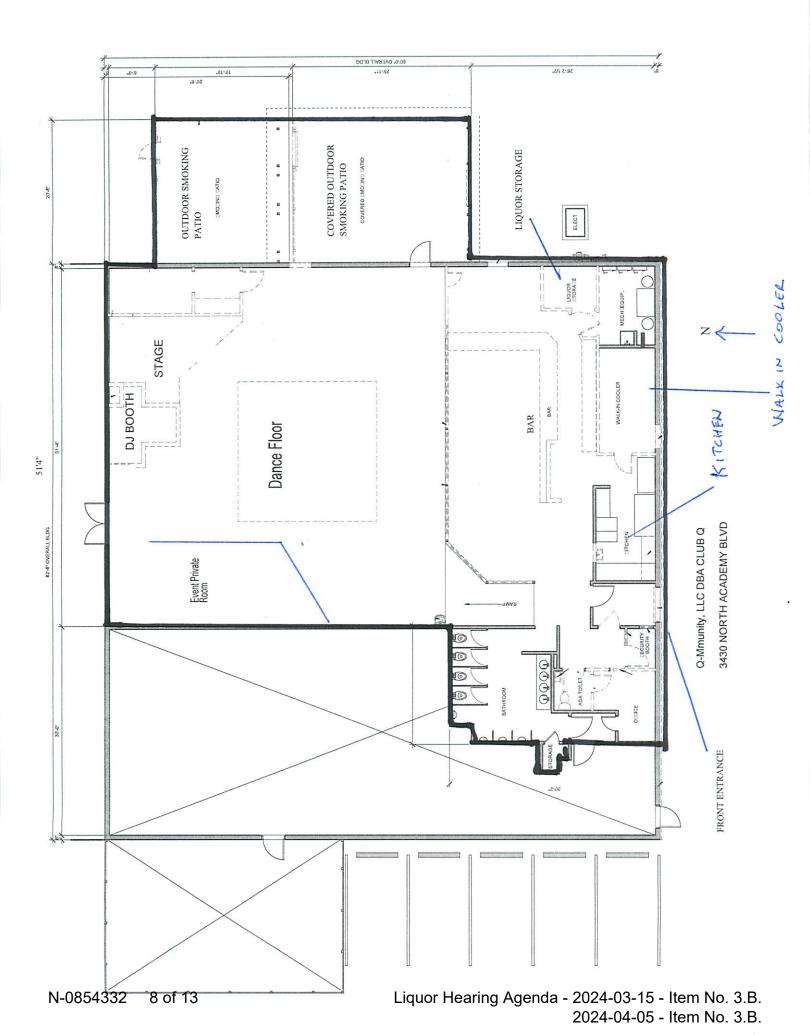
#### Matthew Haynes:

G.I.G. Inc., dba Club Q., 3430 N. Academy Blvd., Colorado Springs, CO 80923; Owner; 2014- Present Loyal T's LLC dba V Bar by Club Q, 19 E. Kiowa, Colorado Springs, CO 80903; Owner; 2015 – 2018. Orbit Lounge, LLC, dba Orbit Lounge, 411 Lakewood Circle Units C-104 et al, Colorado Springs, CO 80910; Owner, 3/15/22 – Present.

Initials

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Liquor Hearing Agenda - 2024-03-15 - Item No. 3.B. 2024-04-05 - Item No. 3.B.



BEFORE THE LOCAL LIQUOR AND BEER LICENSING AUTHORITY, CITY OF COLORADO SPRINGS, STATE OF COLORADO	SITY GLERK'S OFFICE
Address: 30 South Nevada Avenue, Suite 101 Colorado Springs, CO 80903 Telephone: (719) 385-5901 Fax Number: (719) 385-5114	2024 FEB 22 A II: 26
Email: cityclerk@coloradosprings.gov	
APPLICANT Q-mmunity, LLC d/b/a Club Q 3430 N Academy Boulevard Colorado Springs, CO 80917 <u>Mailing Address</u> : 411 Lakewood Circle, Suite C108 Colorado Springs, CO 80910	Application No: N-0854332

## 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 Q-mmunity, LLC d/b/a Club Q ("Applicant") application for a new Tavern Liquor License at <u>3430 N Academy Boulevard</u>, 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.

<u>A public notice poster has been prepared for the Applicant to pick up from the City Clerk's</u> 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 February 27, 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

all-

By: Sarah B. Johnson City Clerk

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

2

N-0854332 10 of 13

Liquor Hearing Agenda - 2024-03-15 - Item No. 3.B. 2024-04-05 - Item No. 3.B. 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:

Q-mmunity, LLC d/b/a Club Q 411 Lakewood Circle, Suite C108 Colorado Springs, CO 80910

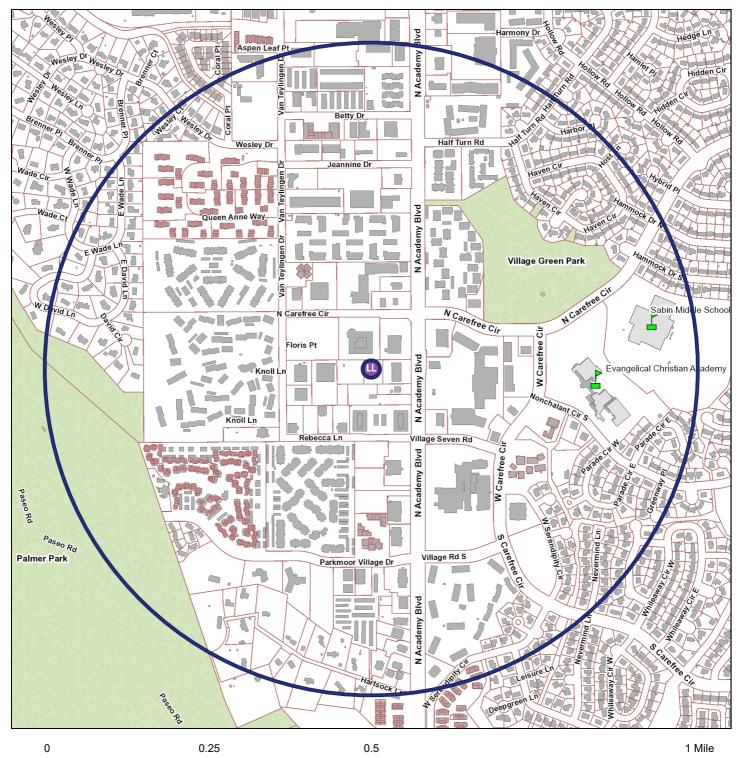
Brittany Morris License Specialist II City Clerk's Office 30 S. Nevada Avenue, Suite 101 Colorado Springs, CO 80903

CC: vince@lindenlawgroup.com bh@matthewhaynesteam.com liquorpros@msn.com

# Liquor Survey Boundaries

Q-MMUNITY LLC d/b/a CLUB Q 3430 N ACADEMY BLVD





#### The survey boundary is 0.5 miles from the establishment

Map Prepared: 2/22/2024 12:56 PM

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2024-04-05 - Item No. 3.B.



# OFFICE OF THE CITY CLERK

License ID: 0854332

HEARING LETTER ATTACHMENT Q-MMUNITY LLC d/b/a CLUB Q 3430 N ACADEMY BLVD COLORADO SPRINGS , CO 80917

# EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

	<u>Business d/b/a</u>	Business Address	License Type	
1)	CLUB Q	3430 N ACADEMY BLVD	Hotel & Restaurant Liquor License	4.12 ft
2)	GOLD MINE MINI GOLF	3402 N ACADEMY BLVD	Lodging and Entertainment Liquor License	222.15 ft
3)	ELEPHANT THAI	3408 N ACADEMY BLVD	Hotel and Restaurant	268.73 ft
4)	KING PIN INC.	3410 N ACADEMY BLVD	Tavern Liquor License	371.65 ft
5)	VIP ENTERTAINMENT	3506 N ACADEMY BLVD	Tavern Liquor	608.65 ft
6)	BAD AXE THROWING USA	3500 N ACADEMY BLVD	Beer & Wine Liquor License	726.67 ft
7)	NOM NOM THAI	3303 N ACADEMY BLVD	Hotel and Restaurant	794.20 ft
8)	BLOW BEAUTY AND EXTENSIONS	3371 N ACADEMY BLVD	Lodging and Entertainment	798.30 ft
9)	TASTE OF PHILLY ACADEMY	3552-3554 N ACADEMY BLVD	Hotel & Restaurant Liquor License	799.98 ft
10)	COPPERHEAD ROAD	3330 N ACADEMY BLVD	Tavern Liquor License	812.98 ft
11)	COGSTONE BREWING CO.	3858 VILLAGE SEVEN RD	Brew Pub Liquor License	918.39 ft
12)	CAREFREE BAR & GRILL	3535 N CAREFREE CIR	Hotel & Restaurant Liquor License	926.83 ft
13)	THE LOUNGE IN THE VILLAGE	3440 W CAREFREE CIR	Tavern Liquor	1,107.33 ft
14)	LAS PALMITAS #2	3589 N CAREFREE CIR	Hotel & Restaurant Liquor License	1,283.86 ft
15)	SONESTA ES SUITES COLORADO SPRINGS	3880 N ACADEMY BLVD	Hotel & Restaurant Liquor License	2,117.18 ft

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