



Michael B. Hancock  
Mayor

# CITY AND COUNTY OF DENVER

DEPARTMENT OF EXCISE AND LICENSES

OFFICE OF DIRECTOR  
201 WEST COLFAX AVE.  
DEPARTMENT 206  
DENVER, CO 80202

**March 10, 2017**

**By The Way Management, Inc.  
d/b/a Middleman  
3401 E. Colfax Ave.  
Denver, Colorado 80206**

Dear Applicant:

Thank you for the **application** you recently filed for a **hotel and restaurant liquor license and a standard cabaret license at 3401 E. Colfax Ave., Denver, Colorado.** You are notified to appear in this office for a **public hearing** on this application on **April 26, 2017 at 1:30 p.m.**

Enclosed here with for the applicant is a copy of the findings rendered in this matter. Please be advised that you are required to appear at the Department of Excise and Licenses for a pre-hearing conference on **Wednesday, March 15, 2017 at 10:00 a.m.** At this conference, you will be required to submit all of the requirements set forth in the attached findings. Failure to submit these requirements may result in a cancellation of the above-set public hearing date and a need for you to resubmit a new application and application fees. Please do not hesitate to contact this office at (720) 865-2737 should you have any questions regarding the findings.

At the time of the **public hearing on April 26th**, you will be required to prove why said application should be approved. You will be required to present evidence demonstrating the neighborhood need and that the residents and/or business owners or managers in the area around your location desire that the license issue-even if the application is not contested. You must also establish that the issuance of this license will not have an adverse effect on the health, welfare or morals of the neighborhood in question. **The Department of Excise and Licenses has designated an area around your location on a map. You must present up to three adult witnesses who are residents or business owners/managers from the designated area to testify as a group in support of the application.**

A manager must have general supervisory authority over the business. The protestant to the application, if there are any, will also be allowed to present up to three witnesses to testify individually and others to testify as a group. Representatives from any registered neighborhood organizations in the area will also be allowed to testify regarding the organization's position.

**Middleman**  
**Page #2**

In addition, you may present petitions that have been signed by residents or business owners/managers in the designated area in support of the application. Petitions that are filed five days prior to the hearing at the Department of Excise and Licenses and accompanied by completed affidavits furnished by the Department will be admitted without testimony. Petitions not filed in this manner will be admitted only through the testimony of the circulators in person at the hearing. The same restrictions apply to Protestors' petitions.


**Publication of notice** of this application will occur on **March 22, 2017** and will be provided by the Department of Excise and Licenses. **Posting** of the premises with the new hearing date shall also commence on **March 22, 2017** and continue through the date of your hearing. **Petitions** will continue to be circulated beginning **March 24, 2017**. Signatures obtained prior to this date will not be accepted.

Please be advised that if you are not prepared to proceed with the **hearing on April 26, 2017**, you may be required to reapply with new application forms and the payment of another application fee and re-posting of the premises.

Thank you for your attention to these matters.

Yours truly,

Ashley Kilroy  
Executive Director of Excise and Licenses

By:   
B. Turner

- cc: Councilman Albus Brooks
- Division Chief of Patrol David Quinones
- Inter-Neighborhood Cooperation
- Denver Neighborhood Association, Inc.
- Capitol Hill United Neighborhood, Inc
- City Park Friends and Neighbors
- Colfax on the Hill, Inc.
- Bluebird Business Improvement District
- Congress Park Neighbors, Inc.
- Easthigh Neighbors
- Informed and Concerned Community Gardeners (ICCG)
- South City Park Neighborhood Association
- The Points Historical Redevelopment Corp

# Colorado Liquor Retail License Application

New License   
  New-Concurrent   
  Transfer of Ownership   
  State Property Only

- All answers must be printed in black ink or typewritten
- Applicant must check the appropriate box(es)
- Applicant should obtain a copy of the Colorado Liquor and Beer Code: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor)

1. Applicant is applying as a/an  Individual  
 Corporation  Limited Liability Company  
 Partnership (includes Limited Liability and Husband and Wife Partnerships)  Association or Other

2. Applicant If an LLC, name of LLC; if partnership, at least 2 partner's names; if corporation, name of corporation FEIN Number  
 By The Way Management, Inc. 81-4137256

2a. Trade Name of Establishment (DBA) State Sales Tax Number Business Telephone  
 Middleman 32315801 Pending

3. Address of Premises (specify exact location of premises, include suite/unit numbers)  
 3401 E. Colfax Ave.

City Denver	County Denver	State CO	ZIP Code 80206
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4. Mailing Address (Number and Street) 1389 Raleigh St.	City or Town Denver	State CO	ZIP Code 80204
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5. Email Address  
 Brian@fostergraham.com; charlie@perfxwireline.com

6. If the premises currently has a liquor or beer license, you must answer the following questions

Present Trade Name of Establishment (DBA) N/A	Present State License Number	Present Class of License	Present Expiration Date
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Section A Nonrefundable Application Fees	Section B (Cont.) Liquor License Fees
<input type="checkbox"/> Application Fee for New License .....\$1950.00	<input type="checkbox"/> Lodging & Entertainment - L&E (County) ..... \$500.00
<input checked="" type="checkbox"/> Application Fee for New License w/Concurrent Review .....\$2050.00	<input type="checkbox"/> Manager Registration - H & R ..... \$75.00
<input type="checkbox"/> Application Fee for Transfer .....\$1950.00	<input type="checkbox"/> Manager Registration - Tavern ..... \$75.00
	<input type="checkbox"/> Manager Registration - Lodging & Entertainment..... \$75.00

Section B Liquor License Fees	Liquor License Fees
<input type="checkbox"/> Add Optional Premises to H & R..... \$100.00 X _____ Total _____	<input type="checkbox"/> Master File Location Fee .....\$25.00 X _____ Total _____
<input type="checkbox"/> Add Related Facility to Resort Complex \$75.00 X _____ Total _____	<input type="checkbox"/> Master File Background ..... \$250.00 X _____ Total _____
<input type="checkbox"/> Arts License (City) ..... \$308.75	<input type="checkbox"/> Optional Premises License (City) ..... \$500.00
<input type="checkbox"/> Arts License (County) ..... \$308.75	<input type="checkbox"/> Optional Premises License (County) ..... \$500.00
<input type="checkbox"/> Beer and Wine License (City)..... \$351.25	<input type="checkbox"/> Racetrack License (City)..... \$500.00
<input type="checkbox"/> Beer and Wine License (County)..... \$436.25	<input type="checkbox"/> Racetrack License (County)..... \$500.00
<input type="checkbox"/> Brew Pub License (City) ..... \$750.00	<input type="checkbox"/> Resort Complex License (City)..... \$500.00
<input type="checkbox"/> Brew Pub License (County)..... \$750.00	<input type="checkbox"/> Resort Complex License (County)..... \$500.00
<input type="checkbox"/> Club License (City)..... \$308.75	<input type="checkbox"/> Retail Gaming Tavern License (City) ..... \$500.00
<input type="checkbox"/> Club License (County) ..... \$308.75	<input type="checkbox"/> Retail Gaming Tavern License (County)..... \$500.00
<input type="checkbox"/> Distillery Pub License (City)..... \$750.00	<input type="checkbox"/> Retail Liquor Store License-Additional (City)..... \$227.50
<input type="checkbox"/> Distillery Pub License (County)..... \$750.00	<input type="checkbox"/> Retail Liquor Store License-Additional (County)..... \$312.50
<input type="checkbox"/> Hotel and Restaurant License (City) ..... \$500.00	<input type="checkbox"/> Retail Liquor Store (City)..... \$227.50
<input type="checkbox"/> Hotel and Restaurant License (County) ..... \$500.00	<input type="checkbox"/> Retail Liquor Store (County)..... \$312.50
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (City) ..... \$600.00	<input checked="" type="checkbox"/> Tavern License (City) ..... \$500.00
<input type="checkbox"/> Hotel and Restaurant License w/one opt premises (County)..... \$600.00	<input type="checkbox"/> Tavern License (County)..... \$500.00
<input type="checkbox"/> Liquor-Licensed Drugstore (City) ..... \$227.50	<input type="checkbox"/> Vintners Restaurant License (City) ..... \$750.00
<input type="checkbox"/> Liquor-Licensed Drugstore (County) ..... \$312.50	<input type="checkbox"/> Vintners Restaurant License (County)..... \$750.00
<input type="checkbox"/> Lodging & Entertainment - L&E (City) ..... \$500.00	

**Questions? Visit: [www.colorado.gov/enforcement/liquor](http://www.colorado.gov/enforcement/liquor) for more information**

**Do not write in this space - For Department of Revenue use only**

**Liability Information**

License Account Number	Liability Date	License Issued Through (Expiration Date)	Total \$
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Name N/A	Type of License	Account Number
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23. Tax Dstraint information. Does the applicant or any other person listed on this application including its partners, officers, directors, stockholders, members (LLC) or managing members (LLC) and any other persons with a 10% or greater financial interest in the applicant currently have an outstanding tax dstraint issued to them by the Colorado Department of Revenue?  
If yes, provide an explanation and include copies of any payment agreements.

Yes  No

24. If applicant is a corporation, partnership, association or limited liability company, applicant must list all Officers, Directors, General Partners, and Managing Members. In addition, applicant must list any stockholders, partners, or members with ownership of 10% or more in the applicant. All persons listed below must also attach form DR 8404-1 (Individual History Record), and submit fingerprint cards to the local licensing authority.

Name Charlie Thomas	Home Address, City & State	DOB	Position Pres/Sec/ Treas/ & Dir	%Owned 50%
Name Jareb Parker	Home Address, City & State	DOB	Position VP & Director	%Owned 50%
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned
Name	Home Address, City & State	DOB	Position	%Owned

\*\* If applicant is owned 100% by a parent company, please list the designated principal officer on above.  
 \*\* Corporations - the President, Vice-President, Secretary and Treasurer must be accounted for above (include ownership percentage if applicable)  
 \*\* If total ownership percentage disclosed here does not total 100%, applicant must check this box:  
 Applicant affirms that no individual other than those disclosed herein owns 10% or more of the applicant and does not have financial interest in a prohibited liquor license pursuant to Title 47 or 48, C.R.S.

**Oath Of Applicant**

I declare under penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Colorado Liquor or Beer Code which affect my license.

Authorized Signature 	Printed Name and Title Charlie Thomas, President	Date 1/9/17
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**Report and Approval of Local Licensing Authority (City/County)**

Date application filed with local authority 2/20/17	Date of local authority hearing (for new license applicants; cannot be less than 30 days from date of application) 4/26/17
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The Local Licensing Authority hereby affirms that each person required to file DR 8404-1 (Individual History Record) or a DR 8000 (Manager Permit) has been:  
 Fingerprinted  
 Subject to background investigation, including NCIC/CCIC check for outstanding warrants

That the local authority has conducted, or intends to conduct, an inspection of the proposed premises to ensure that the applicant is in compliance with and aware of, liquor code provisions affecting their class of license

(Check One)

Date of inspection or anticipated date \_\_\_\_\_  
 Will conduct inspection upon approval of state licensing authority

<input type="checkbox"/> Is the Liquor Licensed Drugstore (LLDS) or Retail Liquor Store (RLS) within 1,500 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of > 10,0000?	Yes <input type="checkbox"/> No <input type="checkbox"/>
<input type="checkbox"/> Is the Liquor Licensed Drugstore(LLDS) or Retail Liquor Store (RLS) within 3,000 feet of another retail liquor license for off-premises sales in a jurisdiction with a population of < 10,0000?	Yes <input type="checkbox"/> No <input type="checkbox"/>
NOTE: The distance shall be determined by a radius measurement that begins at the principal doorway of the LLDS/RLS premises for which the application is being made and ends at the principal doorway of the Licensed LLDS/RLS.	
<input type="checkbox"/> Does the Liquor-Licensed Drugstore (LLDS) have at least twenty percent (20%) of the applicant's gross annual income derived from the sale of food, during the prior twelve (12) month period?	Yes <input type="checkbox"/> No <input type="checkbox"/>

The foregoing application has been examined; and the premises, business to be conducted, and character of the applicant are satisfactory. We do report that such license, if granted, will meet the reasonable requirements of the neighborhood and the desires of the adult inhabitants, and will comply with the provisions of Title 12, Article 46 or 47, C.R.S., and Liquor Rules. Therefore, this application is approved.

Local Licensing Authority for	Telephone Number	<input type="checkbox"/> Town, City <input type="checkbox"/> County
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Signature	Print	Title	Date
Signature	Print	Title	Date

CITY AND COUNTY OF DENVER  
**CABARET LICENSE APPLICATION**

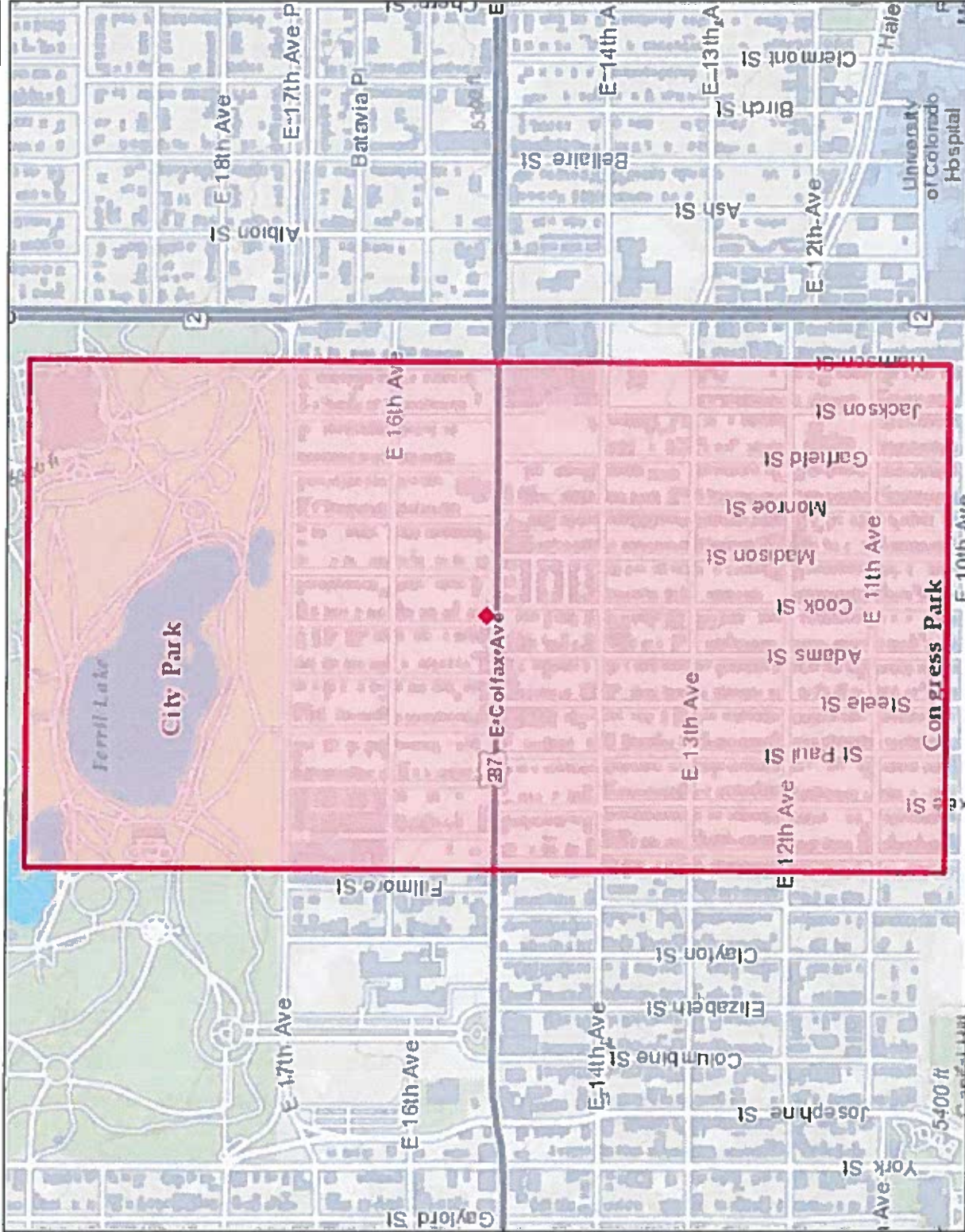
Office of Excise and Licenses  
 201 West Colfax Avenue, Dept. 206  
 Denver, Colorado 80202  
 (720) 865-2760

<input checked="" type="checkbox"/> New License Application <input type="checkbox"/> Change in Ownership <input type="checkbox"/> Modification of Premises <b>Instructions:</b> 1. Attach Appropriate Application and License Fees. 2. Attach Approved Zoning Use Permit. 3. Attach detailed sketch of interior showing entertainment and/or dance areas. 4. Include this application with liquor license application (if applicable). 5. Include 3 maps of the area. Maps may be obtained at 201 West Colfax Avenue (Webb Building), 3 <sup>rd</sup> Floor. Reproduction Services.	<b>Type of License Applied for and Application Fees:</b> <table style="width:100%; border-collapse: collapse;"> <thead> <tr> <th style="width:40%;"></th> <th style="width:20%;">Application</th> <th style="width:40%;">License</th> </tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> Standard Cabaret</td> <td>\$500.00</td> <td>\$750.00</td> </tr> <tr> <td><input type="checkbox"/> Acoustic Cabaret</td> <td>\$500.00</td> <td>\$750.00</td> </tr> <tr> <td><input type="checkbox"/> Dance Cabaret</td> <td>\$1,000.00</td> <td>\$1,500.00</td> </tr> <tr> <td><input type="checkbox"/> Special Dance Cabaret</td> <td>\$1,000.00</td> <td>\$1,500.00</td> </tr> <tr> <td><input type="checkbox"/> Events Center Cabaret</td> <td>\$1,000.00</td> <td>\$1,500.00</td> </tr> <tr> <td><input type="checkbox"/> Adult Cabaret</td> <td>\$2,000.00</td> <td>\$3,000.00</td> </tr> </tbody> </table>		Application	License	<input checked="" type="checkbox"/> Standard Cabaret	\$500.00	\$750.00	<input type="checkbox"/> Acoustic Cabaret	\$500.00	\$750.00	<input type="checkbox"/> Dance Cabaret	\$1,000.00	\$1,500.00	<input type="checkbox"/> Special Dance Cabaret	\$1,000.00	\$1,500.00	<input type="checkbox"/> Events Center Cabaret	\$1,000.00	\$1,500.00	<input type="checkbox"/> Adult Cabaret	\$2,000.00	\$3,000.00
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<input type="checkbox"/> Events Center Cabaret	\$1,000.00	\$1,500.00																				
<input type="checkbox"/> Adult Cabaret	\$2,000.00	\$3,000.00																				
1. Name of Applicant: By The Way Management, Inc.		1b Trade Name of Establishment (DBA) Middleman																				
1c. Address of Business to be Licensed (Number and Street) 3401 E. Colfax Ave.		City or Town Denver	State CO	Zip Code 80206																		
1d. Applicant is Applying as a: <input checked="" type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input type="checkbox"/> Limited Liability Company <input type="checkbox"/> Association or Other																						
2. Applicant has completed DR 8404, Retail License Application or DR 8403 3.2% Beer License Application. <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No																						
2a. If no, Stop and complete DR 8404, Retail License Application or DR 8403 3.2% Beer License Application.																						
2b. If yes, I declare under penalty of perjury in the second degree that all information contained in DR 8404, Retail License Application or DR 8403 3.2% Beer License Application and all attachments are true, correct, and complete to the best of my knowledge. Further, I agree that all information contained in DR 8404, Retail License Application or DR 8403 3.2% Beer License Application and all attachments may be used to support this application for cabaret license.																						
Authorized Signature: 		Title: President	Date: 1/9/17																			
3a. Type of entertainment to be offered Live music, recorded music, live DJ		b. Premises square footage 1,641 s.f.																				
c. Seating capacity 40 Interior, 20 Exterior, Total: 60		d. Square footage dance entertainment areas N/A																				
4. Has a cabaret license been denied for the premises within the last 2 years? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																						
6. Has applicant or any of applicant's officers, directors, stockholders, members, partners, or managers ever been:																						
a. Denied a cabaret license? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																						
b. Had a cabaret license suspended or revoked? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																						
c. Been convicted of a felony, any alcohol related offense, or any non-traffic misdemeanor? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No																						
(If yes to any of the above, please attach an explanation.)																						
OATH OF APPLICANT																						
I declare under penalty of perjury in the second degree that this application, our liquor license application, and all attachments are true, correct, and complete to the best of my knowledge. I also acknowledge that it is my responsibility and the responsibility of my agents and employees to comply with the provisions of the Denver Revised Municipal Code, which govern my cabaret license.																						
Authorized Signature: 		Title: President	Date: 1/9/17																			
<b>CABARET LICENSE TYPES:</b> Standard – Live entertainment – no adult entertainment, no patron dancing. Acoustic Cabaret – Unamplified live entertainment. No patron dancing permitted. Dance Cabaret – Live or recorded entertainment and patron dancing, no adult entertainment. Special Dance Cabaret – Live or recorded entertainment and patron dancing is permitted. Entertainment is confined to the interior of the building or located upon the licensed premises as defined in the Colorado Liquor Code. Unamplified live entertainment or recorded entertainment and patron dancing may be provided beyond the interior of the building before 8:00 p.m. Event Center Cabaret – Seating capacity of at least 2,000 in which both live and/or recorded entertainment is provided and in which patron dancing is permitted. Adult Cabaret – Adult entertainment is provided, as well as the entertainment included in the Dance Cabaret.																						





# Middleman - 3401 E. Colfax Ave.



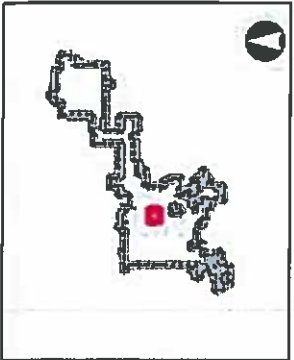
The City and County of Denver shall not be liable for damages of any kind arising out of the use of this information. The information is provided "as is" without warranty of any kind, express or implied, including, but not limited to, the fitness for a particular use.

Map Generated 3/10/2017

1: 14,456

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
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**THIS IS NOT A LEGAL DOCUMENT.**



Legend