

CITY OF COLORADO SPRINGS LIQUOR OR 3.2% FERMENTED MALT BEVERAGE APPLICATION

NEW LICENSE **TRANSFER OF OWNERSHIP**

Type of License applying for (Check One)

- | | | | | |
|--|---|---|--|--|
| <input type="checkbox"/> Hotel/Restaurant | <input type="checkbox"/> Hotel/Restaurant w/Optional Premises | <input type="checkbox"/> Tavern | <input type="checkbox"/> Beer & Wine | <input checked="" type="checkbox"/> Brew Pub |
| <input type="checkbox"/> Retail Liquor Store | <input type="checkbox"/> 3.2% Beer On Premises | <input type="checkbox"/> 3.2% Beer Off Premises | <input type="checkbox"/> 3.2% Beer On and Off Premises | |
| <input type="checkbox"/> Drugstore | <input type="checkbox"/> Racetrack | <input type="checkbox"/> Optional Premises | <input type="checkbox"/> Club | <input type="checkbox"/> Vinters |

APPLICANT INFORMATION

Name of Applicant: <small>Jerry Wayne Morris</small> COLORADO BREWING, LLC	Property Tax Schedule No. : 7413127001
Trade Name (DBA): Colorado Brewing, LLC dba Cerberus Brewing	Business Telephone:
Address of Premises: 702 W Colorado Ave, Colo Spgs, CO 80904	Alternate Telephone: 719-339-0300

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

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.

NAME	POSITION HELD	%OWNED
Jerry Morris	President	33.33
Tom Halfast	Vice President	33.33
Josh Adamski	Brewer	17.66
Cindy Geiser	Bookkeeper	17.66

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	\$ 915,000
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Source(s) of funds invested (provide names, banks, and indicate checking, savings, loan, promissory note, gift or other).

THE FOLLOWING INFORMATION MUST REFLECT THE SOLE SOURCE OF FUNDS INVESTED. NO OTHER PERSON OR PARTIES MAY HAVE A FINANCIAL INTEREST IN THE BUSINESS FOR WHICH THIS AFFIDAVIT IS SUBMITTED.

NAME/ADDRESS OF FUNDING SOURCE (bank(s), individual(s), et al.)	FUNDING SOURCE (checking/savings/ loan/ note/ gift)	AMOUNT
Jerry Morris/Tom Halfast PO Box 1905, Colorado Springs, CO 80901	sale of 109 Crystal Park Road/refinance of 801-805 Shoshone Pl	\$290,000
Cindy Geiser 11552 E Nido Ave, Mesa, AZ 85209	inheritance	\$100,000
First Bank loan 817 Village Center Dr, Colorado Springs, CO 80919	Loan on site of brewpub, 702 W Colorado Ave	\$525,000

List applicant(s) prior experience in the sale of alcoholic beverages. Include dates and locations.			
Business Name & Address	Applicant's Name	Experience/Position	Dates
Underground Pub/Brewer's Republic 110/112 N Nevada Ave, Colo Spgs, CO 80903	Jerry Morris	All positions (owner)	1/2006 - current
Underground Pub/Brewer's Republic 110/112 N Nevada Ave, Colo Spgs, CO 80903	Tom Halfast	All Positions (owner)	1/2006-current
Underground Pub/Brewer's Republic 110/112 N Nevada Ave, Colo Spgs, CO 80903	Josh Adamski	Bartender/Manager	2012-current

DO NOT ALTER THESE FORMS IN ANY MANNER

Has the applicant previously been issued a liquor or beer license (include any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? yes no

If yes, identify the business and any current or former financial interest in said business including any loans to or from a licensee.

Name of Business	Address	Type/amt. of Interest
WDB, LLC dba Underground & Brewer's Republic	110/112 N. Nevada Ave Colo Spgs, CO 80903	BAR/RESTAURANT 100%

PREMISES/ESTABLISHMENT

Terms of legal possession of the premises for which the application is made? own lease

If leased provide terms: Start date End date

Dimensions of premises 29'x103' Square footage 3538 SQ FT Seating Capacity 270

Is there a patio area? yes no --- If yes, provide dimensions 265'x35'

Anticipated number of employees? 25

Will training be offered or required? yes no --- If yes, through what agency? Liquor License Professionals

Has the applicant or manager in Colorado, or any other State (include any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation), ever:	YES	NO
Been denied an alcohol beverage license?		X
Had an alcohol beverage license suspended or revoked?		X
Had interest in another entity where an alcohol beverage license was suspended or revoked?		X
Ever been charged or convicted of a crime, received a suspended sentence, a deferred sentence, or have charges pending?	X	
If yes, provide explanation, date(s) and location(s). <u>MORRIS - DWAI, 1980, DENVER</u>		
<u>MORRIS - PETTY THEFT, 1984, COLO SPRGS, CHARGES DISMISSED</u>		
<u>MORRIS - FAILURE TO DISPERSE, 2004, COLO SPRGS, ACQUITED</u>		
<u>HALFAST - DISORDERLY CONDUCT, 2004, COLO SPRGS</u>		

Has the applicant ever received a violation notice, suspension, or revocation for any liquor law violation, have charges pending; or has the applicant applied for and been denied a liquor or beer license anywhere in the United States?

Yes No

If yes, provide explanation, date(s) and location(s):

AARON PETERSON, AN EMPLOYEE WAS CITED FOR SERVING AN UNDERAGE, UNDER COVER POLICE OFFICER IN 2006 AT THE UNDERGROUND

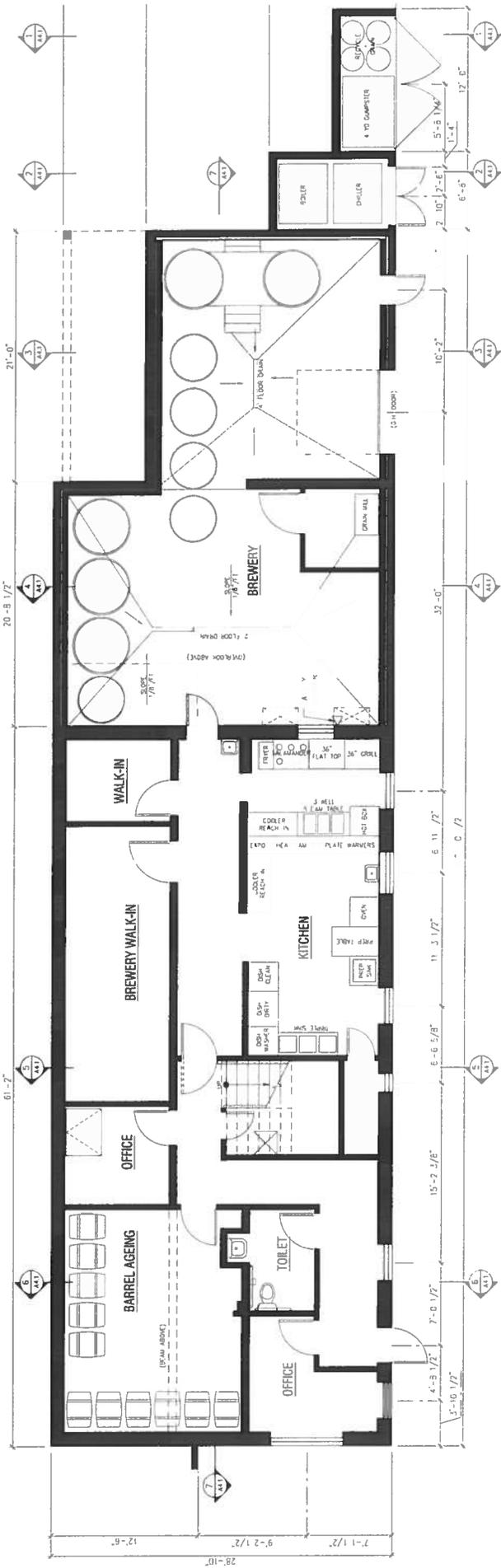
I declare under the penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I understand that any falsehood or omission will jeopardize the application as such falsehood or omission constitutes evidence regarding the character of the applicant.

State of Colorado County of El Paso
 NOTARY PUBLIC
 STATE OF COLORADO
 NOTARY ID 20044029598
 MY COMMISSION EXPIRES AUGUST 25, 2018

Signature: Gloria Triste
 Title: President

Subscribed and sworn to before me this 17th day of October, 2015.
 My Commission Expires: August 25, 2015 Gloria Triste
 Notary Public

DO NOT ALTER THESE FORMS IN ANY MANNER



Basement

FIRST FLOOR PLAN
3/16" = 1'-0"



December 23, 2015

NOTICE OF HEARING

Colorado Brewing, LLC
dba Cerberus Brewing
P.O. Box 1905
Colorado Springs, CO 80901

Dear Applicant:

Pursuant to 12-47-312 of the Colorado Revised Statutes and Rule No. 7 of the Local Rules of procedure, I have the following report to make concerning the results of my investigation of the application you have filed for a new Brew Pub Liquor License at Colorado Brewing, LLC dba Cerberus Brewing, 702 W. Colorado Avenue, Colorado Springs, Colorado. Your application was filed on November 13, 2015, and within a two (2) year period prior to this date, the Local Licensing Authority was not denied an application at said location for the reason that the reasonable requirements of the neighborhood were satisfied by existing outlets.

It appears that you will be entitled to possession of the premises for which the application is made, and at this time, the premises you desire to license does not appear to be in violation of any Zoning Ordinances of the City of Colorado Springs, Colorado.

To date, the Police Department has not reported any objections to this application, and here are no schools within the limits as prohibited by law.

Pursuant to 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 is attached. A boundary map has also been enclosed for your convenience.

A public hearing will be held on your application at the meeting of the Liquor and Beer Licensing Board, commencing at **9:00 A.M., on February 5, 2016** in the Council Chamber of City Hall at 107 N. Nevada Avenue, and you must be present at that meeting. At this meeting, the Board will consider the factors outlined in Rule No. 9.08 of the Local Rules of Procedure, and it is your burden to provide the necessary evidence to satisfy the Board.

A public notice poster has been prepared for you to pick up from the City Clerk's Office. This notice poster must be posted by you at the proposed premises in a manner that is visible and conspicuous to the public no later than Tuesday, January 26, 2016.

If you have any questions, please contact Lee McRae at (719) 385-5106.

Sincerely,

William Powell
Deputy City Clerk

Liquor Survey Boundaries

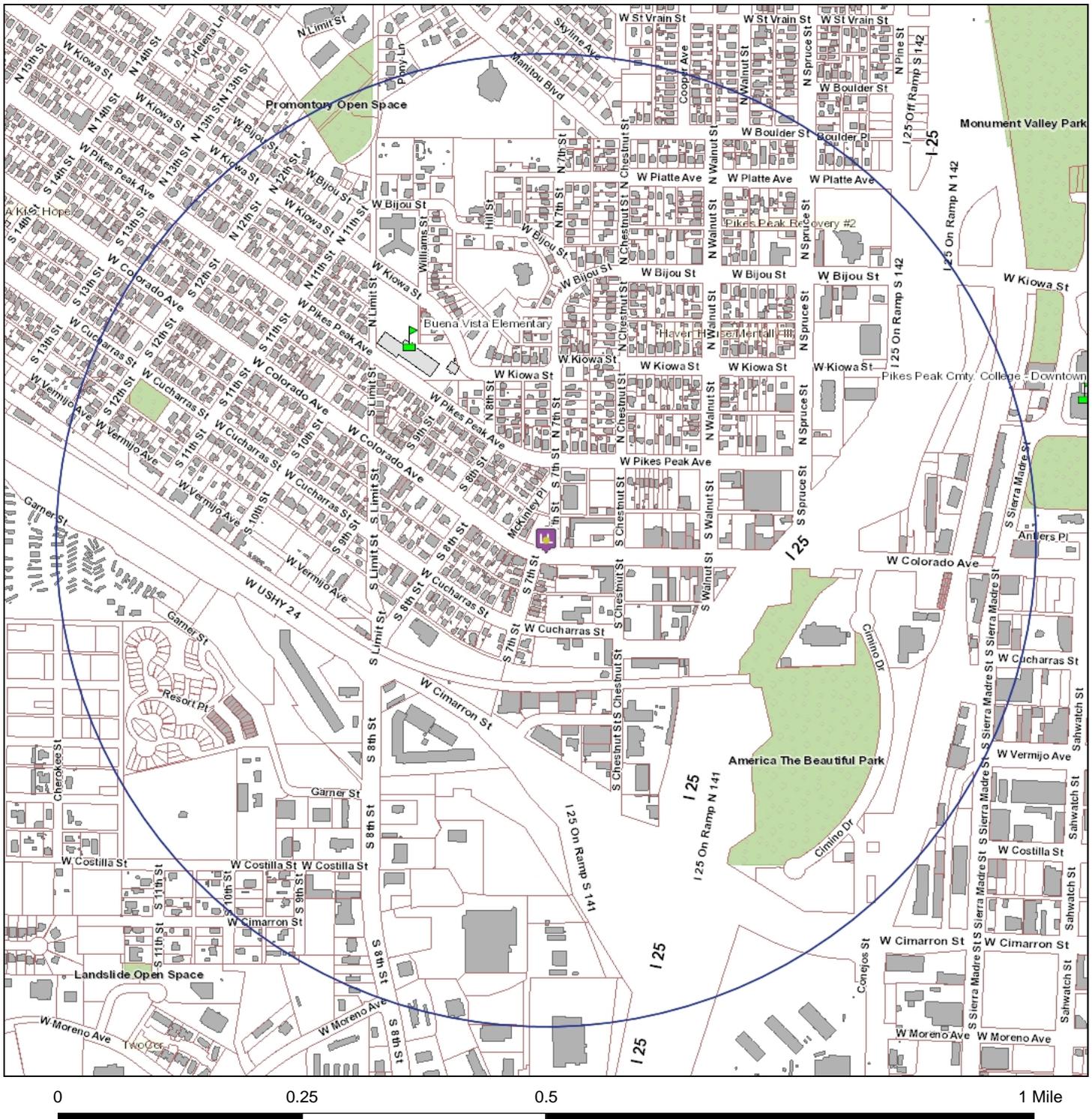


CITY OF COLORADO SPRINGS

OFFICE OF THE CITY CLERK

COLORADO BREWING, LLC
d/b/a CERBERUS BREWING
702 W COLORADO AVE

License ID: 30083



The survey boundary is 0.5 miles from the establishment

Map Prepared: 11/25/2015 6:55 AM

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HEARING LETTER ATTACHMENT

License ID: 30083

COLORADO BREWING, LLC
 d/b/a CERBERUS BREWING
 702 W COLORADO AVE
 COLORADO SPRINGS, CO 80904

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) BENNY'S RESTAURANT & LOUNGE	517 W COLORADO AVE	Tavern	561.19 ft
2) BORRIELLO BROTHERS NY PIZZA	229 S 8TH ST	Hotel & Restaurant	833.57 ft
3) 503W	503 W COLORADO AVE	Hotel & Restaurant	888.29 ft
4) LA CASITA MEXICAN GRILL	306 S 8TH ST	Hotel & Restaurant	1,344.73 ft
5) THE PINERY AT THE HILL	775 W BIJOU ST	Hotel & Restaurant	1,456.31 ft
6) BILLY'S OLD WORLD PIZZA	308 S 8TH ST	Beer & Wine	1,494.51 ft
7) BROTHER LUCK STREET EATS	1005 W COLORADO AVE	Hotel & Restaurant	1,505.83 ft
8) 8TH STREET LOUNGE	310 S 8TH ST	Tavern	1,512.32 ft
9) PJ'S BISTRO	1015 W COLORADO AVE	Hotel & Restaurant	1,595.78 ft
10) CLARION HOTEL and QUALITY SUITES	314 W BIJOU ST	Hotel & Restaurant	2,266.20 ft
11) ENGLISH DOCKSIDE FRESH SEAFOOD & GRILL WEST	1201 W COLORADO AVE	Hotel & Restaurant	2,455.52 ft
12) TEXAS ROADHOUSE	595 S 8TH ST	Hotel & Restaurant	2,597.49 ft

CERTIFICATE OF MAILING

I, Lee McRae, hereby certify that I have mailed a true copy of the foregoing **NOTICE OF HEARING** by United States mail, first class postage paid, this 23rd day of December, 2015 to the following address of record:

Colorado Brewing, LLC
dba Cerberus Brewing
P.O. Box 1905
Colorado Springs, CO 80901



Lee McRae
License Enforcement Officer
City Clerk's Office
30 S. Nevada Avenue
Colorado Springs, CO 80903