



Received: CITY CLERK'S OFFICE
2016 DEC 29 A 9:53

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

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 Beer and Wine Optional Premises
- Retail Liquor Store* Liquor Licensed Drugstore* Racetrack Arts
- Lodging & Entertainment 3.2% Beer On Premises 3.2% Beer Off Premises 3.2% Beer On & 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): Colorado Springs Hotel Owner, LLC	
2. Trade Name (DBA): Marriott Colorado Springs	
3. Premises Address: City, State, Zip: 5580 Tech Center Dr., Colorado Springs, CO 80919	Location Phone: (719) 260-1800
Property Tax Schedule No. : on file 6318303005	Zoning: on file PBC/CR HS
4. Mailing Address: City, State, Zip: 601 Oakmont Lane, Suite 420, Westmont, IL 60559	Alt Phone: (630) 366-2018
Primary Contact Name And Title: Graham Hershman	Email: gherhman@portfoliohotels.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
Marriott Colorado Springs	28434810000	Hotel/Restaurant	02/07/2017

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
Graham Hershman	LLC Manager of Managing Member	0%
Colorado Springs Hotel Holding, LLC	LLC Member	100%
Colorado Springs Sponsor, LLC	LLC Manager	0%

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
JP Morgan	Loan	\$ 25,735,000
First Community Financial Bank	Revolving Line of Credit	\$ 3,500,000
PNC Bank - Money Market Account	Money Market Account	\$ 1,015,000
TOTAL INVESTMENT IN BUSINESS:		\$ 30,250,000

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Michael Payne

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

If leased, provide the terms: START DATE: _____ END DATE: _____

DIMENSIONS OF PREMISES: 172'x 280' and 171'x224' (multiple floors) TOTAL SQUARE FOOTAGE: on file

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

Anticipated number of employees: 25-30 Anticipated opening date: 1/7/2017

Will training be offered or required? Yes No --- If yes, through what agency? TBD

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
See enclosed summary of other retail interests.			

Other Interests in Retail Liquor Licenses

California:

Casa Munras Garden Hotel & Spa , Monterey, CA
Doubletree San Diego Hotel Circle , San Diego, CA
Monterey Bay Inn , Monterey, CA
Spindrift Inn, Monterey, CA
Victorian Inn , Monterey, CA

Florida:

Holiday Inn Resort Orlando/Lake Buena Vista, Orlando, FL

Illinois:

Kinzie Hotel , Chicago, IL
Sheraton Chicago/Northbrook, Northbrook, IL
Hilton Chicago/Oak Brook Hills Resort & Conference Center , Oak Brook, IL

Indiana:

Holiday Inn Express , Muncie, IN
Residence Inn, South Bend, IN

Michigan:

Fairfield Inn, Ann Arbor, MI

New York:

Radisson Hotel, Corning, NY

North Carolina:

Residence Inn, Winston Salem, NC

Ohio:

Fairfield Inn North , Dayton, OH
Holiday Inn Dayton/Fairborn , Fairborn, OH
Homewood Suites Dayton/Fairborn , Fairborn, OH

AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

- Paid in full. There are no outstanding accounts with any Colorado Wholesalers.
- Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the: Licensee Applicant

- Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.
- Applicant will assume full responsibility for payment of the outstanding accounts as listed above.
- No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this 20th day of December, 2006.

Seller:

PCO I, LP/28434810000 BY: PCOGP, LLC, its GP

Licensee & License Number

Marriott Colorado Springs

Trade name

Signature

Manager

Position

Elizabeth A. Procaccianti

Print Name

Buyer:

Colorado Springs Hotel Owner, LLC

Applicant

Marriott Colorado Springs

Trade name

Signature

LLC Manager

Position

Print Name

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Dated this 20th day of December, 20016.

Seller:

PCO I, LP / 28434810000

Licensee & License Number

Marriott Colorado Springs

Trade name

~~Signature~~ ATTACHED

Signature

Position

Print Name

Buyer:

Colorado Springs Hotel Owner, LLC

Applicant

Marriott Colorado Springs

Trade name

[Signature]

Signature

LLC Manager of Managing Member

Position

Graham Hershman

Print Name

SEP-21-2004 12:34

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719 260 1492

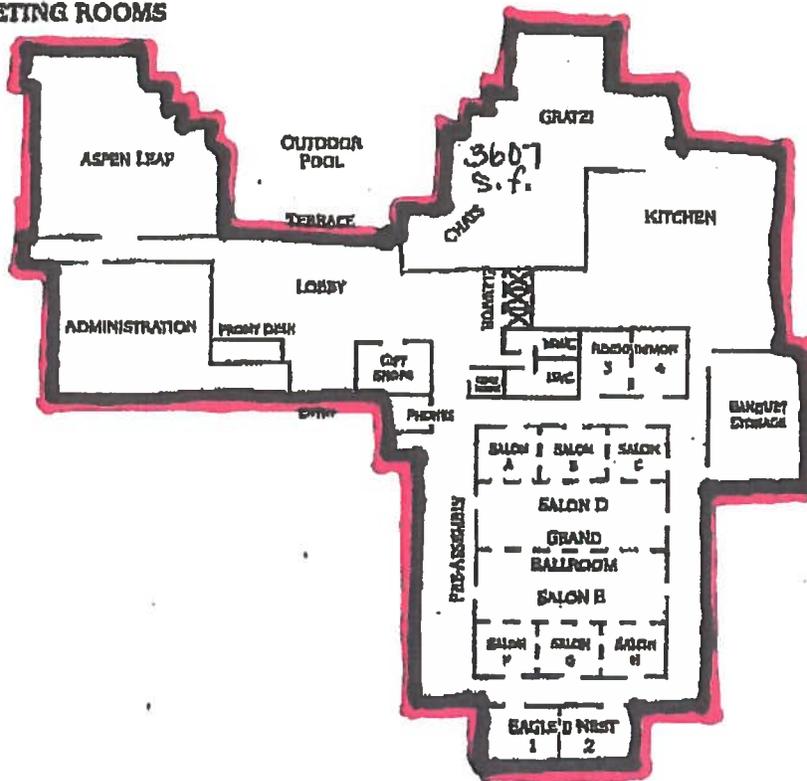
P.02/02

MEETING SPACE CAPACITY CHART*

NAME OF ROOM	DIMENSIONS	SQ. FT.	CEILING HEIGHT	RECEPTION	BANQUET	THEATER	CLASSROOM	CONFERENCE	U-SHAPE
GRAND BALLROOM	108' X 66'	7,128	14'	737	576	777	485	-	-
SALONS D & E (EACH)	52' X 66'	3,432	14'	221	168	235	144	-	-
SALONS A, B, C, F, G, H, (EACH)	22' X 22'	484	14'	47	32	50	30	25	25
EAGLES NEST I & II (EACH)	24' X 24'	576	10'	58	40	61	36	25	20
EAGLES NEST I & II (COMBINED)	48' X 24'	1,152	10'	121	80	127	78	50	40
ROCKRIMMON 3 & 4 (EACH)	18' X 24'	432	10'	42	32	44	27	20	15
ROCKRIMMON 3 & 4 (COMBINED)	36' X 24'	864	10'	89	64	94	57	40	30
PRE-ASSEMBLY	120' X 30'	-	12'	-	-	-	-	-	-
ASPEN LEAF	62' X 52'	3,224	10'	357	264	355	219	-	-
PEAK VIEW	29' X 26'	754	8'	79	56	83	51	20	20
BOARDROOM	25' X 16'	400	8'	-	-	-	-	12	-

*Our meeting room capacities have been calculated using the Meeting Professionals International Comfort Calculator.

CONFERENCE/MEETING ROOMS



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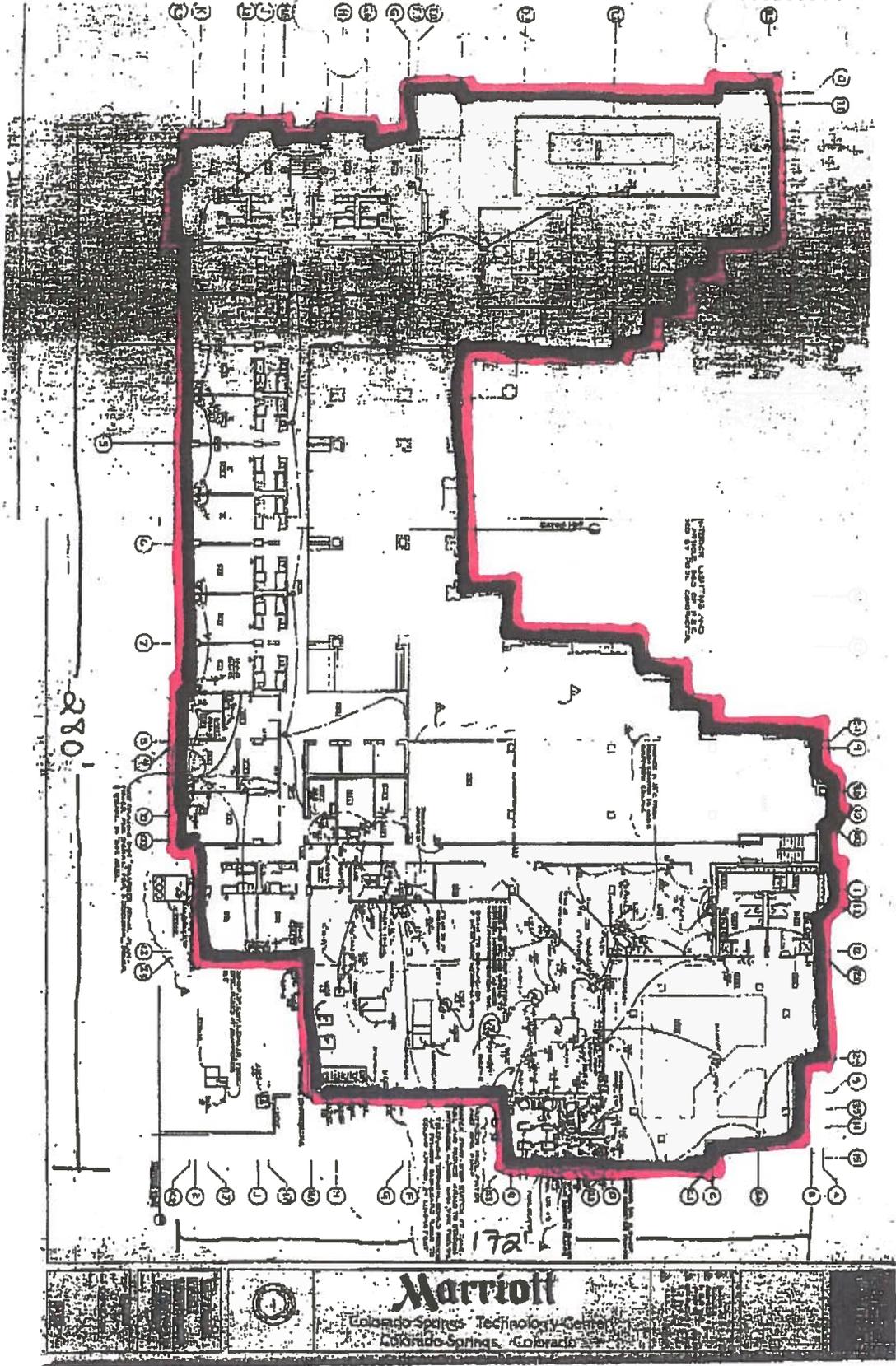
5580 Tech Center Drive, Colorado Springs, Colorado 80919 719-260-1800 Fax: 719-260-1492
www.wyndham.com/coloradosprings

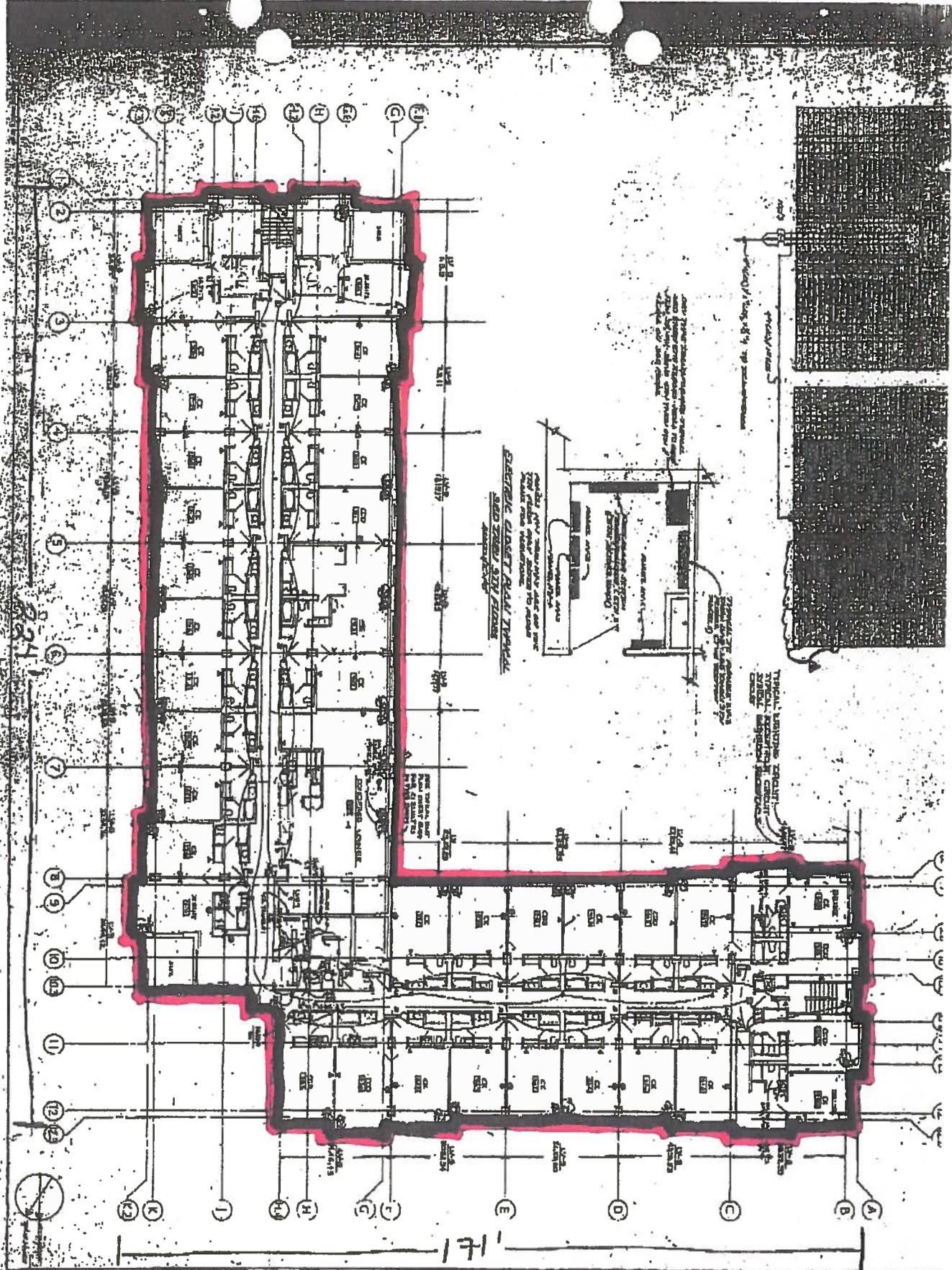
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Marriott

Colorado Springs Technology Center
 Colorado Springs, Colorado

<p>BEFORE THE COLORADO SPRINGS LIQUOR AND BEER LICENSING BOARD CITY OF COLORADO SPRINGS, STATE OF COLORADO Address: 107 North Nevada Avenue Council Chambers, City Hall Colorado Springs, CO 80903</p>	<p>CITY CLERK'S OFFICE 2017 FEB 23 A 8:08</p>
<p>IN THE MATTER OF:</p> <p>Colorado Springs Hotel Owner, LLC d/b/a Marriott Colorado Springs 5580 Tech Center Drive Colorado Springs, CO 80919 Mailing Address: 601 Oakmont Lane, #420 Westmont, IL 60559</p>	<p>▲ BOARD USE ONLY ▲</p>
	<p>Application No: T-725422</p>
<p>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</p>	

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, March 17, 2017 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon Colorado Springs Hotel Owner, LLC d/b/a Marriott Colorado Springs (“Applicant”) application for a transfer of the Hotel and Restaurant Liquor License currently issued to PCO I, LP d/b/a Colorado Springs Marriott at 5580 Tech Center Drive, Colorado Springs, CO 80919.

At this meeting, the Board will consider the factors outlined in Rule No. 9.08 and 16.00 of the Local Rules of Procedure, and it is the Applicant’s burden to provide the necessary evidence to satisfy the Board.

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 7, 2017. 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 14, 2017.

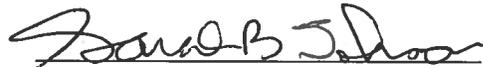
Pursuant to C.R.S. §12-47-312 and Local Rule No. 7 the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant’s application. NOW THEREFORE these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on December 29, 2016, 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.
- 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.
- 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.
- 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.
- V. 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. §12-47-308.
- VII. Applicant is not a person prohibited as a licensee pursuant to C.R.S. §12-47-307.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done February 23, 2017.

FOR THE CITY OF COLORADO
SPRINGS LIQUOR AND BEER
LICENSING BOARD



By: Sarah B. Johnson
City Clerk

Direct questions regarding this notice and hearing to Lee McRae at 719-385-5106.

CERTIFICATE OF MAILING

I, Lee McRae, 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 23, 2017 to the following address of record:

Colorado Springs Hotel Owner, LLC
dba Marriott Colorado Springs
601 Oakmont Lane, #420
Westmont, IL 60559



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

CC: gherhman@portfoliohotels.com
Jennifer Gallery <jennifer@smlaw.org> Adam Stapen <astapen@dillanddill.com>