



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

OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE

2020 APR 22 P 2: 21

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 Liquor** ☐ **Beer and Wine** ☐ **Optional Premises**
☐ **Retail Liquor Store*** ☐ **Licensed Drugstore*** ☐ **Racetrack** ☐ **Arts**
☐ **Lodging & Entertainment** ☐ **FMB (Beer) On Premises** ☐ **FMB (Beer) 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):

BK Lobstah, LLC

2. Trade Name (DBA): Chef Bob's Lobstah Trap

3. Premises Address: 5660 Barnes Rd., Suite 148, Colorado Springs, CO 80904
City, State, Zip:

Location
Phone: Not Assigned Yet

Property Tax Schedule No. : 6325106035

Zoning: PBC AO

4. Mailing Address: 3934 Iron Horse Trail, Colorado Springs, CO 80917
City, State, Zip:

Alt Phone: 770-714-3616

Primary Contact
Name And Title: Robert Derian

Email: Chefbobco@gmail.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
N/A	N/A	N/A	N/A

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
Robert A. Derian	Managing Member	100
N/A		
N/A		
N/A		
N/A		
N/A		

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
Robert A. Derian 3934 Iron Horse Trail, Colorado Springs, CO 80917	AXA Equitable IRA Account	80,000
JPM Chase Bank SBA Loan 3750 Bloomington St., Colorado Springs, CO 80922	SBA LOAN	147,800
N/A		
TOTAL INVESTMENT IN BUSINESS:		\$ 227,000 0

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Robert A. Derian

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

If leased, provide the terms: START DATE: November 18, 2019 END DATE: 03/18/2024

DIMENSIONS OF PREMISES: 70 x 40 TOTAL SQUARE FOOTAGE: 2,800

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

Anticipated number of employees: Anticipated opening date: July 2020

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

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
RaceTrac Petroleum, 200 Galleria Parkway SE Atlanta, GA 30339	Robert Derian	Director of Food Service/Exec Chef	2/09 - 01/20/16 2/2017
N/A			
N/A			
N/A			
N/A			

**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
2020 MAY 14 P 12:00

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

BK Lobstah, LLC
d/b/a **Chef Bob's Lobstah Trap**
5660 Barnes Road, #148
Colorado Springs, CO 80922
Mailing Address:
3934 Iron Horse Trail
Colorado Springs, CO 80917

Application No: N-37165

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, June 5, 2020 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon BK Lobstah, LLC d/b/a Chef Bob's Lobstah Trap ("Applicant") application for a new Hotel and Restaurant Liquor License at 5660 Barnes Road, #148, Colorado Springs, CO 80922. **Additional information related to appearance, remote participation, and public comment for this public hearing will be provided as soon as possible, but not later than Tuesday, June 2, 2020.**

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. Please contact the City Clerk's Office as soon as possible to make arrangements for picking up the poster. 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, May 26, 2020. 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, June 2, 2020.

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 April 22, 2020, 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 May 14, 2020.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

Direct questions regarding this notice and hearing to Colin M. Gordon at 719-385-5107.

Liquor Survey Boundaries

BK LOBSTAH, LLC

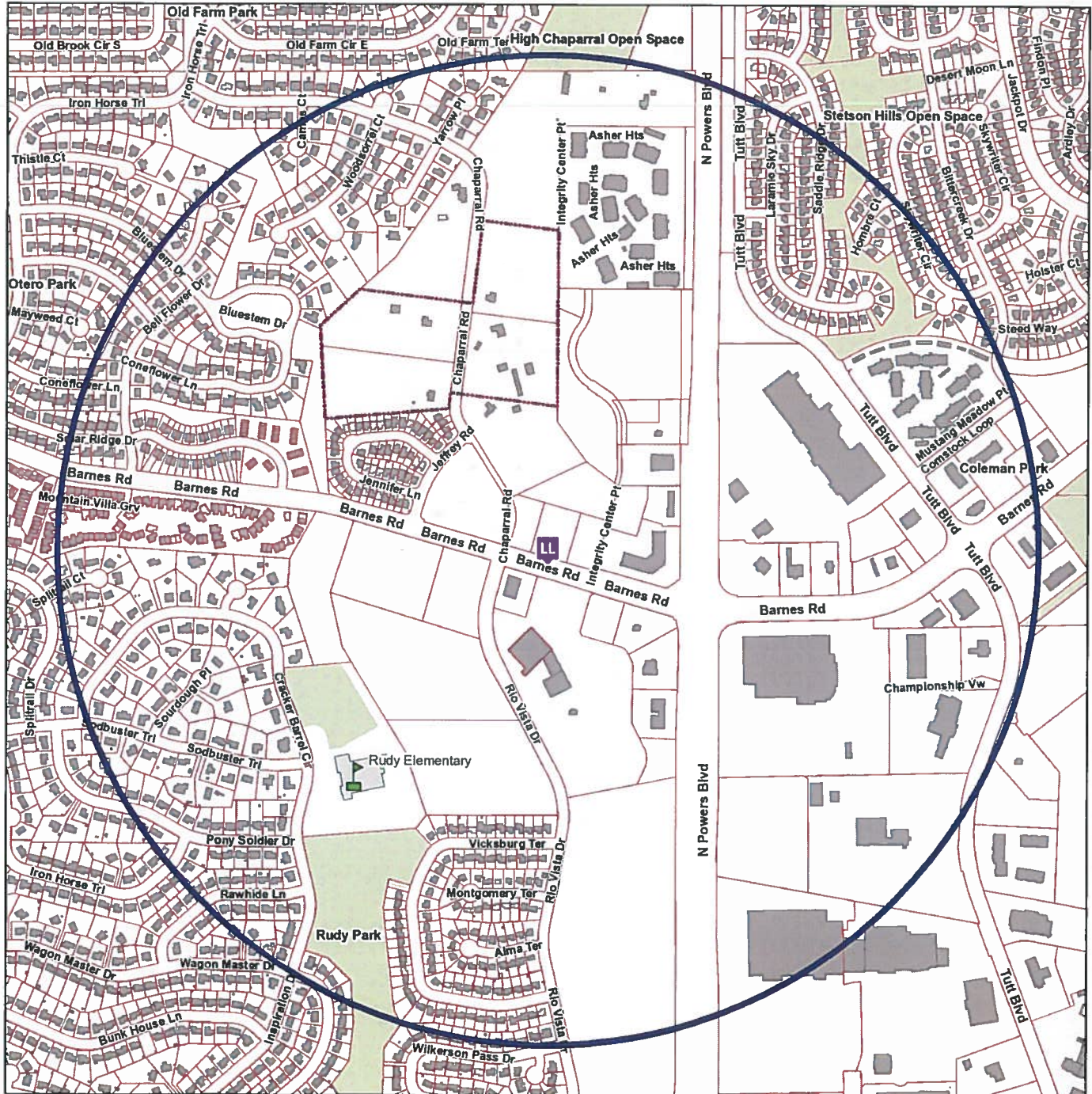
d/b/a CHEF BOB'S LOBSTAH TRAP

5660 BARNES RD #148



OFFICE OF THE CITY CLERK

License ID: 37165



The survey boundary is 0.5 miles from the establishment

Map Prepared: 5/14/2020 10:11 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 37165

BK LOBSTAH, LLC

d/b/a CHEF BOB'S LOBSTAH TRAP

5660 BARNES RD #148

COLORADO SPRINGS, CO 80917

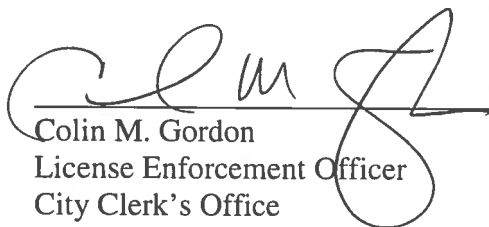
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) RHINO'S SPORTS & SPIRITS	4307 INTEGRITY CENTER PT	Tavern	422.61 ft
2) ZOE'S KITCHEN	5697 BARNES RD	Beer & Wine	447.80 ft
3) SUSHI AIKI	4359 INTEGRITY CENTER PT	Beer & Wine	594.84 ft
4) VILLA SALON	5627 BARNES RD	Lodging & Entertainment	713.49 ft
5) LONGHORN STEAKHOUSE #5568	5707 BARNES RD	Hotel & Restaurant	829.02 ft
6) PARRY'S SLICERIA & TAPS	5697 BARNES RD	Hotel & Restaurant	999.43 ft
7) TOKYO JOE'S	5697 BARNES RD	Beer & Wine	1,059.51 ft
8) ON THE BORDER MEXICAN GRILL & CANTINA	5832 BARNES RD	Hotel & Restaurant	1,150.42 ft
9) CLEATS BAR & GRILL	6120 BARNES RD	Hotel & Restaurant	2,225.40 ft

CERTIFICATE OF MAILING

I, Colin M. Gordon, 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 May 14, 2020 to the following address of record:

BK Lobstah, LLC
d/b/a Chef Bob's Lobstah Trap
3934 Iron Horse Trail
Colorado Springs, CO 80917



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

CC: vince@lindenlawgroup.com
chefbobco@gmail.com
liquorpros@msn.com