



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

OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE

2020 JUN 30 A 11:59

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):

RAC'M, LLC

2. Trade Name (DBA): RAC'M

3. Premises Address: 4478 Austin Bluffs Parkway, Colorado Springs, CO 80918
City, State, Zip:

Location
Phone: Not Assigned Yet

Property Tax Schedule No. : 6326218014

Zoning: PBC PBC/CR CU AO

4. Mailing Address: 1536 Mt. Everett St. CSC 80909
City, State, Zip:

Alt Phone: 719-310-2972

Primary Contact
Name And Title: Rick Hubler

Email: rick23pool@yahoo.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
None	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
Richard C. Hubler	Member	50
Christina (NMN) Hubler	Member	50
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
Richard and Christina Hubler	Checking	75000
ENT FEDERAL CREDIT UNION		
Richard and Christina Hubler	Savings	15000
ENT FEDERAL CREDIT UNION		
N/A		
N/A		
TOTAL INVESTMENT IN BUSINESS:		\$90,000.00 0

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Richard C. Hubler

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

If leased, provide the terms: START DATE: 06/15/2020 END DATE: 03/2026

DIMENSIONS OF PREMISES: 73 x 81 TOTAL SQUARE FOOTAGE: 5913

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

Anticipated number of employees: 7 Anticipated opening date: November 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
Papasan's Sports Bar, 315 E. Arvada St. Colorado Springs, Colorado 80903	Richard Hubler	General Manager	1998 - 2002
Trini's Mexican Food 3275A E. Platte Ave., Colorado Springs, CO	Christina Hubler	Manager	1986 - 1990

Supplement to:

Colorado Springs

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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?

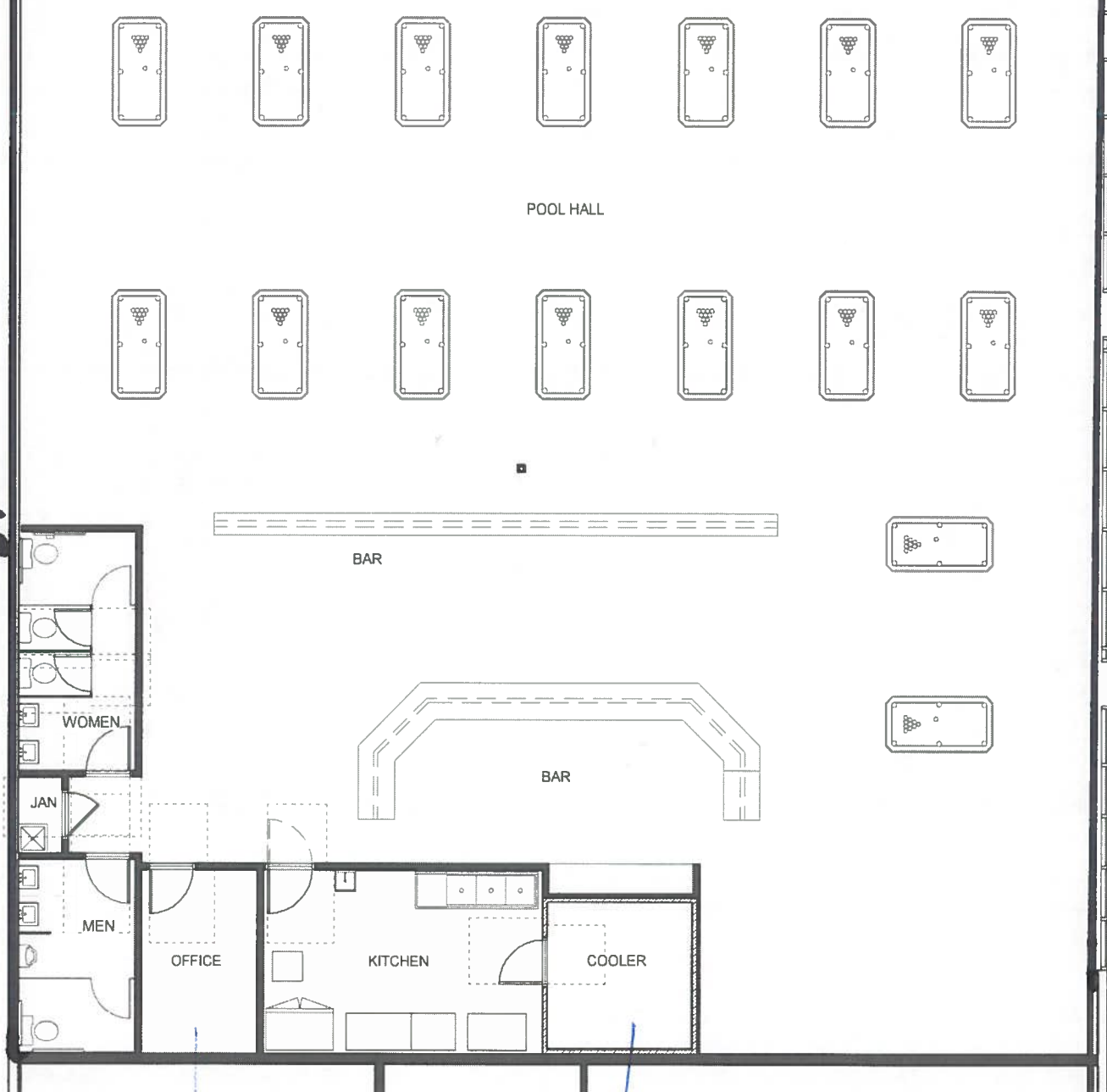
IF YES, ATTACH statement or affidavit of explanation, including date(s) and location(s).

ANSWER: Yes.

Christina Hubler, DWAI, 2002, El Paso County, Colorado Springs, CO 80919. All condition of sentencing successfully completed.

73'

81'



Front

Down

1 FLOOR PLAN - 4478 AUSTIN BLUFFS
3/32" = 1'-0"

6.23.20



Liquor
Storage

Liquor
Storage

[Handwritten signature]

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 AUG 27 P 1:06 ▲ CLERK USE ONLY ▲
IN THE MATTER OF: APPLICANT RAC'M, LLC d/b/a RAC'M 4478 Austin Bluffs Parkway Colorado Springs, CO 80918 <u>Mailing Address:</u> 1536 Mt. Everett Street Colorado Springs, CO 80909	Application No: N-37431
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, September 18, 2020 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon RAC'M, LLC d/b/a RAC'M ("Applicant") application for a new Tavern License at 4478 Austin Bluffs Parkway, Colorado Springs, CO 80918.

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. 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, September 8, 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, September 15, 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 June 30, 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 August 27, 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



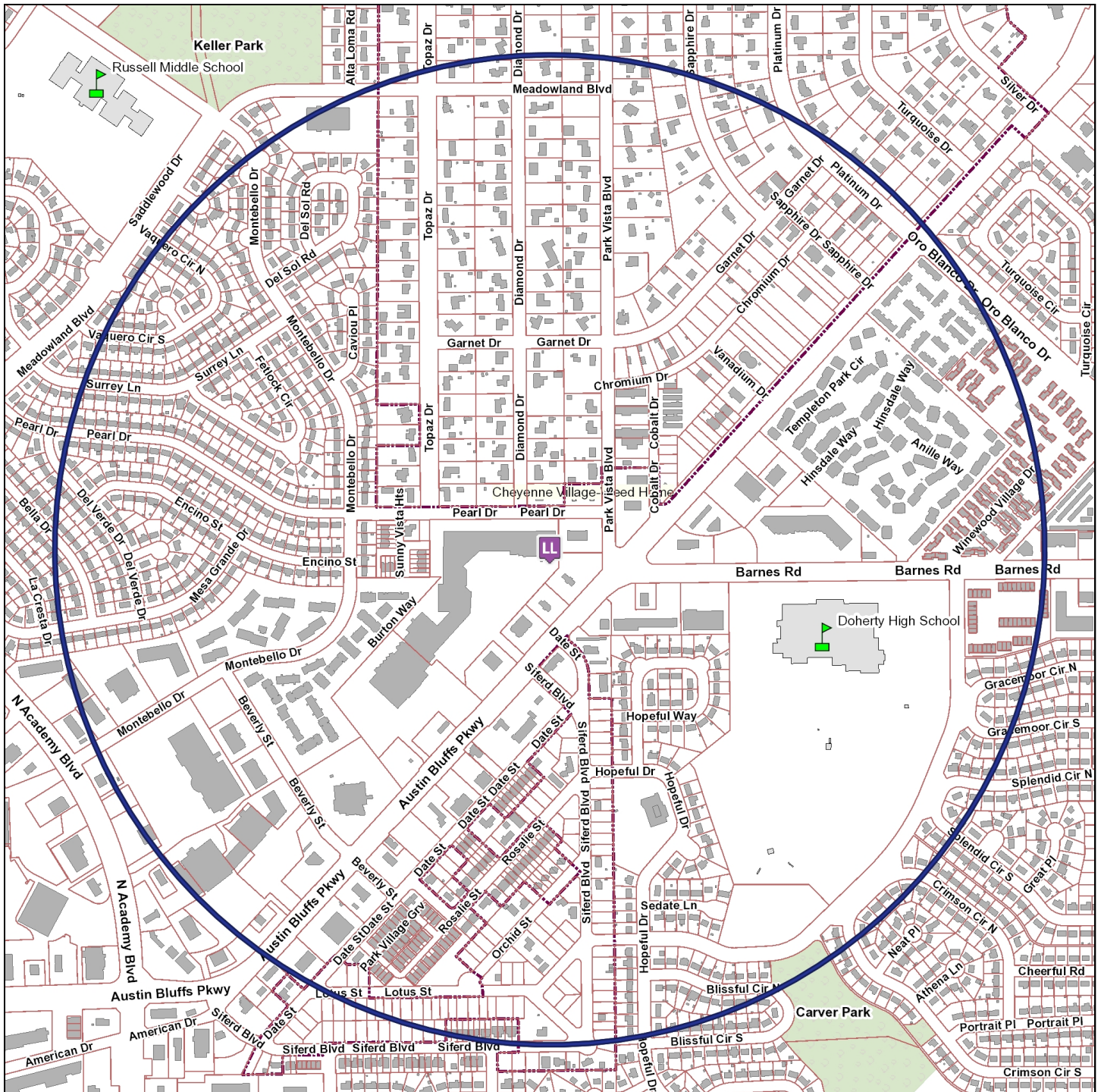
RAC'M LLC

d/b/a RAC'M

4478 AUSTIN BLUFFS PKWY

OFFICE OF THE CITY CLERK

License ID: 37431



The survey boundary is 0.5 miles from the establishment

Map Prepared: 8/27/2020 1:19 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 37431

RAC'M LLC

d/b/a RAC'M

4478 AUSTIN BLUFFS PKWY

COLORADO SPRINGS, CO 80918

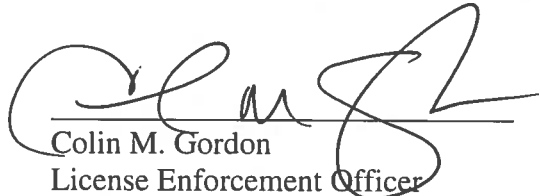
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) BRUSH CRAZY	4416 AUSTIN BLUFFS PKWY	Beer & Wine	209.65 ft
2) DICKEY'S BARBECUE PIT	4146 AUSTIN BLUFFS PKWY	Beer & Wine	2,344.81 ft
3) MIKEY'S BAR & GRILL	4348 MONTEBELLO DR	Tavern	2,600.76 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 August 27, 2020 to the following address of record:

RAC'M, LLC
d/b/a RAC'M
1536 Mt. Everett Street
Colorado Springs, CO 80909



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

CC: vince@lindenlawgroup.com
rick23pool@yahoo.com
liquorpros@msn.com