



Received  
 CITY CLERK'S OFFICE  
 2019 APR 30 P 2:09

**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 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):  
 Cheba Hut Investment Company Inc.

2. Trade Name (DBA): Cheba Hut

3. Premises Address: 3171 N. Chestnut Street, Colorado Springs, CO 80907    Location Phone: To be Assigned  
 City, State, Zip:                      **Zoning: C6/CR**

Property Tax Schedule No. : 7336106-004

4. Mailing Address: 406 N. College Ave., Fort Collins, CO    Alt Phone: 1-970-286-2953  
 City, State, Zip:                      **80524**

Primary Contact Name And Title: David Timmons    Email: David.Timmons@chebahut.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
Scott Jennings	President/Shareholder	50
Marc Torres	Secretary/Shareholder	10
David Timmons	Treasurer/Shareholder	40
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
1st Bank of Colorado 100 North College, Fort Collins, CO 80524	Loan	300,000
Cheba Hut Investment Company Inc. 406 N. College Ave., Ft. Collins, CO 80524		
	Checking	100,000
<b>TOTAL INVESTMENT IN BUSINESS:</b>		<b>\$ 400,000.00 0</b>

**Section C: PREMISES / LOCATION INFORMATION**

8. Registered Manager Name: CODY ROSS EDGIN

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

If leased, provide the terms: START DATE: 11/1/2018 END DATE: 10/1/2028

DIMENSIONS OF PREMISES: 57.75' x 44.4' TOTAL SQUARE FOOTAGE: 2,576 + 600 sq ft patio

Is there a patio area?  Yes  No -- If yes, provide dimensions 6'7" x 13'4" x 59' (diagonal) x 8' x 16' x 29' x 7'

Anticipated number of employees: 30 Anticipated opening date: July 2019

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
Cheba Hut See Attached Supplement	David Timmons	See attached supplement	See attached supplement
Cheba Hut See Attached Supplement	Scott Jennings	See attached supplement	See attached supplement
Cheba Hut See Attached Supplement	Marc Torres	See attached supplement	See attached supplement

**Liquor Licenses that Scott Jennings has interest in:**

**Dreamscape, LLC**

- 104 E. Laurel St.  
Fort Collins, CO. 80524  
Liquor License Number: 4707230  
Interest: 50%
- 925 S. Taft Hill Rd. Ste #6  
Fort Collins, CO. 80521  
Liquor License Number: 4702088  
Interest: 50%

**Pushing Pinners, LLC**

- 1645 8<sup>th</sup> Ave.  
Greeley, CO. 80631  
Liquor License Number: 4704612  
Interest: 50%

**Three Blunts, LLC**

- 638 E. Colfax Ave.  
Denver, CO. 80203  
Liquor License Number: 4704136  
Interest: 50%

**Cheba Hut Investment Company, Inc.**

- Cheba Hut Colorado Blvd  
745 Colorado Blvd. Bldg. B  
Denver, CO. 80206  
Liquor License Number: 4706161  
Interest: 50%
- Cheba Hut Dillon  
265 Dillon Ridge Rd. Unit D  
Dillon, CO. 80435  
Liquor License Number: 4706996  
Interest: 50%
- Cheba Hut Longmont  
635 Main St.  
Longmont, CO. 80501  
Liquor License Number: 4707594  
Interest: 50%
- Cheba Hut Stapleton  
3990 Central Park Blvd. Ste #110  
Denver, CO. 80238  
Liquor License Number: 03-10678  
Interest: 50%

Liquor Licenses Scott Jennings owns by himself:

**Toasty Mountain, LLC**

- The Still Whiskey Steaks  
151 N College Ave.  
Fort Collins, CO. 80524  
Liquor License Number: 4706815  
Hotel and Restaurant

**Liquor Licenses that David Timmons has interest in:**

**Dreamscape, LLC**

- 104 E. Laurel St.  
Fort Collins, CO. 80524  
Liquor License Number: 4707230  
Interest: 40%

- 925 S. Taft Hill Rd. Ste #6  
Fort Collins, CO. 80521  
Liquor License Number: 4702088  
Interest: 40%

**Pushing Pinner, LLC**

- 1645 8<sup>th</sup> Ave.  
Greeley, CO. 80631  
Liquor License Number: 4704612  
Interest: 40%

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635 Main St.  
Longmont, CO. 80501  
Liquor License Number: 4707594  
Interest: 40%

- Cheba Hut Stapleton  
3990 Central Park Blvd. Ste #110  
Denver, CO. 80238  
Liquor License Number: 03-10678  
Interest: 40%

**Liquor Licenses that Marc Torres has interest in:**

**Dreamscape, LLC**

- 104 E. Laurel St.  
Fort Collins, CO. 80524  
Liquor License Number: 4707230  
Interest: 10%

- 925 S. Taft Hill Rd. Ste #6  
Fort Collins, CO. 80521  
Liquor License Number: 4702088  
Interest: 10%

**Pushing Pinners, LLC**

- 1645 8<sup>th</sup> Ave.  
Greeley, CO. 80631  
Liquor License Number: 4704612  
Interest: 10%

**Three Blunts, LLC**

- 638 E. Colfax Ave.  
Denver, CO. 80203  
Liquor License Number: 4704136  
Interest: 10%

**Cheba Hut Investment Company, Inc.**

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Dillon, CO. 80435  
Liquor License Number: 4706996  
Interest: 10%

- Cheba Hut Longmont

4/4

635 Main St.  
Longmont, CO. 80501  
Liquor License Number: 4707594  
Interest: 10%

- Cheba Hut Stapleton  
3990 Central Park Blvd. Ste #110  
Denver, CO. 80238  
Liquor License Number: 03-10678  
Interest: 10%

City of Colorado Springs Liquor License Application

Supplement. Question 11.

We received a violation at our Fort Collins East location on Laurel and College in 2012 and 2014. Employees served to an underage person and we paid a fine. No suspension for either violation. We also recieved a violation at our Colfax location in Denver on 4/20 because of customers smoking marijuana on our deck. We paid a fine and no suspension was given

CITY OF COLORADO  
SUPPLEMENT, QUESTION

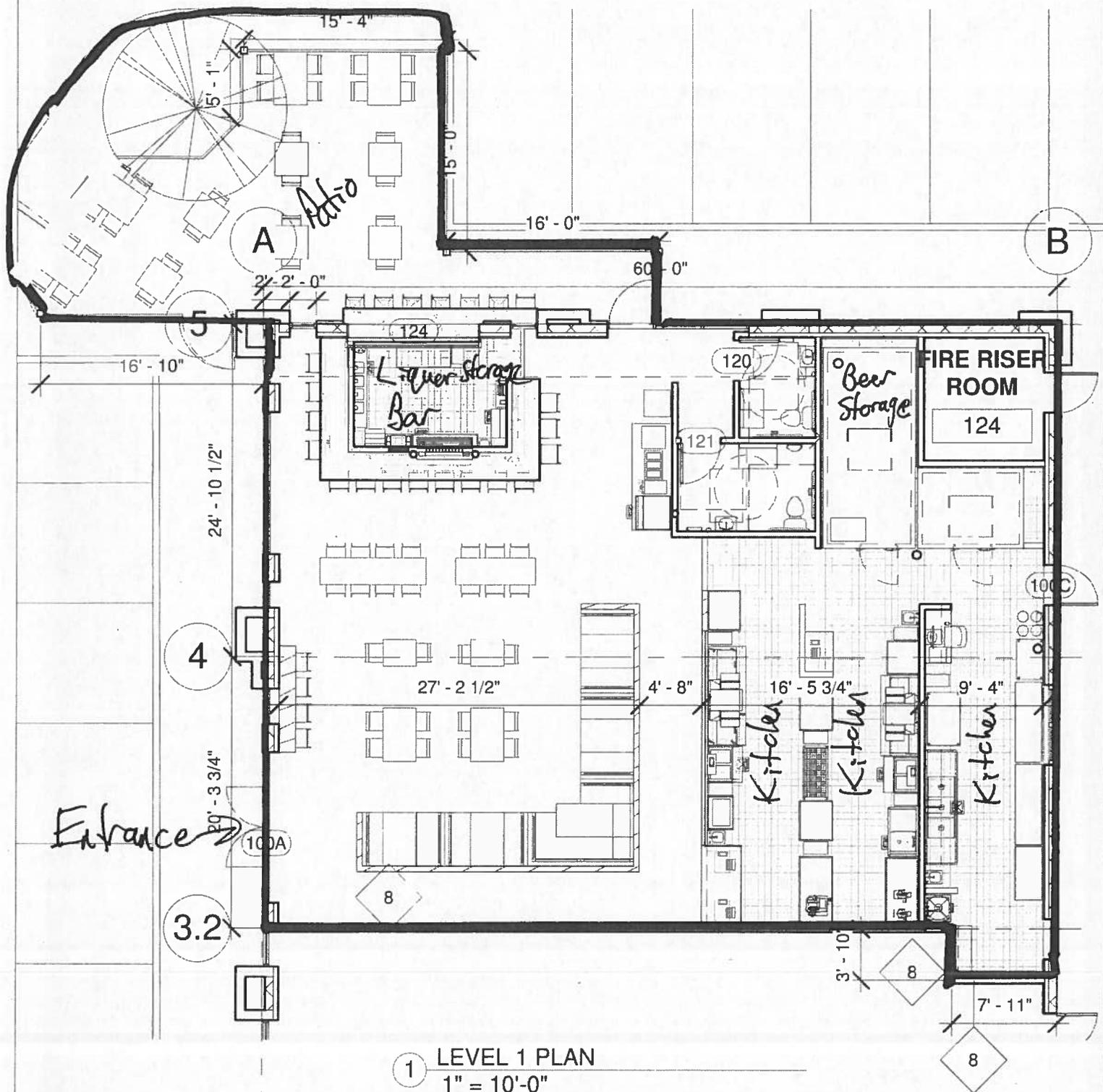
SPRINGS

LIQUOR  
LICENSE

APPLICATION

Torres Crime Convictions – February 19, 2019

- October 2007- DWAI. Fort Collins, CO
  - 12 months probation
  - Alcohol classes
  - All needs completed
- October 2008- DUI. Fort Collins, CO
  - 2 years probation
  - alcohol classes
  - All needs completed



1 LEVEL 1 PLAN  
1" = 10'-0"

**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  
2019 MAY 31 A 8:51

▲ CLERK USE ONLY ▲

**IN THE MATTER OF:**

**APPLICANT**

Cheba Hut Investment Company, Inc.  
d/b/a **Cheba Hut**  
3171 N. Chestnut Street  
Colorado Springs, CO 80907  
Mailing Address:  
406 N. College Avenue  
Fort Collins, CO 80524

Application No: N-35678

**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 21, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Cheba Hut Investment Company, Inc. d/b/a Cheba Hut ("Applicant") application for a new Hotel and Restaurant Liquor License at 3171 N. Chestnut Street, Colorado Springs, CO 80907.

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, June 11, 2019**. 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 18, 2019.

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 30, 2019, 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 evidenced 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 30, 2019.**

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



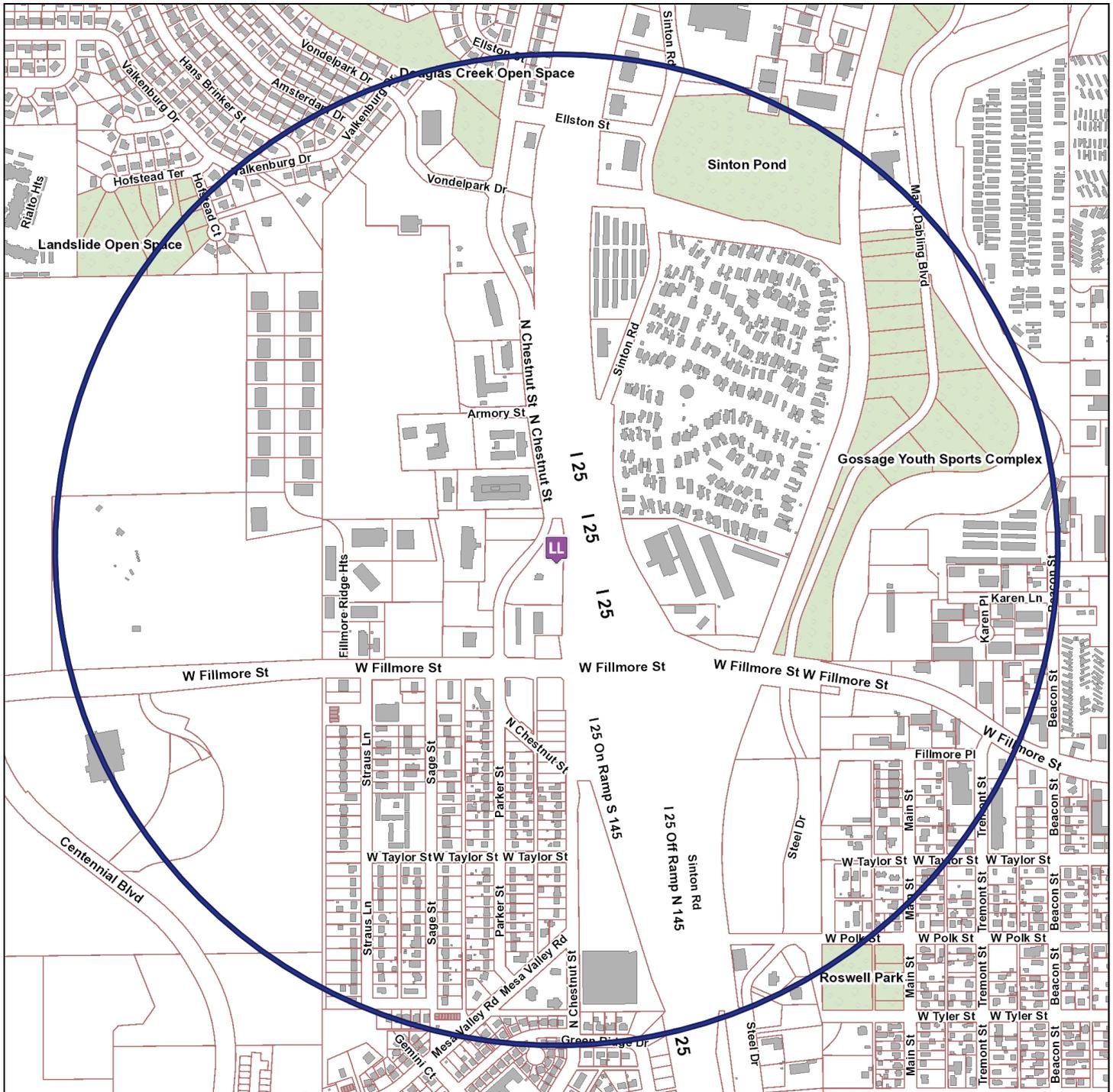
CHEBA HUTT INVESTMENT COMPANY INC.

d/b/a CHEBA HUT

3171 N CHESTNUT ST

OFFICE OF THE CITY CLERK

License ID: 35678



The survey boundary is 0.5 miles from the establishment

Map Prepared: 5/29/2019 8:45 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 35678

CHEBA HUTT INVESTMENT COMPANY INC.

d/b/a CHEBA HUT

3171 N CHESTNUT ST

COLORADO SPRINGS, CO 80907

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) FUZZY'S TACO SHOP	3111 N CHESTNUT ST	Hotel & Restaurant	211.92 ft
2) FILLMORE INN	3150 N CHESTNUT ST	Lodging & Entertainment	489.29 ft
3) LUCKY DRAGON RESTAURANT	402 W FILLMORE ST	Hotel & Restaurant	2,264.74 ft

**CERTIFICATE OF MAILING**

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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 30, 2019 to the following address of record:

Cheba Hut Investment Company, Inc.  
dba Cheba Hut  
406 N. College Avenue  
Fort Collins, CO 80524



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

CC: vince@lindenlawgroup.com  
David.Timmons@chebahut.com  
liquorpros@msn.com