

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

APPLICANT INFORMATION

Name of Applicant: RC Dublin, LLC	Property Tax Schedule No. : 5318220009
Trade Name (DBA): Fuzzy's Taco Shop	Business Telephone: 970-817-0894
Address of Premises: 5915 Dublin Blvd #100 Colorado Springs, CO 80923	Alternate Telephone:

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
Marc Rogers	Managing Member	50%
Brian Jones	Member	50%

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	\$ 610,000	
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
Development Account - 1st Bank	Checking Account	\$210,000
Loan - 1st Bank	Loan	\$400,000

List applicant(s) prior experience in the sale of alcoholic beverages. Include dates and locations.			
Business Name & Address	Applicant's Name	Experience/Position	Dates
Fuzzy's Taco Shop 2909 E Harmony Rd Ft Collins, CO 80528	RCJ Restaurants, LLC Marc Rogers	Managing Member	1/2014 to present
Fuzzy's Taco Shop 1335 W Elizabeth St Ft Collins, CO 80501	RC Restaurants, LLC Marc Rogers	Managing Member	4/2011 to present

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
RCJ Restaurants, LLC	2909 E Harmony Rd Ft Collins, CO 80528	member - 50%
RC Restaurants, LLC	1335 W Elizabeth St Ft Collins, CO 80521	member - 50%

PREMISES/ESTABLISHMENT

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

If leased provide terms: Start date February 18th, 2016 End date February 28th, 2026

Dimensions of premises ~ 68 X 65 Square footage ~ 4400 sf Seating Capacity 165

Is there a patio area? yes no --- If yes, provide dimensions ~ 30 X 40 ~1200sf * Diagram attached

Anticipated number of employees? 40

Will training be offered or required? yes no --- If yes, through what agency? Oedipus - Max Scott

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? If yes, provide explanation, date(s) and location(s).		X

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):
RC Restaurants, LLC - modification of premises violation in 2012 which led to a 5 day suspension in January of 2013.
 * details attached in a separate letter

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.

Signature
Title: _____

State of _____
County of _____

Subscribed and sworn to before me this _____ day of _____, 20 _____.

My Commission Expires: _____

Notary Public

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
RCT RESTAURANTS, LLC		100%
2909 E. MADISON RD. FT. COLLINS CO 80528	→	

* Fuzzy's TACO SHOP

PREMISES/ESTABLISHMENT

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

If leased provide terms: Start date 2/19/2016 End date 2/19/2026

Dimensions of premises *SEE DIAGRAM Square footage 4400 S.F. Seating Capacity 140

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

Anticipated number of employees? 40

Will training be offered or required? yes no --- If yes, through what agency? OEDIPUS (MURRAY SCOTT)

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).		

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):

* LETTER OF EXPLANATION ATTACHED
RC RESTAURANTS LLC - FUZZY'S TACO SHOP (5 DAY SUSPENSION - JAN 2013)

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.

[Signature]
 Signature
 Title: MANAGING MEMBER

State of Colorado
 County of Douglas

Subscribed and sworn to before me this 17th day of Dec., 2015.

My Commission Expires 6/30/18

[Signature]
 Notary Public



DO NOT ALTER THESE FORMS IN ANY MANNER



RCJ RESTAURANTS, LLC
FUZZY'S TACO SHOP
2909 E Harmony Rd #100 Fort Collins, CO 80528
PH: 970-223-TACO FAX: 970-797-1137

December 14th, 2015

Other licensed locations in Colorado in which applicant has an interest...

BRIAN JONES

RCJ Restaurants, LLC

License # 4702294

2909 E Harmony Rd #100 Fort Collins, CO 80528

Thank you,

Brian Jones – Franchise Owner



RCJ RESTAURANTS, LLC
FUZZY'S TACO SHOP
2909 E Harmony Rd #100 Fort Collins, CO 80528
PH: 970-223-TACO FAX: 970-797-1137
marc.rogers@fuzzystacoshop.com

December 11th, 2015

Other licensed locations in Colorado in which applicant has an interest...

MARC K. ROGERS

RC Restaurants, LLC

License # 2871319

1335 W Elizabeth St #125 Fort Collins, CO 80521

RCJ Restaurants, LLC

License # 4702294

2909 E Harmony Rd #100 Fort Collins, CO 80528

RC Longmont, LLC

License #

* New hotel & restaurant license approved. Waiting on account number to be released

1230 S Hover St. #A-300 Longmont, CO 80501

Thank you,

Marc K Rogers – Franchise Owner



RC RESTAURANTS, LLC
FUZZY'S TACO SHOP
2909 E Harmony Rd #100 Fort Collins, CO 80528
PH: 970-223-TACO FAX: 970-797-1137
marc.rogers@fuzzystacoshop.com

December 11th, 2015

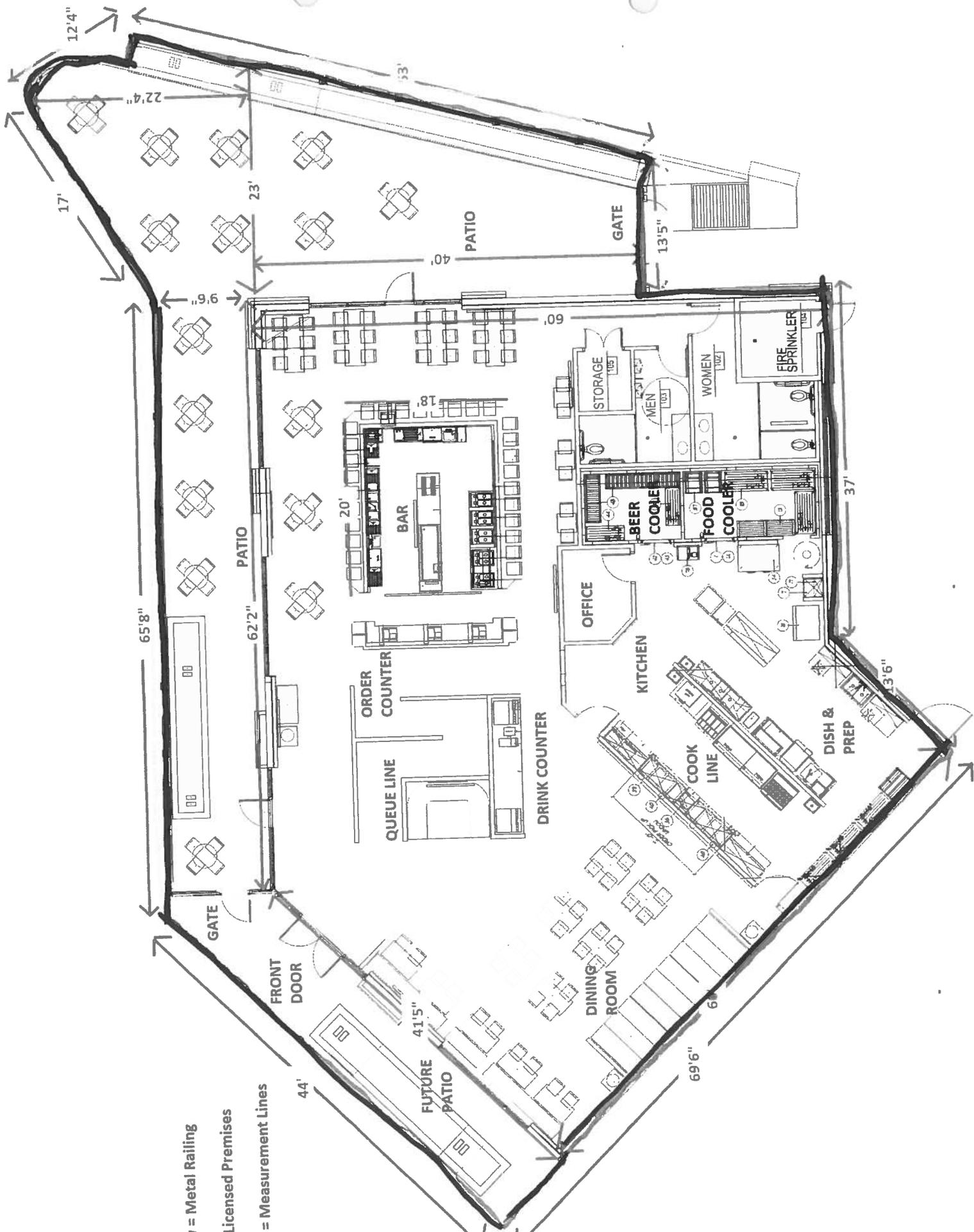
In 2014 our location at 1335 W Elizabeth St (RC Restaurants, LLC License # 28713190000) had our license suspended for 5 days. We received a violation for a modification of premises without prior approval. We altered the patio railing and gate - which resulted in a substantial alteration to the physical licensed area.

In 2012 the same location paid a fine for allowing patrons to walk out of our front door and into the patio area while holding an alcoholic beverage. This was also a violation – which is why we decided to rail in the entire area around our front door.

Because we received 2 violations within a 2 year period – we received that 5 day suspension. We've had no violations since at that location.

Thank you,

Marc K Rogers – Franchise Owner



Yellow = Metal Railing
 Red = Licensed Premises
 Green = Measurement Lines



January 12, 2016

NOTICE OF HEARING

RC Dublin, LLC
dba Fuzzy's Taco Shop
2909 E. Harmony Road, #100
Fort Collins, CO 80528

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 Hotel and Restaurant Liquor License at RC Dublin, LLC dba Fuzzy's Taco Shop, 5915 Dublin Boulevard, #100, Colorado Springs, Colorado. Your application was filed on December 18, 2015, and within a two (2) year period prior to this date, the Local Licensing Authority has 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,

Sarah B. Johnson
City Clerk

Liquor Survey Boundaries



CITY OF COLORADO SPRINGS

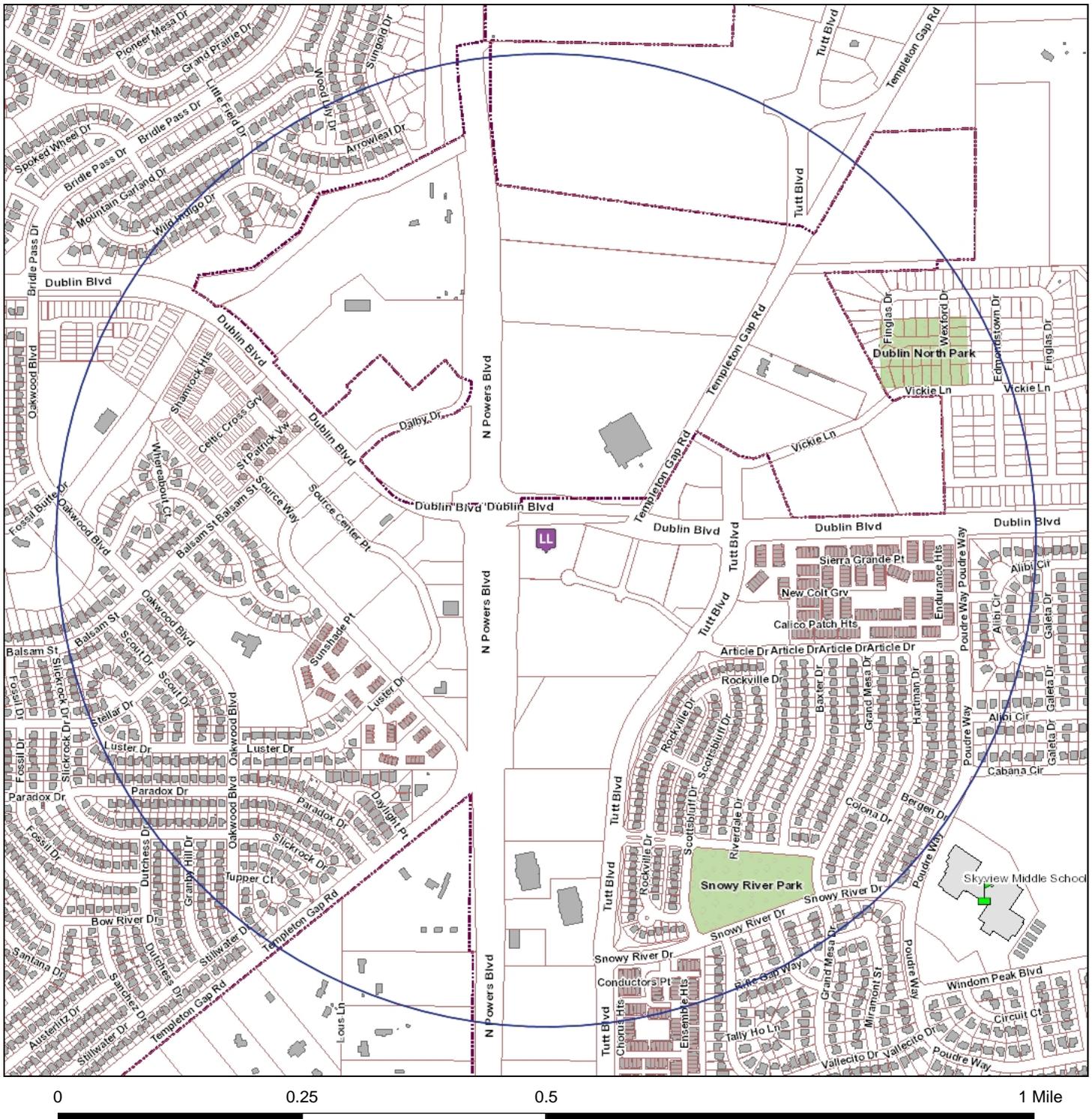
OFFICE OF THE CITY CLERK

RC DUBLIN, LLC

d/b/a FUZZY'S TACO SHOP

5915 DUBLIN BLVD #100

License ID: 30246



The survey boundary is 0.5 miles from the establishment

Map Prepared: 1/12/2016 6:48 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 30246

RC DUBLIN, LLC

d/b/a FUZZY'S TACO SHOP

5915 DUBLIN BLVD #100

COLORADO SPRINGS, CO 80923

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

Within the boundary area of the proposed establishment, there are no existing licenses of a similar type.

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 12th day of January, 2016 to the following address of record:

RC Dublin, LLC
dba Fuzzy's Taco Shop
2909 E. Harmony Road, #100
Fort Collins, CO 80528



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