

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

APPLICANT INFORMATION

Name of Applicant: Best Pizza, LLC	Property Tax Schedule No. : 6308001010
Trade Name (DBA): Mod Pizza	Business Telephone: 208-806-0730
Address of Premises: 7447 N. Academy Blvd., Colorado Springs, CO 80920	Alternate Telephone: None

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

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
See Attachment		

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory) \$ 600,000.00

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.)	TYPE OF FUNDING SOURCE (checking, savings, loan, note, gift)	AMOUNT
Wells Fargo - BOBLO, LLC	Business Account	\$360,000.00
Zions Bank - Best Pizza, LLC 800 West Main St., Suite 700, Boise, ID 83702	Line of Credit	\$240,000.00

List applicant(s) prior experience in the sale of alcoholic beverages. Include dates and locations.

Business Name & Address	Applicant's Name	Experience/Position	Dates
Red Robin, The Snyder Group, Red Robin International, Inc., Mach Robin, LLC	Robert Merullo	COO, CCO, and President	30+ years

THESE FORMS SHOULD NOT BE ALTERED 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
Best Pizza, LLC dba MOD Pizza	8225 South Chester, Unit 103, Centennial, CO 80122	H&R Liquor License

PREMISES/ESTABLISHMENT

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

If leased provide terms: Start date December 27, 2014 End date December 27, 2024

Dimensions of premises 92' 2" x 30' 3 1/2" Square footage 3,000 Seating Capacity 100

Is there a patio area? yes no --- If yes, provide dimensions 10' x 40'

Anticipated number of employees? 25

Will training be offered or required? yes no --- If yes, through what agency? Serv Safe Alcohol

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?		<input checked="" type="checkbox"/>
Had an alcohol beverage license suspended or revoked?	<input checked="" type="checkbox"/>	
Had interest in another entity where an alcohol beverage license was suspended or revoked?	<input checked="" type="checkbox"/>	
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).		<input checked="" type="checkbox"/>

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):
None personally. Robert Merullo and Kevin Embree have ownership in Mach Robin, LLC which had 14 licenses throughout the United States (none in Colorado) which have received administrative notices of violation but never an active suspension, revocation or denial.

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 *[Handwritten Signature]*
Title: Manager

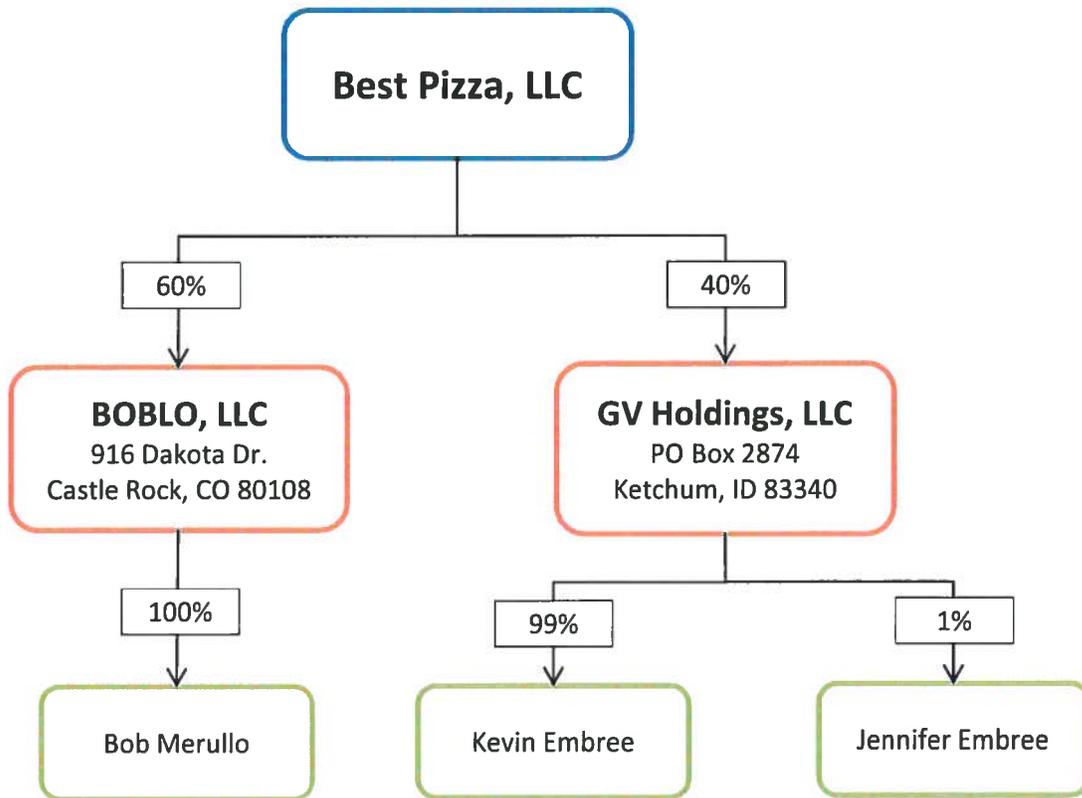
State of Idaho
County of Blaine

Subscribed and sworn to before me this 4th day of February, 20 15.

My Commission Expires: 11.26.17



THESE FORMS SHOULD NOT BE ALTERED IN ANY MANNER

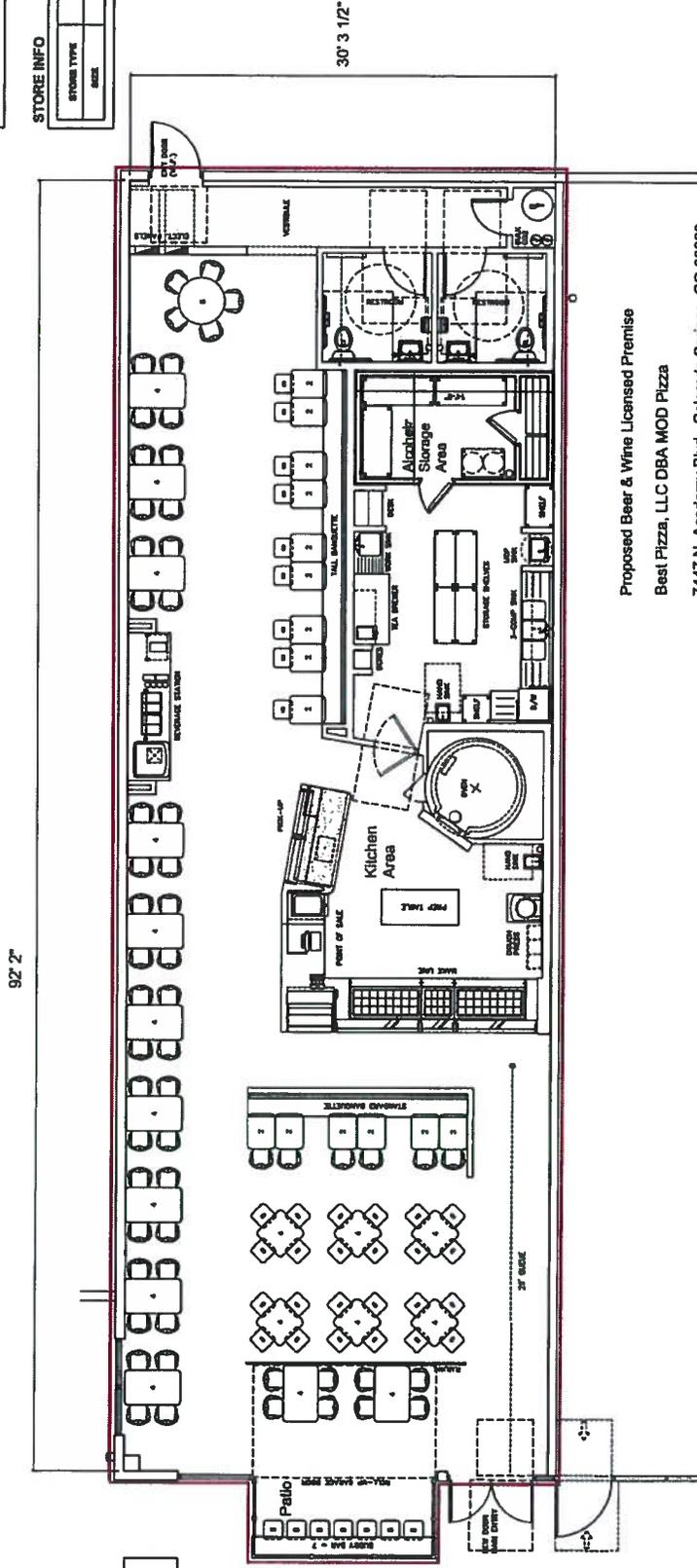


SEATING COUNT

INDOOR SEATING		
SEATING TYPE	QTY.	# SEATS
BAR/SHIRTLE TOP	05	20
4 TOP	15	60
ROUND TABLE	1	8
TOTAL INDOOR SEATING		110

STORE INFO

STORE TYPE	CODE
SIZE	2,478 SQ. FT.



Proposed Beer & Wine Licensed Premise
 Best Pizza, LLC DBA MOD Pizza
 7447 N. Academy Blvd., Colorado Springs, CO 80920
 3/2015

SCHEMATIC 2 of 2
DATE: 02/27/2015
DRAWN BY: JN

GENERAL NOTE:
 THESE DRAWINGS ARE PROVIDED AS AN ATTACHMENT TO THE LEASE IN THE NEGOTIATION BETWEEN THE LANDLORD AND MOD SUPERFAST PIZZA. ALL DRAWINGS ARE PRELIMINARY AND REFLECT THE INTENT OF THE DESIGN AND NOT A CONTRACT. ANY CHANGES TO THE INTERIOR AND EXTERIOR AREAS SHOULD BE IN WRITING AND APPROVED BY THE LANDLORD. ANY CHANGES TO THE INTERIOR AND EXTERIOR AREAS SHOULD BE IN WRITING AND APPROVED BY THE LANDLORD. ANY CHANGES TO THE INTERIOR AND EXTERIOR AREAS SHOULD BE IN WRITING AND APPROVED BY THE LANDLORD. ANY CHANGES TO THE INTERIOR AND EXTERIOR AREAS SHOULD BE IN WRITING AND APPROVED BY THE LANDLORD.

MOD FALCON LANDING
 7447 N. Academy Blvd.
 Colorado Springs, CO 80920

SCALE: 1/8"=1'-0"





March 13, 2015

Certified Mail # 7011 1150 0000 0281 9835

Best Pizza, LLC
dba Mod Pizza
Attn: Kevin Embree
P.O. Box 2438
Ketchum, ID 83340

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 Beer and Wine License, at Best Pizza, LLC dba Mod Pizza, 7447 N. Academy Boulevard, Colorado Springs, Colorado. Your application was filed on February 20, 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.

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.

There are no schools within the limits as prohibited by law.

To date, the Police Department has not reported any objections to this application.

Pursuant to Rule 6.01 neighborhood boundaries have been established and a map has been enclosed for your convenience.

North: South side of Briargate Boulevard extended
South: North side of Brookwood Drive extended
East: West side of Bell Drive extended
West: East side of Kaleb Grove extended

Within the established neighborhood boundary of the proposed establishment, there are thirteen (13) existing licenses of a similar type as listed below.

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., April 3, 2015 in the Council Chambers, City Hall, 107 North 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, March 24, 2015.

If you have any questions please contact Lee McRae at (719) 385-5106.

Sincerely,



Sarah B. Johnson
City Clerk

HOTEL AND RESTAURANT/BREW PUB LIQUOR LICENSES

- | | |
|--|---------------------------|
| 1. Joey's Pizza | 1843 Briargate Boulevard |
| 2. HuHot Mongolian Grill | 7790 N. Academy Boulevard |
| 3. On The Border Mexican Grill & Cantina | 7695 N. Academy Boulevard |
| 4. Applebee's Neighborhood Grill & Bar | 7625 Goddard Street |
| 5. Elephant Bar Restaurant | 7585 N. Academy Boulevard |
| 6. Extreme Pizza | 7340 N. Academy Boulevard |
| 7. Tokyo Joe's | 7495 N. Academy Boulevard |
| 8. Crave Real Burgers | 7495 N. Academy Boulevard |
| 9. Buffalo Wild Wings #114 | 7425 N. Academy Boulevard |
| 10. Noodles & Company | 7234 N. Academy Boulevard |
| 11. Qdoba Mexican Grill #2135 | 7140 N. Academy Boulevard |
| 12. Mimi's Café | 7133 N. Academy Boulevard |
| 13. Lemongrass Bistro | 6840 N. Academy Boulevard |

TAVERN LIQUOR LICENSES

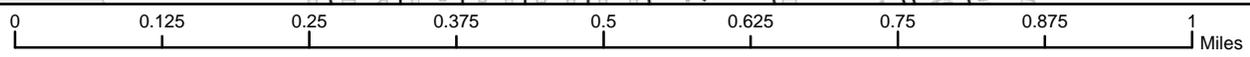
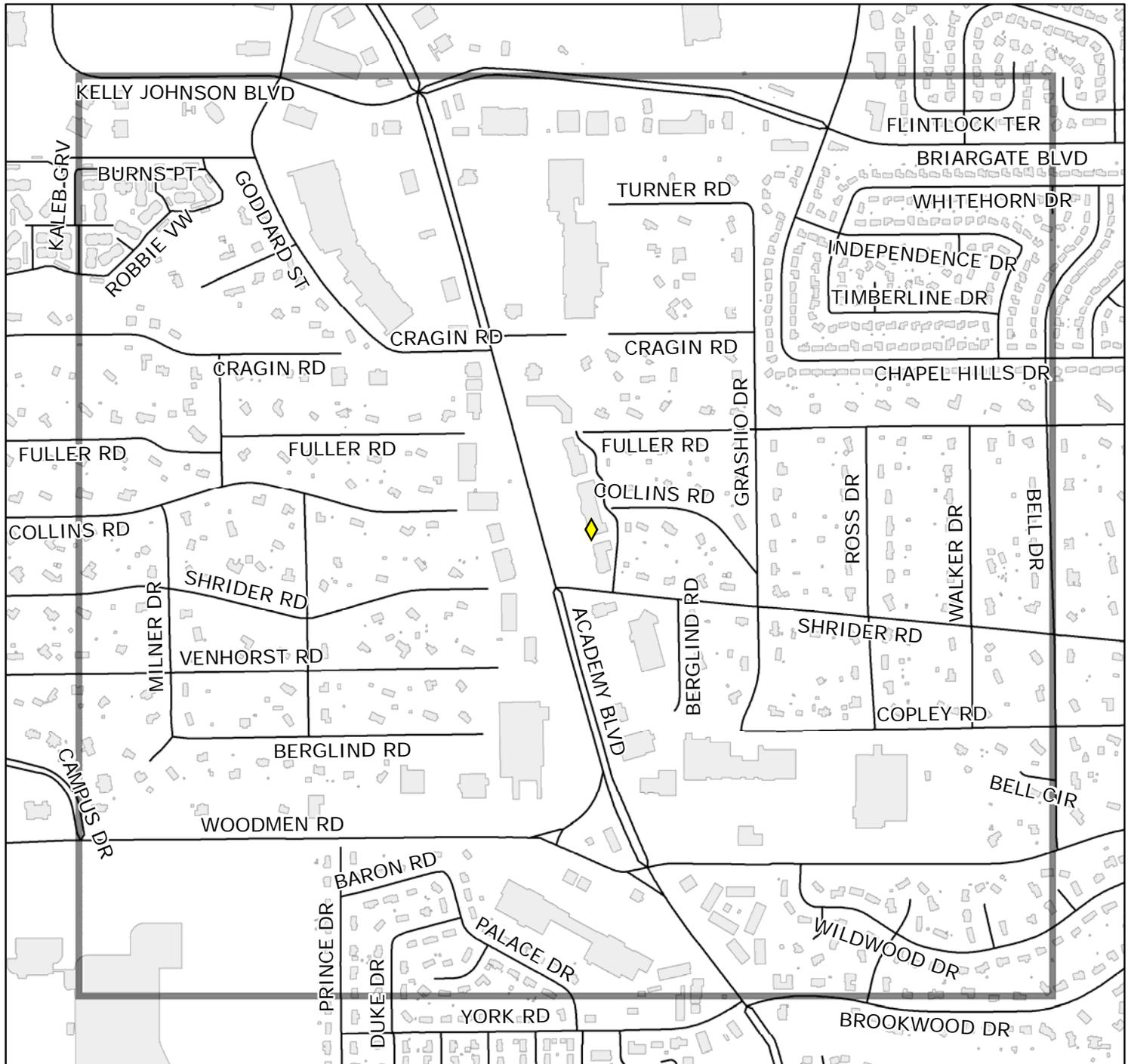
BEER AND WINE LICENSES

Liquor Survey Boundaries

**BEST PIZZA, LLC
D/b/a MOD PIZZA
7447 N ACADEMY BLVD**



LIID: 28960



North: South side of Briargate Blvd extended
(0.509 miles)

South: North side of Brookwood Dr extended
(0.523 miles)

East: West side of Bell Dr extended
(0.517 miles)

West: East side of Kaleb Grv extended
(0.577 miles)

Map prepared 3/10/2015 10:11:39 AM

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