

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"/> Hotel/Restaurant | <input type="checkbox"/> Hotel/Restaurant w/Optional Premises | <input type="checkbox"/> Tavern | <input 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: <u>Bear on the Range (GOG), LLC</u>	Property Tax Schedule No. : <u>7323401051</u>
Trade Name (DBA): <u>Black Bear Diner</u>	Business Telephone: <u>719-375-9104</u>
Address of Premises: <u>1340 Garden of the Gods Rd.</u>	Alternate Telephone: <u>719-314-3616</u>

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
<u>Rocky Mountain Bears, LLC</u>	<u>Owner</u>	<u>100%</u>
<u>Lucas Farnham</u>	<u>Managing Member of Rocky Mtn</u>	<u>0%</u>
<u>Allyson Farnham</u>	<u>Member of Rocky Mtn</u>	<u>0%</u>

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	\$ <u>954,000.00</u>
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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
<u>CapitalSource</u>	<u>Loan</u>	<u>\$845,000</u>
<u>3900 E. Mexico Ave. Denver, CO 80210</u>		
<u>Rocky Mountain Bears, LLC</u>	<u>Checking</u>	<u>\$109,000</u>
<u>15576 Woodglen Ct. Colo Spgs, CO 80921</u>		
<u>Wells Fargo bank 90 S. Cascade Ave</u>		
<u>Colo Spgs, CO</u>		

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

Business Name & Address	Applicant's Name	Experience/Position	Dates

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
Bear on the Range, LLC dba Black Bear Diner	975-A N. Academy Blvd.	100%
BBB CS1, LLC dba Smashburger	3604 Austin Bluffs Pkwy	100%

PREMISES/ESTABLISHMENT

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

If leased provide terms: Start date June 11, 2015 End date April 30, 2034

Dimensions of premises 85'8" X 76' Square footage 5,725 Seating Capacity 184

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

Anticipated number of employees? 60

Will training be offered or required? ☒ yes ☐ no --- If yes, through what agency? Servsafe

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):

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: Manager

State of Colorado

County of El Paso

Subscribed and sworn to before me this 3rd day of December, 2015.

My Commission Expires: 6-11-16

[Signature]
Notary Public

[illegible]



October 15, 2015

NOTICE OF HEARING

Bear On The Range (GOG), LLC
dba Black Bear Diner
1340 Garden Of The Gods Road
Colorado Springs, CO 80907

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 Bear On The Range (GOG), LLC dba Black Bear Diner, 1340 Garden Of The Gods Road, Colorado Springs, Colorado. Your application was filed on September 5, 2015, and within a two (2) year period prior to this date, the Local Licensing Authority was 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 November 6, 2015** 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, October 27, 2015.

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

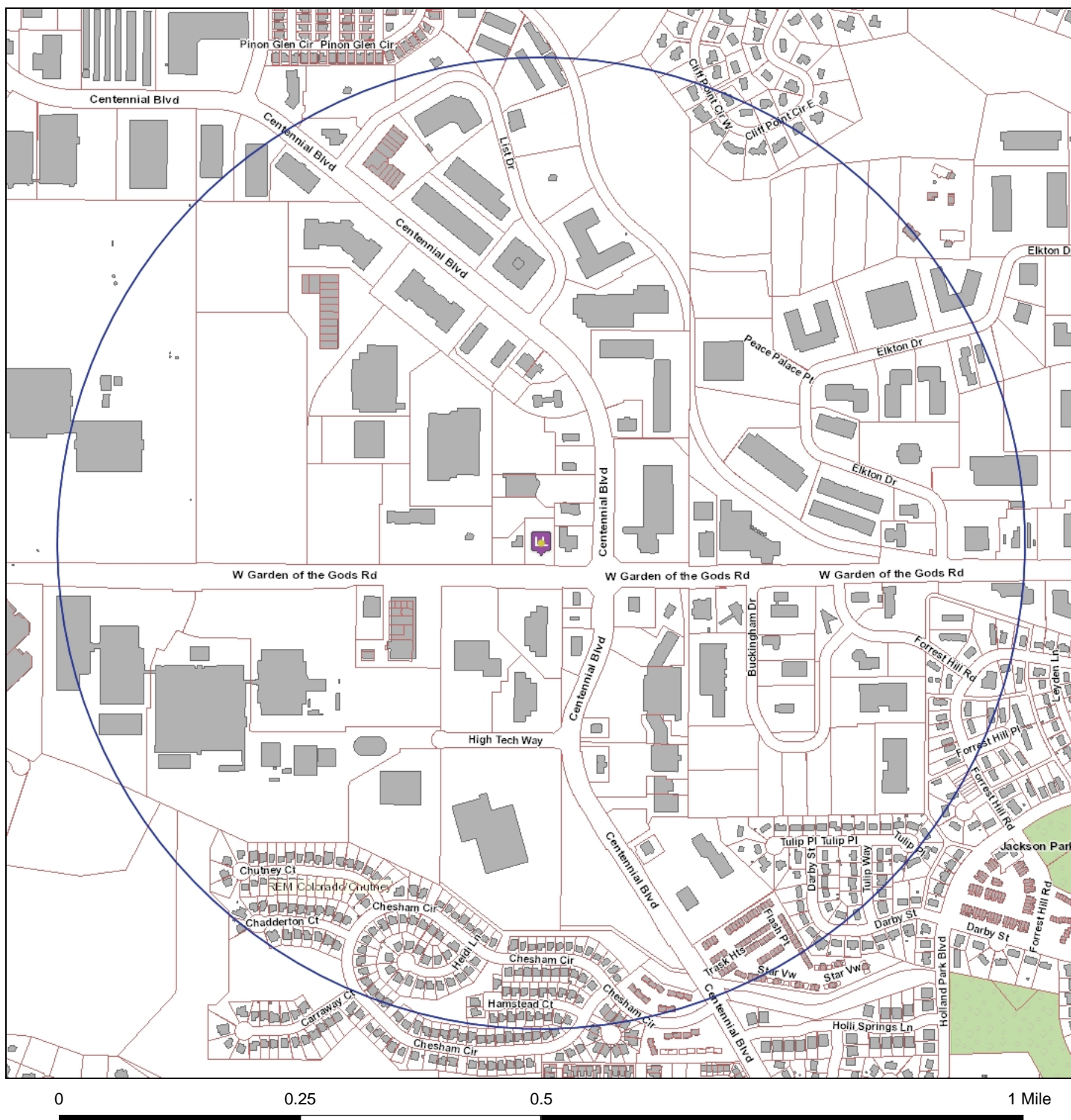
OFFICE OF THE CITY CLERK

BEAR ON THE RANGE (GOG), LLC

d/b/a BLACK BEAR DINER

1340 GARDEN OF THE GODS RD

License ID: 29790



The survey boundary is 0.5 miles from the establishment

Map Prepared: 9/22/2015 11:11 AM

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OFFICE OF THE CITY CLERK

CERTIFIED LETTER ATTACHMENT

License ID: 29790

BEAR ON THE RANGE (GOG), LLC
d/b/a BLACK BEAR DINER
1340 GARDEN OF THE GODS RD
COLORADO SPRINGS, CO 80907

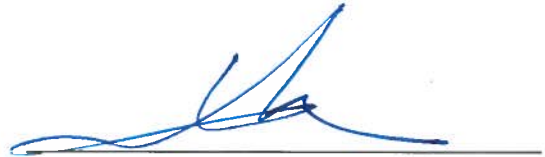
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) CHIPOTLE MEXICAN GRILL	1370 GARDEN OF THE GODS RD	Hotel & Restaurant	179.06 ft
2) TRINITY BREWING COMPANY	1466 GARDEN OF THE GODS RD	Brew Pub	811.61 ft
3) DICKEY'S BARBECUE PIT	1466 GARDEN OF THE GODS RD	Hotel & Restaurant	824.06 ft
4) MARIGOLD CAFÉ & BAKERY	4605 CENTENNIAL BLVD	Hotel & Restaurant	828.74 ft
5) AI SUSHI & GRILL	4655 CENTENNIAL BLVD	Hotel & Restaurant	1,102.09 ft

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 15th day of October, 2015 to the following address of record:

Bear On The Range (GOG), LLC
dba Black Bear Diner
1340 Garden Of The Gods Road
Colorado Springs, CO 80907



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