

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: THIRD SPACE COFFEE LLC	Property Tax Schedule No.: 6316310014
Trade Name (DBA): THIRD SPACE COFFEE	Business Telephone: (NOT OPERATING YET)
Address of Premises: 5670 N ACADEMY BLVD, C.S. 80918	Alternate Telephone: 303-883-9002

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
LEO ROWLAND SMITH	OWNER/MANAGER	99
KITTY BRASWELL SMITH	OWNER	1

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	\$ 250,000	
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
SELF-FUNDED	LINE OF CREDIT AGAINST INVESTMENT ACCOUNT	250,000

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

Business Name & Address	Applicant's Name	Experience/Position	Dates
NONE			

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

PREMISES/ESTABLISHMENT

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

If leased provide terms: Start date 6/1/16 End date 8/31/2022

Dimensions of premises 74' x 64' Square footage 4736 Seating Capacity 195

Is there a patio area? ☒ yes ☐ no -- If yes, provide dimensions 252 SQ. FT.

Anticipated number of employees? 8

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

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?		<input checked="" type="checkbox"/>
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.

Leo Runkel SMA
Signature

Title: OWNER

State of Colorado
County of El Paso

Subscribed and sworn to before me this 23rd day of June, 20 16.

My Commission Expires: 6-26-2019

Paula Jo Bertsch
Notary Public

PAULA JO BERTSCH
NOTARY PUBLIC
STATE OF COLORADO

N-31031 NOTARY ID: 19844015808
My Commission Expires June 26, 2019

DO NOT ALTER THESE FORMS IN ANY MANNER

Liquor Board Agenda 09/16/2016 - Item No. 5B
10/21/2016 - Item No. 6B

<p>BEFORE THE COLORADO SPRINGS LIQUOR AND BEER LICENSING BOARD CITY OF COLORADO SPRINGS, STATE OF COLORADO Address: 107 North Nevada Avenue Council Chambers, City Hall Colorado Springs, CO 80903</p>	<p>CITY CLERK'S OFFICE 2016 AUG 24 A 7 25</p>
<p>IN THE MATTER OF:</p> <p>Third Space Coffee, LLC d/b/a Third Space Coffee 5670 N. Academy Boulevard Colorado Springs, CO 80918 Temporary Mailing Address: 20280 True Vista Circle Monument, CO 80132</p>	<p>▲ BOARD USE ONLY ▲</p>
	<p>Application No: 31031</p>
<p>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</p>	

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, September 16, 2016 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon Third Space Coffee, LLC d/b/a Third Space Coffee ("Applicant") application for a new Beer and Wine License at 5670 N. Academy Boulevard, Colorado Springs, CO 80918.

At this meeting, the Board will consider the factors outlined in Rule No. 9.08 of the Local Rules of Procedure, and it is the Applicant's burden to provide the necessary evidence to satisfy the Board.

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 6, 2016.** 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 13, 2016.

Pursuant to C.R.S. §12-47-312 and Local 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

IX. Applicant's application was filed on June 30, 2016, 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.

X. 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.

XI. 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.

XII. 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.

V. 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. §12-47-308.

VII. Applicant is not a person prohibited as a licensee pursuant to C.R.S. §12-47-307.

VIII. Pursuant to Local 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 24, 2016.

FOR THE CITY OF COLORADO
SPRINGS LIQUOR AND BEER
LICENSING BOARD



By: Sarah B. Johnson
City Clerk

Direct questions regarding this notice and hearing to Lee McRae at 719-385-5106.

Liquor Survey Boundaries



THIRD SPACE COFFEE LLC
d/b/a THIRD SPACE COFFEE
5670 N ACADEMY BLVD

OFFICE OF THE CITY CLERK
License ID: 31031



The survey boundary is 0.5 miles from the establishment

Map Prepared: 8/22/2016 1:10 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 31031

THIRD SPACE COFFEE LLC
d/b/a THIRD SPACE COFFEE
5670 N ACADEMY BLVD
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) INDIA PALACE RESTAURANT	5644 N ACADEMY BLVD	Hotel & Restaurant	212.22 ft
2) MAKINO ASIAN BISTRO	5760 N ACADEMY BLVD	Hotel & Restaurant	540.03 ft
3) PUEBLO VIEJO FAMILY MEXICAN REST	5598 N ACADEMY BLVD	Hotel & Restaurant	641.19 ft
4) CHILI'S - COLORADO SPRINGS	5807 N ACADEMY BLVD	Hotel & Restaurant	977.29 ft
5) J SUSHI & BAR	5975 N ACADEMY BLVD	Hotel & Restaurant	1,940.18 ft
6) PEAK PLACE COFFEEHOUSE	2360 MONTEBELLO SQUARE DR	Beer & Wine	2,375.08 ft

CERTIFICATE OF MAILING

I, Lee McRae, 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 24, 2016 to the following address of record:

Third Space Coffee, LLC
dba Third Space Coffee
20280 True Vista Circle
Monument, CO 80132



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

CC: rowland@thirdspacecoffee.org