



OFFICE OF THE CITY CLERK

LIQUOR LICENSE APPLICATION OR 3.2% FERMENTED MALT BEVERAGE LICENSE APPLICATION (ALCOHOL BEVERAGE)

Received:

CITY CLERK'S OFFICE

2017 AUG 17 P 3:19

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
 ☐ Beer and Wine
 ☐ Optional Premises
☐ Retail Liquor Store*
 ☐ Liquor Licensed Drugstore*
 ☐ Racetrack
 ☐ Arts
☐ Lodging & Entertainment
 ☐ 3.2% Beer On Premises
 ☐ 3.2% Beer Off Premises
 ☐ 3.2% Beer On & 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):

RBR Interquest LLC

2. Trade Name (DBA): Fuzzy's Taco Shop

3. Premises Address: 1375 Interquest Parkway Colorado Springs, CO 80921

Location Phone: (970) 817-0894

Property Tax Schedule No. : 6220002014

Zoning:

4. Mailing Address: PO BOX 488 Timnath, CO 80547

Alt Phone:

Primary Contact Name And Title: Marc Rogers - Managing Member

Email: marc.rogers@fuzzystacoshop.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

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
Marc Rogers	Managing Member	30%
Jason Beld	Managing Member	30%
Brenda Bickerton	Investor	40%

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
Cash from Investor Partner	Checking Account	\$200,000
FF&E Loan	1st Bank	\$265,000
TOTAL INVESTMENT IN BUSINESS:		\$ \$465,000

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Matthew Mitzelfelt

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

If leased, provide the terms: START DATE: 01/23/2017 END DATE: 01/31/2027

DIMENSIONS OF PREMISES: * see diagram TOTAL SQUARE FOOTAGE: 5160

Is there a patio area? ☒ Yes ☐ No -- If yes, provide dimensions * see diagram

Anticipated number of employees: 75 Anticipated opening date: 08/08/2017

Will training be offered or required? ☒ Yes ☐ No -- If yes, through what agency? Oedipus, Inc.

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
Fuzzy's Taco Shop - Colorado	Marc Rogers	Franchise Owner	Jul. 2011 - present
Fuzzy's Taco Shop - Colorado	Jason Beld	Franchise Owner	Sep. 2014 - present



RC DEVELOPMENT GROUP, 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

August 7th, 2017

RC RESTAURANTS LLC

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.

RCJ RESTAURANTS LLC

In March 2017 our location at 2909 E Harmony Rd (RCJ Restaurants, LLC License # 4702294) received a violation for failing to properly ID a minor. We paid a fine in lieu of a 5 day suspension. That location is on probation for one year.

We've had no other violations at any other location under our management.

Thank you,

A handwritten signature in black ink that reads "Marc K. Rogers". The signature is written in a cursive, flowing style.

Marc K Rogers – Franchise Owner

970-817-0894



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

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

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 # 4705165

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

RC Dublin, LLC

License # 4705930

5915 Dublin Blvd #100 Colorado Springs, CO 80923

RC Greeley, LLC

License # 4707399

4365 Centerplace Drive #100 Greeley, CO 80634

<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 2017 SEP 14 P 3:11</p>
<p>IN THE MATTER OF:</p> <p>RBR Interquest, LLC d/b/a Fuzzy's Taco Shop 1375 Interquest Parkway Colorado Springs, CO 80921 Mailing Address: P.O. Box 488 Timnath, CO 80547</p>	<p>▲ BOARD USE ONLY ▲</p>
	<p>Application No: N-32795</p>
<p>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</p>	

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, October 6, 2017 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon RBR Interquest, LLC d/b/a Fuzzy's Taco Shop ("Applicant") application for a new Hotel and Restaurant Liquor License at 1375 Interquest Parkway, Colorado Springs, CO 80921.

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 26, 2017.** 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, October 3, 2017.

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

- I. Applicant's application was filed on August 17, 2017, 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.
- 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 evidence by the possession documents submitted by Applicant and contained in the administrative file.
- 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.
- 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.
- 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 September 14, 2017.

FOR THE CITY OF COLORADO
SPRINGS LIQUOR AND BEER
LICENSING BOARD



By: Sarah B. Johnson
City Clerk

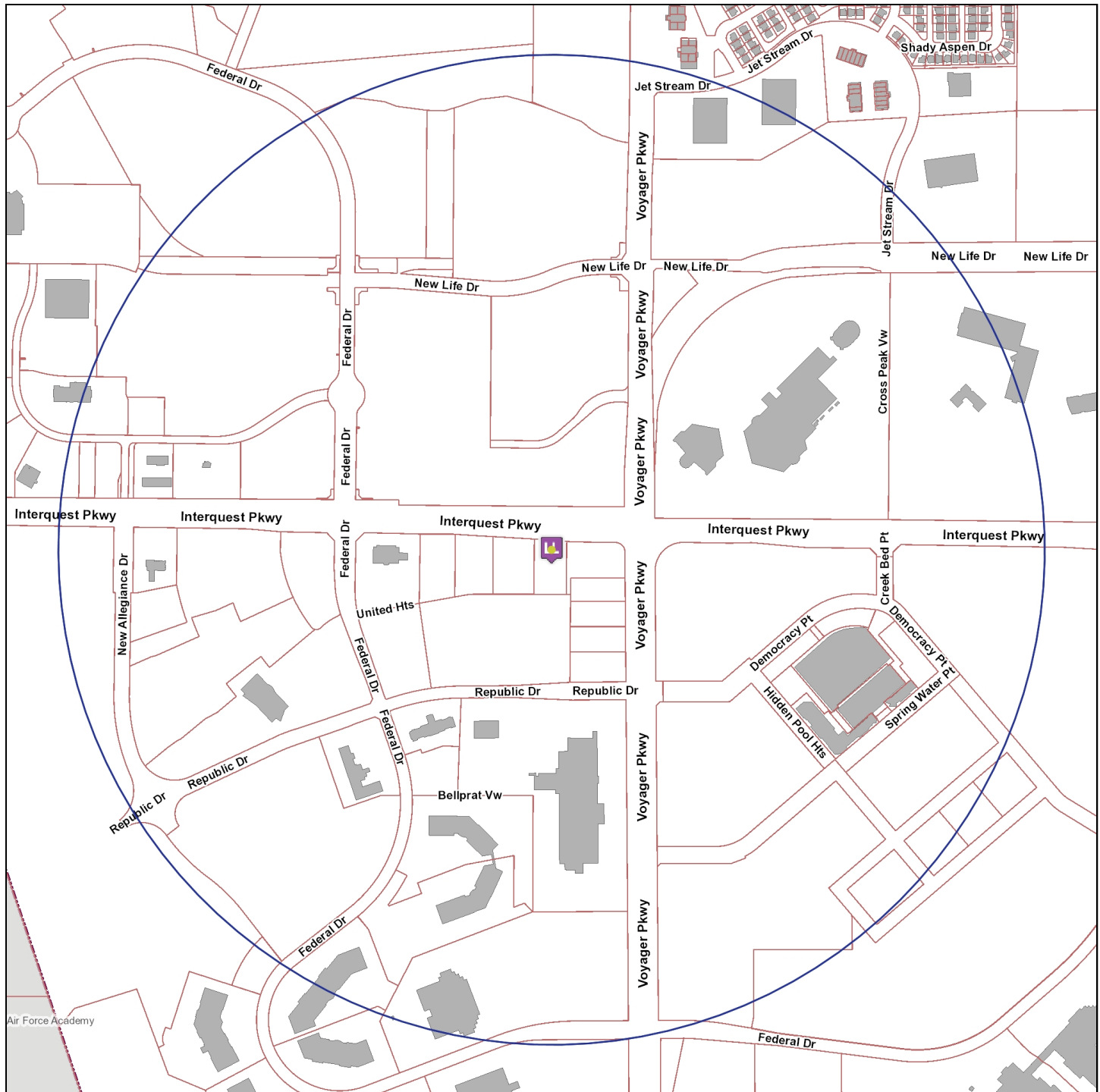
Direct questions regarding this notice and hearing to Lee McRae at 719-385-5106.

Liquor Survey Boundaries



RBR INTERQUEST LLC
d/b/a FUZZY'S TACO SHOP
1375 INTERQUEST PKWY

OFFICE OF THE CITY CLERK
License ID: 32795



The survey boundary is 0.5 miles from the establishment

Map Prepared: 9/14/2017 9:56 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 32795

RBR INTERQUEST LLC

d/b/a FUZZY'S TACO SHOP

1375 INTERQUEST PKWY

COLORADO SPRINGS, CO 80921

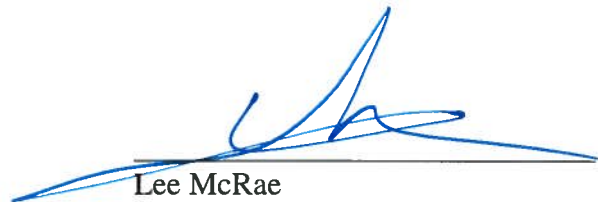
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) RESIDENCE INN	9805 FEDERAL DR	Hotel & Restaurant	1,528.39 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 September ¹⁵~~14~~, 2017 to the following address of record:

RBR Interquest, LLC
dba Fuzzy's Taco Shop
P.O. Box 488
Timnath, CO 80547



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

CC: marc.rogers@fuzzystacoshop.com