



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

OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE
2017 SEP -1 P 2:53

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):

BBB CS2, LLC

2. Trade Name (DBA): Smashburger

3. Premises Address: 9290 Highland Ridge Heights Suite 100 Colorado Springs CO 80920
City, State, Zip:

Location Phone: (719) 375-9104

Property Tax Schedule No. : 6233201005

Zoning:

4. Mailing Address: 9290 Highland Ridge Heights Suite 100 Colorado Springs CO 80920
City, State, Zip:

Alt Phone:

Primary Contact Name And Title: Lucas Farnham Managing Member

Email: lucas@smashontherange.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
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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
Better Burger Builders, LLC	Owner	100
Lucas Farnham	Managing Member	0
Allyson Farnham	Member	0
Craig Avery	Member	0

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
Better Burger Builders, LLC	Checking	\$ 550,000
TOTAL INVESTMENT IN BUSINESS:		\$ 550,000

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Anthony Wright

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

If leased, provide the terms: START DATE: 12/01/2017 END DATE: 12/01/2027

DIMENSIONS OF PREMISES: 65' 9"x 36' 1" TOTAL SQUARE FOOTAGE: 2313

Is there a patio area? ☒ Yes ☐ No --- If yes, provide dimensions 53' 6"x 27' 4"

Anticipated number of employees: 30 Anticipated opening date: 12/01/2017

Will training be offered or required? ☒ Yes ☐ No --- If yes, through what agency? Liquor Pros

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
Black Bear Diner Academy Smashburger Austin Bluffs	Lucas Farnham	Managing Member	8/15/11- Current
Black Bear Diner GOG		Managing Member	9/3/13- Current
		Managing Member	11/15/15- Current

The applicant's ownership also has an ownership interest in:

- BBB CS1, LLC (dba Smashburger) Colorado liquor license #4701728
- Bear on the Range (GOG), LLC (dba Black Bear Diner) Colorado liquor license #4705473
- Bear on the Range, LLC (dba Black Bear Diner) Colorado liquor license #4296991

City of Colorado Springs Liquor License Application Additional Information

Section D: Background Information

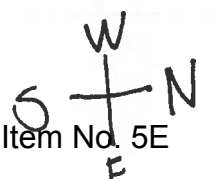
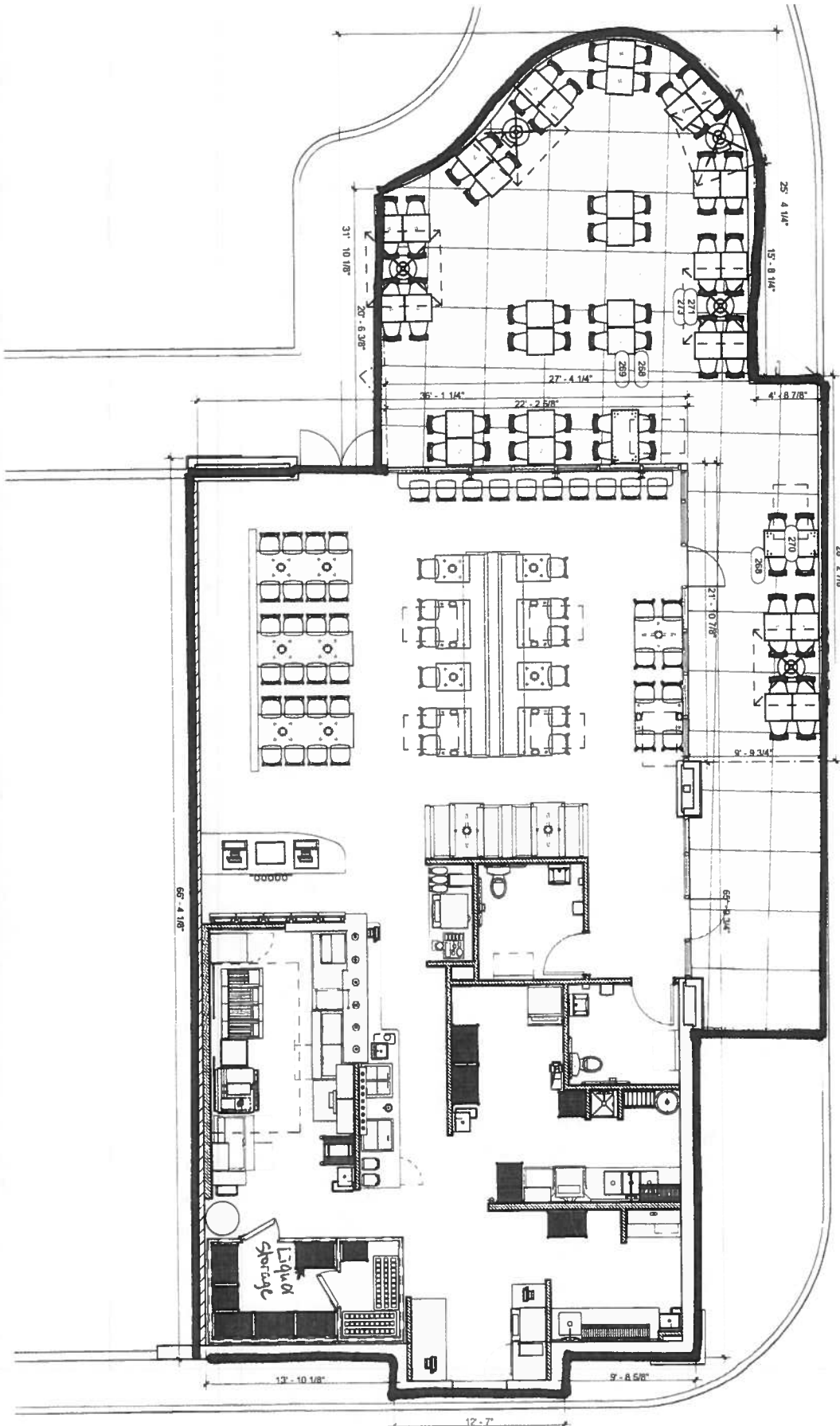
10. Members have 100% ownership of:

- Bear on the Range, LLC dba Black Bear Diner at 975-A N. Academy Blvd. Colorado Springs, CO 80909.
- Bear on the Range (GOG), LLC dba Black Bear Diner at 1340 Garden of the Gods Road Colorado Springs, CO 80907
- BBB CS1, LLC dba Smashburger 3604 Austin Bluffs Parkway #140 Colorado Springs, CO 80918.

11. Hotel & Restaurant License No. 47-05473 for Bear on the Range (GOG), LLC was suspended for five days from June 24th, 2017 through June 28th, 2017. A fine of \$200.00 was imposed in lieu of the suspension. Training has been conducted with management and staff to ensure 100% ID check all the time.

Front

BBB CS2, LLC
Smashburger
9290 Highlands Ridge
Heights
Suite 100
Colorado Springs, CO
80920



<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 OCT 12 A 9:16</p>
<p>IN THE MATTER OF:</p> <p>BBB CS2, LLC d/b/a Smashburger 9290 Highland Ridge Heights, #100 Colorado Springs, CO 80920 Mailing Address: 9290 Highland Ridge Heights, #100 Colorado Springs, CO 80920</p>	<p>▲ BOARD USE ONLY ▲</p>
	<p>Application No: N-32982</p>
<p>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</p>	

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, November 3, 2017 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon BBB CS2, LLC d/b/a Smashburger ("Applicant") application for a new Beer and Wine License at 9290 Highland Ridge Heights, #100, Colorado Springs, CO 80920.

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, October 24, 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 31, 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 September 1, 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 evidenced 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 October 12, 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

BBB CS2, LLC

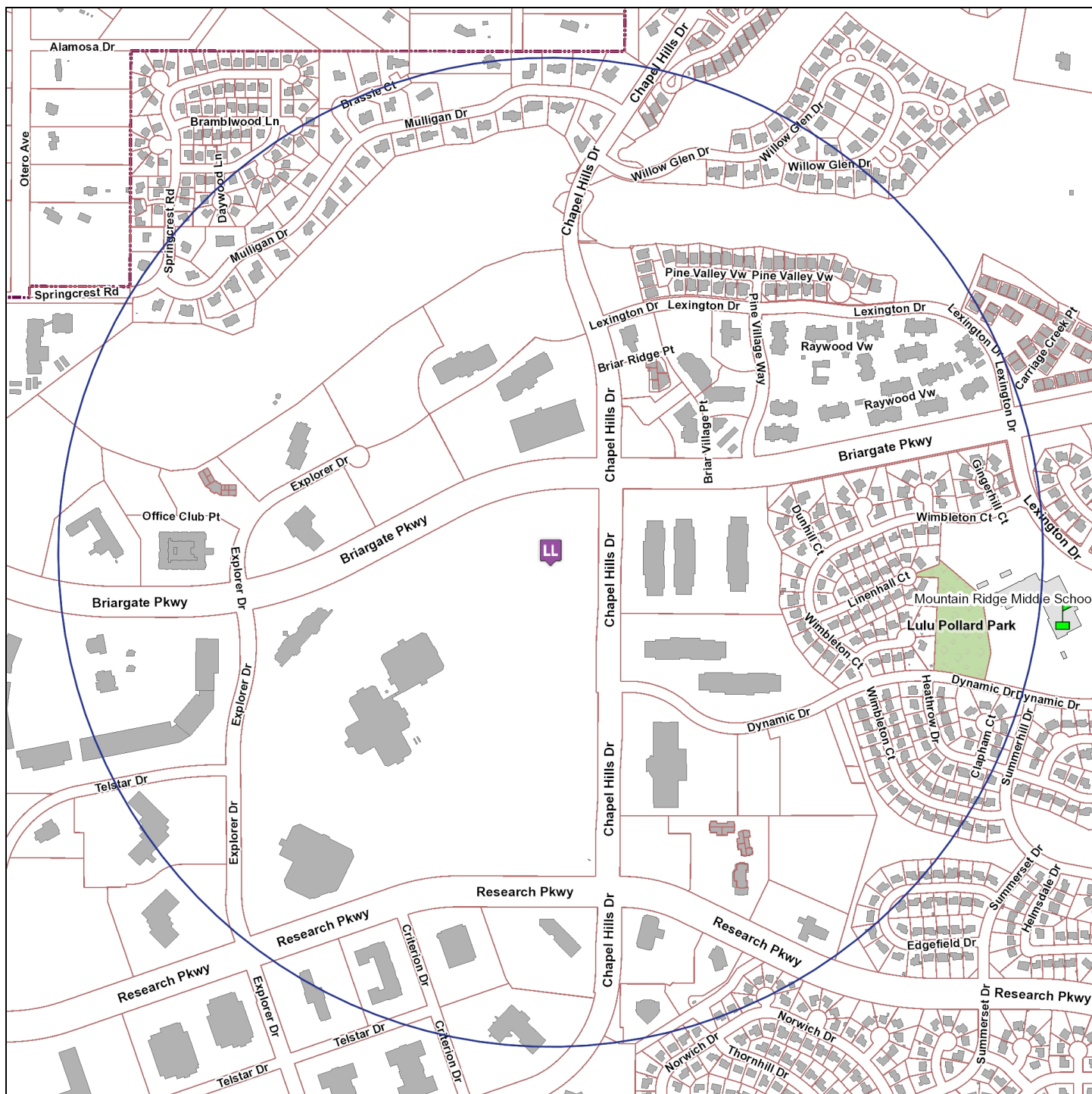
d/b/a SMASHBURGER

9290 HIGHLAND RIDGE HTS #100



OFFICE OF THE CITY CLERK

License ID: 32982



0 0.25 0.5 1 Mile

The survey boundary is 0.5 miles from the establishment

Map Prepared: 10/10/2017 3:15 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 32982

BBB CS2, LLC

d/b/a SMASHBURGER

9290 HIGHLAND RIDGE HTS #100

COLORADO SPRINGS, CO 80920

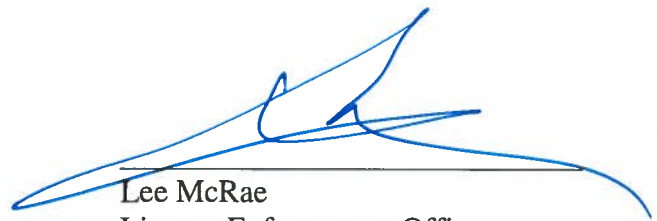
EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) SALSA BRAVA FRESH MEXICAN GRILL	9420 BRIAR VILLAGE PT	Hotel & Restaurant	959.03 ft
2) BACK EAST BAR AND GRILL	9475 BRIAR VILLAGE PT	Hotel & Restaurant	1,276.30 ft
3) HOMEWOOD SUITES COLO SPRINGS NORTH	9130 EXPLORER DR	Hotel & Restaurant	1,892.22 ft
4) MODERN MARKET	1765 BRIARGATE PKWY	Beer & Wine	2,353.33 ft
5) BAD DADDY'S BURGER BAR	1765 BRIARGATE PKWY	Hotel & Restaurant	2,364.55 ft
6) HILTON GARDEN INN COLORADO SPRINGS	1810 BRIARGATE PKWY	Hotel & Restaurant	2,395.21 ft
7) BIAGGI'S RISTORANTE ITALIANO	1805 BRIARGATE PKWY	Hotel & Restaurant	2,488.15 ft
8) P.F. CHANG'S CHINA BISTRO	1725 BRIARGATE PKWY	Hotel & Restaurant	2,495.38 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 October 12, 2017 to the following address of record:

BBB CS2, LLC
dba Smashburger
9290 Highland Ridge Heights, #100
Colorado Springs, CO 80920



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

CC: lucas@smashontherange.com