



## OFFICE OF THE CITY CLERK

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

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):**Smorbrod LLC *Smorbrod LLC***2. Trade Name (DBA):** Smorbrod**3. Premises Address:** 2727 N. Cascade Ave. Suite 105 & 111  
City, State, Zip: *80907***Location Phone:** (719) 634-2727**Property Tax Schedule No. :** 6331316002**Zoning:** PUD**4. Mailing Address:** *2727 N Cascade Ave #111 80907*  
City, State, Zip:**Alt Phone:** (719) 930-9021**Primary Contact Name And Title:** Jason Gust, Owner**Email:** info@smorbrod.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
Jason Gust	Owner	100%



**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
US Bank	Checking	\$ 65,000
TOTAL INVESTMENT IN BUSINESS:		\$ 65,000

**Section C: PREMISES / LOCATION INFORMATION**

8. Registered Manager Name: Jason Gust

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

If leased, provide the terms: START DATE: 03/12/2018 END DATE: 02/28/2023

DIMENSIONS OF PREMISES: 33' X 50' TOTAL SQUARE FOOTAGE: 1650

Is there a patio area? ☒ Yes ☐ No --- If yes, provide dimensions 12' X 50'

Anticipated number of employees: 12 Anticipated opening date: 06/01/2018

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).

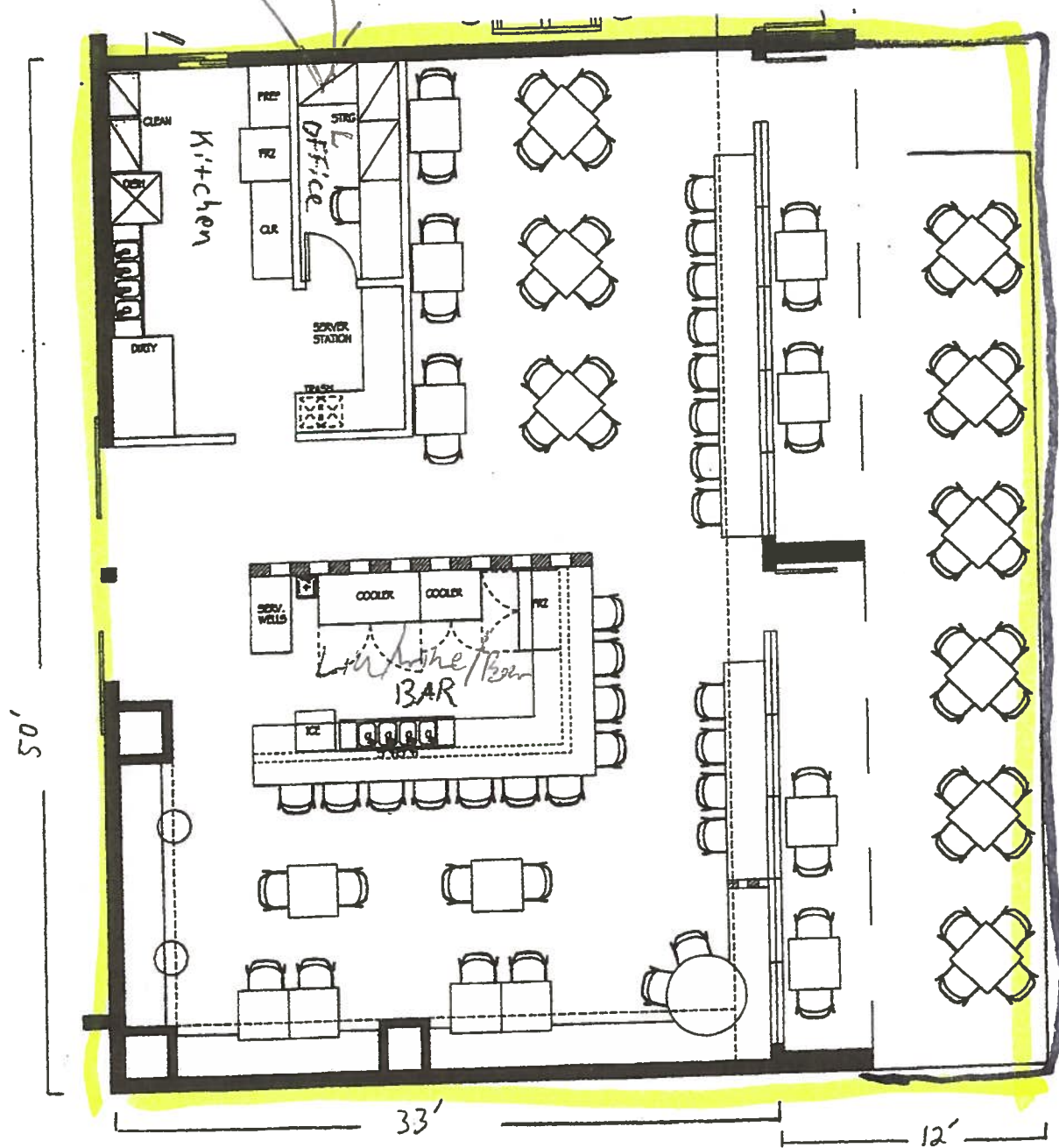
12. Has the applicant/licensee, any partners, any officers, any stockholders or directors, or any manager of said applicant ever been convicted of any crime, received a suspended sentence, a deferred sentence, or have charges pending?

☐ 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
Pizzeria Rustica	Jason Gust	Owner/Chef	Feb 2012-present
2527 W Colorado Ave			
Colorado Springs, CO 80904	Jason Gust	Owner/Chef	Feb 2012-present
TAPateria			
2607 W Colorado Ave	see attached	Experiance	
Colorado Springs, CO 80904			





Liquor Bar  
Bar  
Stovetop

50'

33'

12'



**BEFORE THE LOCAL LIQUOR AND BEER  
LICENSING AUTHORITY,  
CITY OF COLORADO SPRINGS,  
STATE OF COLORADO**

Address: 30 South Nevada Avenue, Suite 101  
Colorado Springs, CO 80903  
Telephone: (719) 385-5901  
Fax Number: (719) 385-5114  
Email: cityclerk@springsgov.com

CITY CLERK'S OFFICE

2018 APR 26 P 12:04

▲ CLERK USE ONLY ▲

**IN THE MATTER OF:**

**APPLICANT**

Smorbrod, LLC  
d/b/a **Smorbrod**  
2727 N. Cascade Avenue, #105 & 111  
Colorado Springs, CO 80907  
Mailing Address:  
P.O. Box 6921  
Colorado Springs, CO 80934

Application No: N-33641

**NOTICE OF HEARING AND INITIAL FINDINGS OF FACT**

**NOTICE OF HEARING**

This matter comes before the Local Licensing Authority Hearing Officer for hearing on **Friday, May 18, 2018 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Smorbrod, LLC d/b/a Smorbrod ("Applicant") application for a new Hotel and Restaurant Liquor License at 2727 N. Cascade Avenue, #105 & 111, Colorado Springs, CO 80907.

At this meeting, the Hearing Officer will consider the factors outlined in Rule No. 9.08 of the Liquor and Beer Rules and Regulations for the City of Colorado Springs ("City Rules"), and it is the Applicant's burden to provide the necessary evidence to satisfy the Local Licensing Authority.

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, May 8, 2018.** 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, May 15, 2018.

Pursuant to C.R.S. §12-47-312 and City 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 March 14, 2018, 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, pursuant to C.R.S. §12-47-313(1)(a)(I) and City Rule 7.00(A)(1).
- 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, pursuant to C.R.S. §12-47-313(1)(b) and City Rule 7.00(A)(2).
- 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, pursuant to C.R.S. §12-47-313(1)(c) and City Rule 7.00(A)(3).
- 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, pursuant to C.R.S. §12-47-313(1)(d) and City Rule 7.00(A)(4).
- V. Pursuant to C.R.S. §12-47-307(1)(a)(VI), 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 City 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 April 26, 2018.**

FOR  
THE CITY OF COLORADO SPRINGS  
LOCAL LICENSING AUTHORITY



By: Emily Evans  
Deputy City Clerk

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



# Liquor Survey Boundaries



SMORBROD LLC

d/b/a SMORBROD

2727 N CASCADE AVE #105 & 111

OFFICE OF THE CITY CLERK

License ID: 33641



The survey boundary is 0.5 miles from the establishment

Map Prepared: 4/25/2018 11:24 AM

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## OFFICE OF THE CITY CLERK

### HEARING LETTER ATTACHMENT

License ID: 33641

SMORBROD LLC

d/b/a SMORBROD

2727 N CASCADE AVE #105 & 111

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) MURPHY'S TAVERN	2729 N NEVADA AVE	Tavern	771.74 ft
2) ROBIN HOOD INN	2830 N NEVADA AVE	Tavern	833.04 ft
3) JOHNNY'S NAVAJO HOGAN	2817 N NEVADA AVE	Hotel & Restaurant	907.38 ft
4) ROMAN VILLA PIZZERIA	3005 N NEVADA AVE	Beer & Wine	1,520.20 ft
5) TAP TRADERS	3104 N NEVADA AVE	Tavern	2,187.28 ft
6) STIR COFFEE AND COCKTAILS	2330 N WAHSATCH AVE	Hotel & Restaurant	2,317.41 ft
7) LUCKY DRAGON RESTAURANT	402 W FILLMORE ST	Hotel & Restaurant	2,562.03 ft



## CERTIFICATE OF MAILING

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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 April 27, 2018 to the following address of record:

Smorbrod, LLC  
dba Smorbrod  
P.O. Box 6921  
Colorado Springs, CO 80934



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

CC: info@smorbrod.com  
liquorpros@msn.com