



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

OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE

2020 MAR 16 P 12:57

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 (Includes Resort & Campus Complex) ☐ 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 ☐ FMB (Beer) On Premises ☐ FMB (Beer) 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):

The Beer Garden Group LLC

2. Trade Name (DBA):

The Garden

3. Premises Address: 401 South Nevada Avenue
City, State, Zip: Colorado Springs, CO 80903

Location
Phone: Not Yet Assigned

Property Tax Schedule No. : 6418411024

Zoning: FBZ-COR

4. Mailing Address: 733 North Corona Street
City, State, Zip: Colorado Springs, CO 80903

Alt Phone: 812-249-4031

Primary Contact
Name And Title: Julie Anne Ray Nasser

Email: thebeergardencos@gmail.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
N/A			

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
Julie Anne Ray Nasser	Managing Member	25.50%
Elliot Adel Nasser	Managing Member	25.50%
Michael James Spekhardt	Member	19%

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
Central Bank & Trust, Business Account	Checking - XXXXXXXX2380	\$148,641.06
1 S. Nevada Avenue, #200		
Colorado Springs, CO 80903		
TOTAL INVESTMENT IN BUSINESS:		\$148,641.06

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Julie Anne Ray Nasser, Managing Member

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

If leased, provide the terms: START DATE: 02/15/2020 END DATE: 02/28/2025

DIMENSIONS OF PREMISES: 49'6" x 50' TOTAL SQUARE FOOTAGE: 2,401

Is there a patio area? ☒ Yes ☐ No -- If yes, provide dimensions 50' x 83'4"

Anticipated number of employees: 8 Anticipated opening date: July 1, 2020

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
N/A	Julie Anne Ray Nasser	None	
N/A	Elliot Adel Nasser	None	
N/A	Michael James Spekhardt	None	

Here are the investors that comprise the remaining 30%:

Adel Nasser: 9%

Edward Nasser: 9%

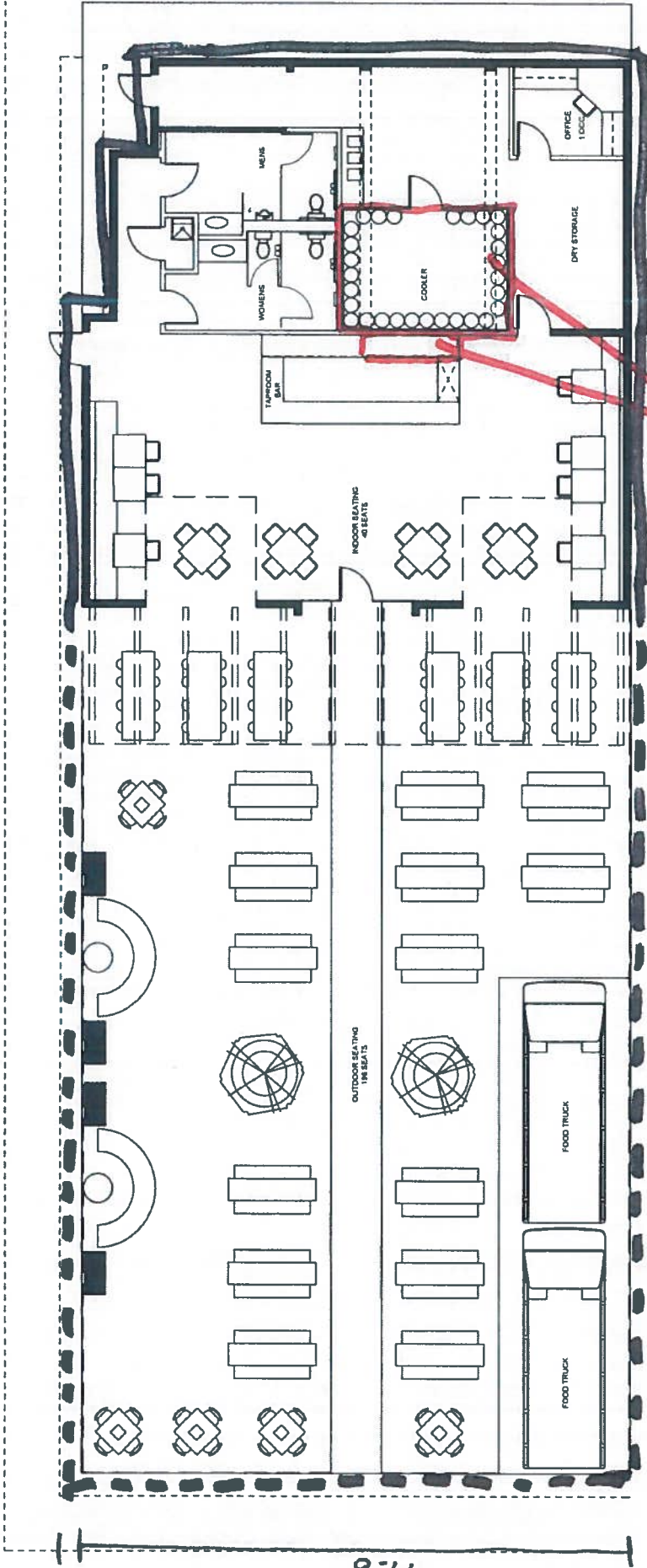
Ryan Hargraves: 7%

Joe Birchman: 3%

Tina Troyer 3%

50'

83.4'



401 S. NEVADA - SITE PLAN

Liquor Storage

LICENSED PREMISES

PATIO PORTION OF LICENSED PREMISES



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 2020 JUN 10 P 1:40 ▲ CLERK USE ONLY ▲
IN THE MATTER OF: APPLICANT The Beer Garden Group, LLC d/b/a The Garden 401 S. Nevada Avenue Colorado Springs, CO 80903 Mailing Address: 733 N. Corona Street Colorado Springs, CO 80903	Application No: N-37093
NOTICE OF POSTPONED HEARING	

WHEREAS, this matter came before the Local Licensing Authority Hearing Officer for hearing on Friday, June 5, 2020 at 9:00 A.M. by remote video conference regarding an application by The Beer Garden Group, LLC d/b/a The Garden ("Applicant") for a new Tavern Liquor License at 401 S. Nevada Avenue, Colorado Springs, CO 80903, as outlined in the Notice of Hearing and Initial Findings of Fact dated May 14, 2020, and incorporated herein by reference; and

WHEREAS, at this meeting, the Applicant requested a postponement of the new application hearing; and

WHEREAS, the Hearing Officer granted the Applicant's request for postponement, and ordered that the City Clerk reset the application hearing to the postponed date of July 17, 2020.


NOTICE OF POSTPONED HEARING

NOW THEREFORE, pursuant to the Hearing Officer's order and Rule Nos. 4.03 and 6.03 of the Liquor and Beer Rules and Regulations for the City of Colorado Springs ("City Rules"), **YOU ARE HEREBY NOTIFIED** that the new Application Hearing will be held by the Local Licensing Authority Hearing Officer on **Friday, July 17, 2020 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** regarding the The Beer Garden Group, LLC d/b/a The Garden ("Applicant") application for a new Tavern Liquor License at 401 S. Nevada Avenue, Colorado Springs, CO 80903.

At this hearing 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. 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, July 14, 2020.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done June 10, 2020.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY

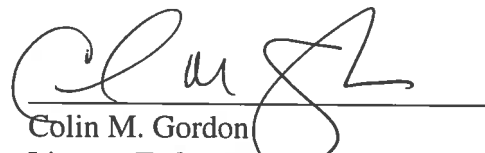

By: Sarah B. Johnson
City Clerk

Direct questions regarding this notice and hearing to Colin M. Gordon at 719-385-5107.

CERTIFICATE OF MAILING

I, Colin M. Gordon, hereby certify that I have mailed a true copy of the foregoing **NOTICE OF POSTPONED HEARING** by United States mail, first class postage paid, on June 10, 2020 to the following address of record:

The Beer Garden Group, LLC
dba The Garden
733 N. Corona Street
Colorado Springs, CO 80903



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

CC: paul@coloradolawgroup.com
thebeergardencos@gmail.com

**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
2020 MAY 14 P 12:00

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

The Beer Garden Group, LLC
d/b/a **The Garden**
401 S. Nevada Avenue
Colorado Springs, CO 80903
Mailing Address:
733 N. Corona Street
Colorado Springs, CO 80903

Application No: N-37093

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, June 5, 2020 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon The Beer Garden Group, LLC d/b/a The Garden ("Applicant") application for a new Tavern Liquor License at 401 S. Nevada Avenue, Colorado Springs, CO 80903. **Additional information related to appearance, remote participation, and public comment for this public hearing will be provided as soon as possible, but not later than Tuesday, June 2, 2020.**

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. Please contact the City Clerk's Office as soon as possible to make arrangements for picking up the poster. 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 26, 2020. 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, June 2, 2020.

Pursuant to C.R.S. §44-3-312 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 16, 2020, 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. §44-3-313(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. §44-3-313(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. §44-3-313(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. §44-3-313(1)(d) and City Rule 7.00(A)(4).
- V. Pursuant to C.R.S. §44-3-307(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. §44-3-308.
- VII. Applicant is not a person prohibited as a licensee pursuant to C.R.S. §44-3-307.
- 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 May 14, 2020.

FOR
THE CITY OF COLORADO SPRINGS
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson
City Clerk

Direct questions regarding this notice and hearing to Colin M. Gordon at 719-385-5107.

Liquor Survey Boundaries

THE BEER GARDEN GROUP, LLC

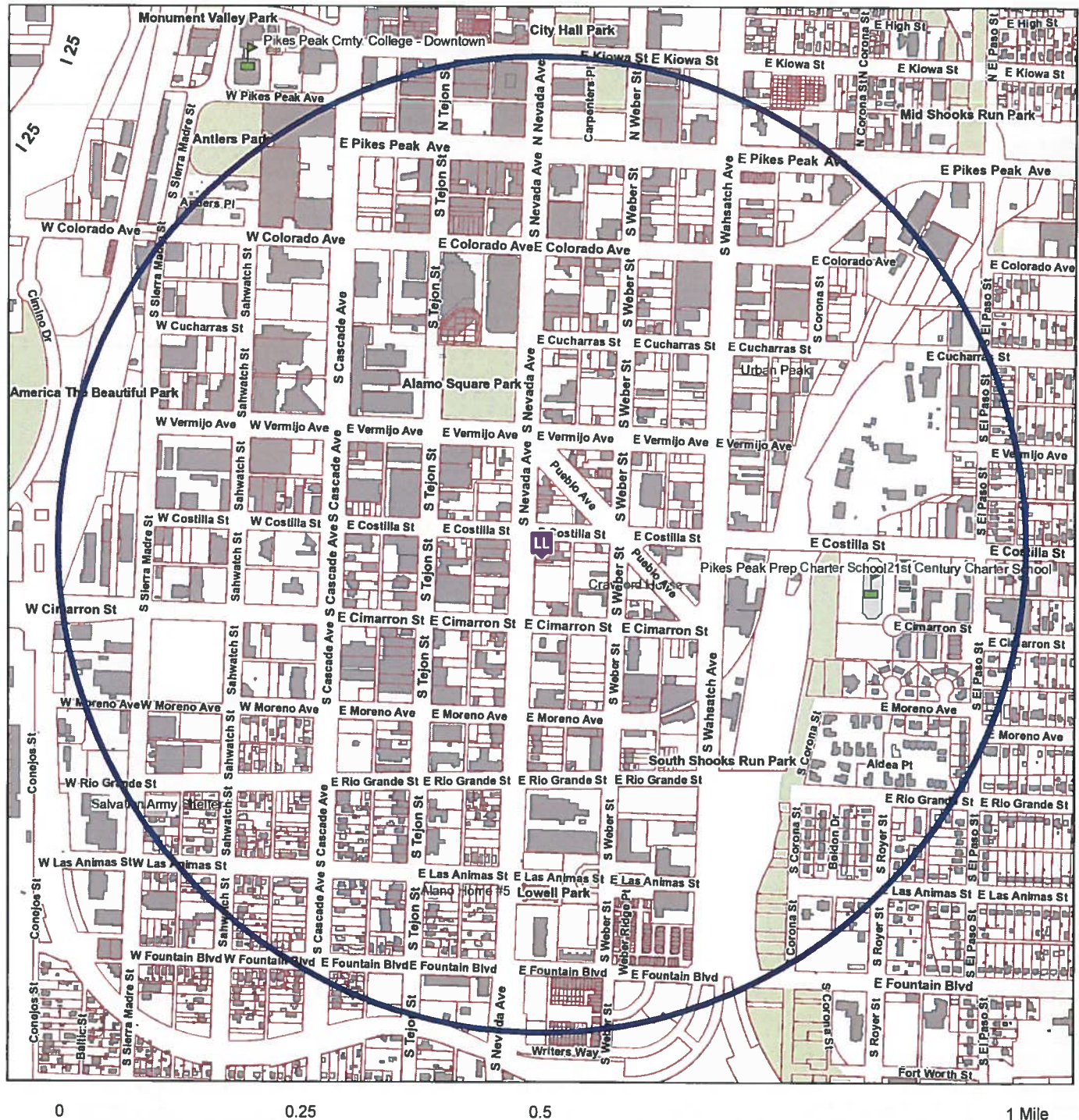
d/b/a THE GARDEN

401 S NEVADA AVE



OFFICE OF THE CITY CLERK

License ID: 37093



The survey boundary is 0.5 miles from the establishment

Map Prepared: 5/14/2020 9:35 AM

Copyright © 2020 City of Colorado Springs on behalf of the Colorado Springs Utilities. All rights reserved. This work, and/or the data contained herein, may not be modified, republished, used to prepare derivative works or commercially exploited in any manner without the prior express written consent of the City of Colorado Springs. This work was prepared utilizing the best data available at the time of creation. Neither the City of Colorado Springs, the Colorado Springs Utilities, nor any of their employees makes any warranty, express or implied, or assumes any legal liability or responsibility for accuracy, completeness, or usefulness of any data contained herein. The City of Colorado Springs, Colorado Springs Utilities, and their employees explicitly disclaim any responsibility for the data contained herein.



OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 37093

THE BEER GARDEN GROUP, LLC
d/b/a THE GARDEN
401 S NEVADA AVE
COLORADO SPRINGS, CO 80903

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) LOYAL COFFEE	408 S NEVADA AVE	Hotel & Restaurant	205.01 ft
2) IRON BIRD BREWING CO.	402 & 404 S NEVADA AVE	Brew Pub	214.60 ft
3) CHINA TOWN RESTAURANT	326 S NEVADA AVE	Hotel & Restaurant	284.71 ft
4) BAR-K	124 E COSTILLA ST	Tavern	324.47 ft
5) THE BENCH IN SODO	424 S NEVADA AVE	Hotel & Restaurant	332.45 ft
6) THE CARTER PAYNE	320 S WEBER ST	Brew Pub	453.83 ft
7) THE BLOCK BAR & GRILL	333 S TEJON ST	Hotel & Restaurant	567.52 ft
8) ZODIAC	230 PUEBLO AVE	Tavern	883.95 ft
9) PIKES PEAK LODGE #473	329 E CIMARRON ST	Club	993.30 ft
10) STREETCAR520	520 S TEJON ST	Hotel & Restaurant	1,031.05 ft
11) THE COFFEE EXCHANGE	526 S TEJON ST	Hotel & Restaurant	1,049.38 ft
12) ATOMIC COWBOY/DENVER BISCUIT CO. et al	528 S TEJON ST	Hotel & Restaurant	1,084.47 ft
13) DOS SANTOS	70 E MORENO AVE	Hotel & Restaurant	1,113.18 ft
14) CORK AND CASK DRINKS	60 E MORENO AVE	Tavern	1,158.96 ft
15) COQUETTE'S BISTRO & BAKERY	616 S TEJON ST	Hotel & Restaurant	1,388.38 ft
16) MACKENZIES CHOPHOUSE	128 S TEJON ST	Hotel & Restaurant	1,391.96 ft
17) V F W CLUB 101	702 S TEJON ST	Club	1,563.83 ft
18) PIKES PEAK CENTER	190 S CASCADE AVE	Tavern	1,698.06 ft
19) THE WAREHOUSE RESTAURANT	25 W CIMARRON ST	Hotel & Restaurant	1,706.77 ft
20) THE THIRSTY PARROT	32 S TEJON ST	Tavern	1,815.32 ft
21) THIRTY THREE	18 S NEVADA AVE	Tavern	1,834.78 ft
22) MINING EXCHANGE HOTEL OR THE GOLD ROOM	18 S NEVADA AVE	Tavern	1,846.52 ft
23) RED GRAVY	23 S TEJON ST	Hotel & Restaurant	1,853.62 ft
24) SHUGA'S	702 S CASCADE AVE	Hotel & Restaurant	1,864.49 ft
25) URBAN EGG A DAYTIME EATERY	28 S TEJON ST	Hotel & Restaurant	1,868.26 ft
26) TRIPLE NICKEL TAVERN LLC	334 E COLORADO AVE	Tavern	1,873.97 ft
27) SAIGON CAFÉ	20 E COLORADO AVE	Beer & Wine	1,877.03 ft
28) JACK QUINN'S IRISH ALE HOUSE AND PUB	21 S TEJON ST	Hotel & Restaurant	1,881.99 ft



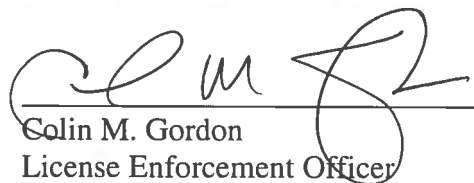
OFFICE OF THE CITY CLERK

29) EAST COAST DELI	24 S TEJON ST	Hotel & Restaurant	1,906.53 ft
30) CHIPOTLE MEXICAN GRILL	17 S TEJON	Hotel & Restaurant	1,922.14 ft
31) FUJIYAMA	22 S TEJON ST	Hotel & Restaurant	1,922.30 ft
32) LUCKY DUMPLING	26 S WAHSATCH AVE	Hotel & Restaurant	1,936.60 ft
33) COLORADO CRAFT	15 S TEJON ST	Hotel & Restaurant	1,979.08 ft
34) JAX FISH HOUSE AND OYSTER BAR	11 S TEJON ST	Hotel & Restaurant	2,020.01 ft
35) THE PERK DOWNTOWN	14 S TEJON ST	Hotel & Restaurant	2,029.95 ft
36) SPRINGS ORLEANS & MINING EXCHANGE HOTEL	123 E PIKES PEAK AVE	Hotel & Restaurant	2,032.75 ft
37) KIMBALL'S CINEMAS	113 E PIKES PEAK AVE	Tavern	2,055.49 ft
38) THE MELTING POT	30 E PIKES PEAK AVE	Hotel & Restaurant	2,365.84 ft
39) PHANTOM CANYON BREWING COMPANY	2 E PIKES PEAK AVE	Brew Pub	2,462.20 ft
40) THE ANTLERS & ANTLERS HOTEL	4 S CASCADE AVE	Hotel & Restaurant	2,480.91 ft
41) THE UTE AND YETI	21 N NEVADA AVE	Beer & Wine	2,485.83 ft
42) THE MANSION / THE MEZZANINE	20 N TEJON ST	Tavern	2,530.05 ft
43) COLORADO BEVERAGE SERVICE	221 E KIOWA ST	Tavern	2,530.55 ft
44) RED MARTINI/BLONDIES	22 N TEJON ST	Tavern	2,561.43 ft
45) COWBOYS	25 N TEJON ST	Tavern	2,564.45 ft
46) GASOLINE ALLEY	28 N TEJON ST	Tavern	2,599.10 ft
47) BEAUTY BAR	26 N TEJON ST	Lodging & Entertainment	2,636.01 ft

CERTIFICATE OF MAILING

I, Colin M. Gordon, 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 May 14, 2020 to the following address of record:

The Beer Garden Group, LLC
d/b/a The Garden
733 N. Corona Street
Colorado Springs, CO 80903



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

CC: paul@coloradolawgroup.com
thebeergardencos@gmail.com