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2017 OCT 23 A 8:42

**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): Sodos 424 LLC	
2. Trade Name (DBA): The Bench in Sodo	
3. Premises Address: City, State, Zip: 424 S Nevada Ave, Colo. Spgs, CO 80903	Location Phone: Not Assigned Yet
Property Tax Schedule No. : 6418317016	Zoning: FBZ-COR
4. Mailing Address: City, State, Zip: 424 S Nevada Ave., Colo Spgs, CO 80903	Alt Phone: 719-330-8590
Primary Contact Name And Title: Jenny Schnakenberg and/or Tyler Sherman	Email: jenny@odysseygastropub.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	N/A	N/A	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
Stop20 Industries LLC*	Member	24
Alpha Investments L.L.C.**	Member	20
Ronald M. Sherman	Member	12
* Tyler Sherman and Jenny Schnakenberg, Owners		
** Raphael NMN Sassower, 80% Owner		
SEE ATTACHED SUPPLEMENT EXPLANATION		

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
SEE ATTACHED SUPPLEMENT		
TOTAL INVESTMENT IN BUSINESS:		\$ 276,000

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Jenny Lea Schnakenberg

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

If leased, provide the terms: START DATE: 9-1-2017 END DATE: 10-31-2022

DIMENSIONS OF PREMISES: 44'5" x 81.3" TOTAL SQUARE FOOTAGE: 3322

Is there a patio area? Yes No --- If yes, provide dimensions 44x19 (Rear) and 8x20 (Front)

Anticipated number of employees: 30 Anticipated opening date: 12-2017

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
See Attached Supplement			

Supplement

Colorado Springs Liquor License Application OR

3.2% Fermented Malt Beverage License Application (Alcohol Beverage)

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.

EXPLANATION:

Stop20 Industries LLC, 24% Owner: Individual Members:

Tyler C. Sherman 50%

Jenny L. Schnakenberg 50%

Alpha Investments L.L.C.: 20% Owner: Individual Member:

Raphael Sassower 80% Member

An Affirmation and Consent and an Applicant Interview is attached for each person above.

Supplement

Colorado Springs Liquor License Application OR

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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.

<u>NAME/ADDRESS OF FUNDING SOURCE (bank(s), individual(s), et al.)</u>	<u>FUNDING SOURCE (checking/savings/ loan/ note/ gift)</u>	<u>AMOUNT</u>
Stop 20 Industries LLC – Ent Credit Union, PO Box 15819 Colorado Springs, CO 80935	Checking	\$ 72,000
Alpha Investments L.L.C. --- 5 Star Bank P.O. Box 14108 Colorado Springs, CO 80903	Personal Checking Raphael Sassower	\$ 60,000
Ronald M. Sherman – Solarity Credit Union Savings	Checking	\$ 36,000
<u>Less than 10% Members**</u>		<u>\$108,000</u>
TOTAL:		<u>\$276,000</u>

**Remaining funds (\$108,000) are comprised of capital contributions from individual members of Applicant Company, all of whom hold less than 10% membership interests.

**Supplement
Colorado Springs Liquor License Application OR
3.2% Fermented Malt Beverage License Application (Alcohol Beverage)**

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?

ANSWER: YES.

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.

ANSWER: Yes.

Tyler C. Sherman:

2014-Present: Member: Broken Compass LLC dba Odyssey Gastropub, 311 N. Tejon St., Colorado Springs, CO 80903, H&R license #299248. Mr. Sherman holds an individual membership interest in Broken Compass LLC. Mr. Sherman also holds a membership interest in Stop20 Industries LLC, which is also a member of Broken Compass LLC. Mr. Sherman is also the registered manager for Broken Compass LLC, d/b/a Odyssey Gastropub.

Jenny L. Schnakenberg:

2014-Present: Member: Broken Compass LLC dba Odyssey Gastropub, 311 N. Tejon St., Colorado Springs, CO 80903, H&R license #299248. Ms. Schnakenberg holds an individual membership interest in Broken Compass LLC. Ms. Schnakenberg also holds a membership interest in Stop20 Industries LLC, which is also a member of Broken Compass LLC.

Raphael Sassower:

Mr. Sassower is the 80% owner of Alpha Investments, LLC, a member of this Applicant. Alpha Investments has formerly held interests in the following liquor licenses:

1997 – 2007: Palmer Lake Brewing Co. dba The Warehouse Restaurant, 25 W. Cimarron St., Colorado Springs, CO 80903 – Owner;

2010 – 2011: MEG 123, LLC fka Il Postino, dba Springs Orleans 123 E. Pikes Peak Ave., Colorado Springs, CO 80903 - Managing Member

2014-2016: Broken Compass LLC dba Odyssey Gastropub, 2014-2016, 311 N. Tejon St., Colorado Springs, CO 80903

Supplement

Colorado Springs Liquor License Application OR

3.2% Fermented Malt Beverage License Application (Alcohol Beverage)

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?

ANSWER: Yes

IF YES, ATTACH statement or affidavit of explanation, including date(s) and location(s).

EXPLANATION:

Tyler C. Sherman received a Driving While Ability Impaired citation in July, 2007. All conditions of conviction including house arrest, probation, random substance testing, 54 weeks counseling, 1 year loss of driving privileges, 24 months of vehicle interlock device, etc., completed November 2010.

Supplement

Colorado Springs Liquor License Application OR

3.2% Fermented Malt Beverage License Application (Alcohol Beverage)

13. List every individual applicant's prior experience in the sale of alcoholic beverages. Attach supplement as needed.

ANSWER:

Tyler C. Sherman:

La Sierra's 3789 Main St., Mammoth Lakes, CA 93546. Bartender in restaurant service bar setting and in full bar/club setting – 1999-2000.

Manele Bar Hotel, 1 Manele Bay Rd. Lanai City, HI 96763. Bartender at Ihilani formal dining room, Hulopoe casual dining room, pool grill, golf clubhouse, and banquets – 2000-2001.

Bullseye Bistro, 212 E. Main St., Ashland, OR 97520, Server, bartender, manager at upscale bistro style restaurant 2001-2002.

Vinyl Nightclub, 130 Will Dodge Way, Ashland, Or 97520, bartender in nightclub 2002.

Hotel Teatro, 1100 14th ST., Denver, CO 80203, Bellman, Room Service Server, Guest Services Manager, Director of Operations full service luxury hotel having two full service restaurants, 24 hour room service, and a lobby bar 2004 -2005.

The Mining Exchange, A Wyndham Grand Hotel/ Il Postino/Springs Orleans, 8 S. Nevada Ave., Colorado Springs, CO 80903. Opening General Manager, overseeing development, construction, opening, and operations of all food and beverage outlets including Il Postino (restaurant and bar), Springs Orleans (restaurant and bar), Lobby bar, room service, and banquets 2009-2012.

Colorado Mountain Brewery, 600 S. 21st St., Ste 180, Colorado Springs, CO 80904, Director of Operations, oversee planning, execution, and operations of local two store brewery/full service restaurant/bars – 2013.

Odyssey Gastropub 311 N. Tejon St., Colorado Springs, CO 80903; Co-owner/General Manager, oversee all aspects of opening, owning, and operating a full service restaurant and bar. 2014- Present.

Jenny L. Schnakenberg:

The Grand Central Hotel and Grill, 215 Broadway St., Cottonwood Falls, KS 66845, Server, Bartender, Assistant Manager at 4 Diamond Restaurant 2000-2002

The Broadmoor Hotel, 1 Lake Ave, Colorado Springs, CO 80906, In-room dining shift manager -2002-2002

The Warehouse Restaurant, 25 West Cimarron St., Colorado Springs, CO 80903, General Manager 2002-2007.

Il Postino/Springs Orleans, 123 E. Pikes Peak Ave., Colorado Springs, CO 80903. General Manager 2009-2012.

Odyssey Gastropub, 311 N. Tejon St., Colorado Springs, CO 80903, Co-Owner/operator/all aspects of operation.

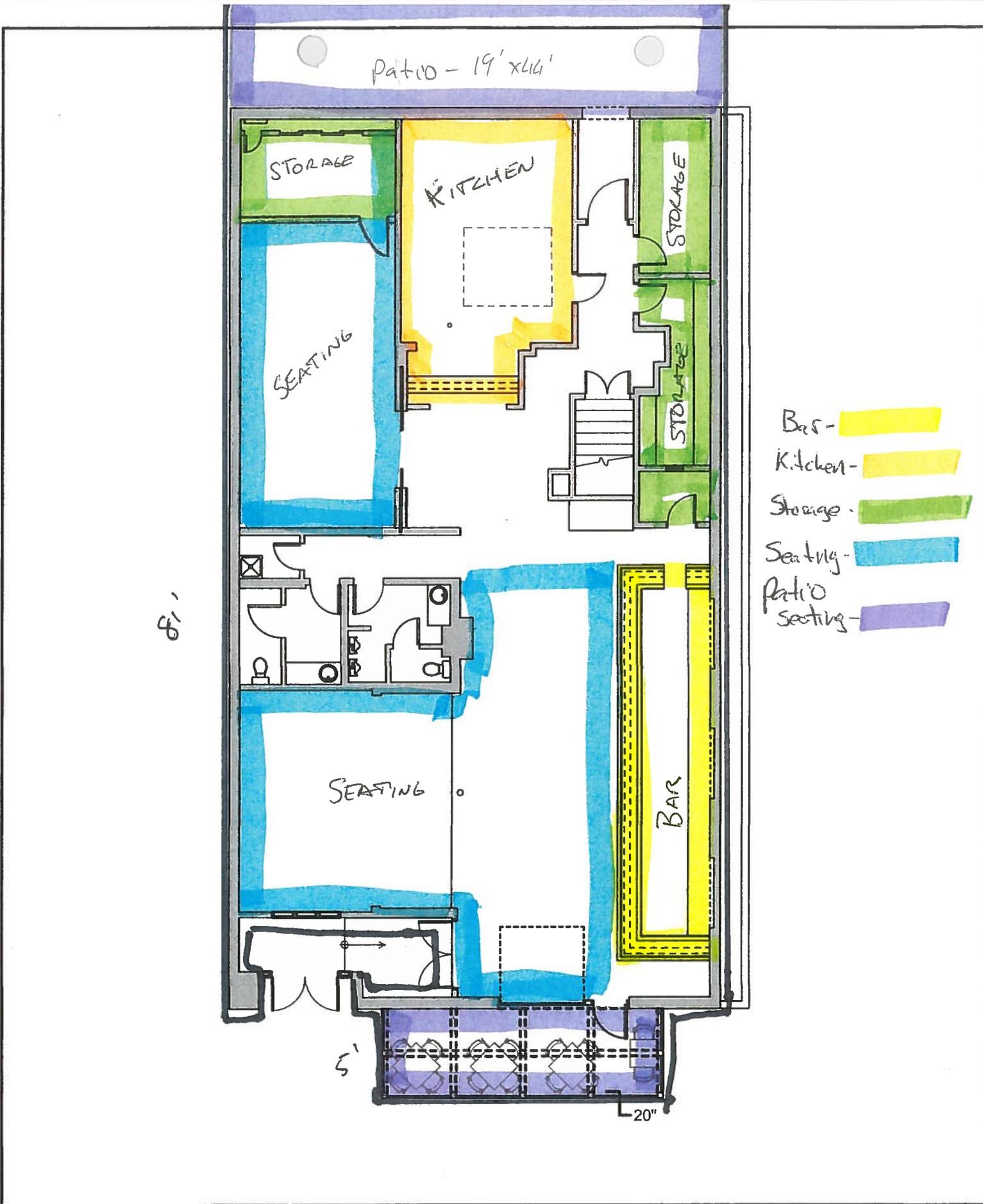
Raphael Sassower:

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2014-2016: Broken Compass LLC dba Odyssey Gastropub, 2014-2016, 311 N. Tejon St., Colorado Springs, CO 80903



patio - 19' x 16'

STORAGE

KITCHEN

STORAGE

SEATING

STORAGE

Bar - [yellow swatch]

Kitchen - [yellow swatch]

Storage - [green swatch]

Seating - [blue swatch]

Patio Seating - [purple swatch]

8'1"

SEATING

BAR

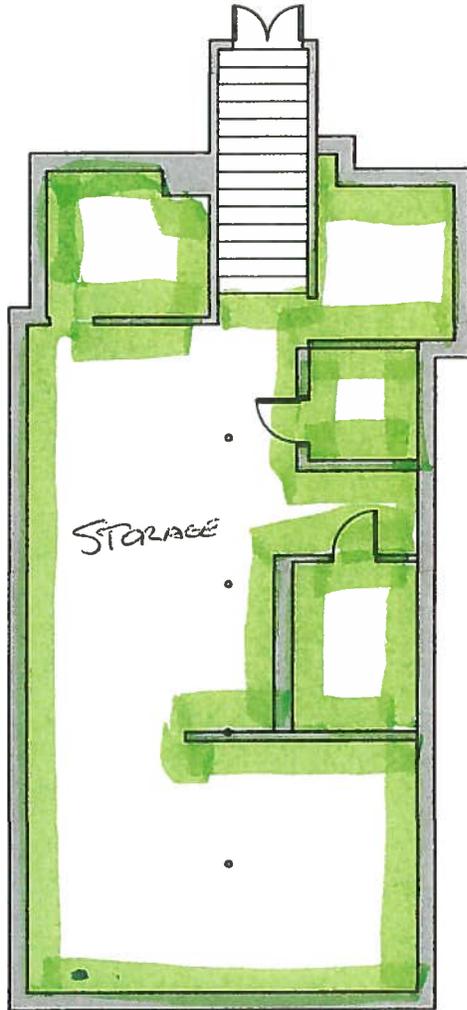
5'

20"

THE BENCH FIRST FLOOR

SCALE: 3/32" = 1'-0"

EXST'G WALL
NEW WALL



THE BENCH BASEMENT

SCALE: 3/32" = 1'-0"

9/19/17

EXST'G WALL
 NEW WALL

<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 NOV 21 P 1:31</p>
<p>IN THE MATTER OF:</p> <p>Sodos 424, LLC d/b/a The Bench in Sodo 424 S. Nevada Avenue Colorado Springs, CO 80903 Mailing Address: 424 S. Nevada Avenue Colorado Springs, CO 80903</p>	<p>▲ BOARD USE ONLY ▲</p>
	<p>Application No: N-33081</p>
<p>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</p>	

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, December 15, 2017 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon Sodos 424, LLC d/b/a The Bench in Sodo (“Applicant”) application for a new Hotel and Restaurant Liquor License at 424 S. Nevada Avenue, Colorado Springs, CO 80903.

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, December 5, 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, December 12, 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 October 23, 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 November 21, 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



SODOS 424 LLC
 d/b/a THE BENCH IN SODO
 424 S NEVADA AVE

OFFICE OF THE CITY CLERK
 License ID: 33081



The survey boundary is 0.5 miles from the establishment

Map Prepared: 11/21/2017 6:14 AM

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HEARING LETTER ATTACHMENT

License ID: 33081

SODOS 424 LLC
d/b/a THE BENCH IN SODO
424 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	197.06 ft
2) IRON BIRD BREWING CO.	402 & 404 S NEVADA AVE	Brew Pub	233.55 ft
3) BAR-K	124 E COSTILLA ST	Tavern	407.63 ft
4) CHINA TOWN RESTAURANT	326 S NEVADA AVE	Hotel & Restaurant	455.99 ft
5) OSCAR'S TEJON STREET	333 S TEJON ST	Hotel & Restaurant	529.66 ft
6) McCABES TAVERN	520 S TEJON ST	Hotel & Restaurant	676.66 ft
7) THE COFFEE EXCHANGE	526 S TEJON ST	Hotel & Restaurant	718.87 ft
8) COQUETTE'S BISTRO & BAKERY	616 S TEJON ST	Hotel & Restaurant	1,057.82 ft
9) ZODIAC	230 PUEBLO AVE	Tavern	1,059.01 ft
10) PIKES PEAK LODGE #473	329 E CIMARRON ST	Club	1,082.54 ft
11) V F W CLUB 101	702 S TEJON ST	Club	1,239.03 ft
12) THE WAREHOUSE RESTAURANT	25 W CIMARRON ST	Hotel & Restaurant	1,428.15 ft
13) SHUGA'S	702 S CASCADE AVE	Hotel & Restaurant	1,532.65 ft
14) MACKENZIES CHOPHOUSE	128 S TEJON ST	Hotel & Restaurant	1,537.33 ft
15) NOSH	121 S TEJON ST	Hotel & Restaurant	1,568.27 ft
16) PIKES PEAK CENTER	190 S CASCADE AVE	Tavern	1,712.79 ft
17) THE THIRSTY PARROT	32 S TEJON ST	Tavern	1,998.86 ft
18) SAIGON CAFÉ	20 E COLORADO AVE	Beer & Wine	2,040.86 ft
19) JOHNNY MARTIN'S CAR CENTRAL	1 S NEVADA AVE	Hotel & Restaurant	2,047.92 ft
20) SONTERRA INNOVATIVE SOUTHWEST GRILL	28 S TEJON ST	Hotel & Restaurant	2,053.28 ft
21) RED GRAVY	23 S TEJON ST	Hotel & Restaurant	2,059.72 ft
22) JACK QUINN'S IRISH ALE HOUSE AND PUB	21 S TEJON ST	Hotel & Restaurant	2,088.21 ft
23) EAST COAST DELI	24 S TEJON ST	Hotel & Restaurant	2,091.01 ft
24) MINING EXCHANGE HOTEL OR THE GOLD ROOM	18 S NEVADA AVE	Tavern	2,093.99 ft
25) FUJIYAMA	22 S TEJON ST	Hotel & Restaurant	2,111.03 ft
26) CHIPOTLE MEXICAN GRILL	17 S TEJON	Hotel & Restaurant	2,130.50 ft
27) TRIPLE S BREWING	318 E COLORADO AVE	Brew Pub	2,178.74 ft
28) RITZ BAR & GRILL, THE	15 S TEJON ST	Hotel & Restaurant	2,190.52 ft



OFFICE OF THE CITY CLERK

29) THE PERK DOWNTOWN	14 S TEJON ST	Hotel & Restaurant	2,221.49 ft
30) IL VICINO WOOD OVEN PIZZA	11 S TEJON ST	Hotel & Restaurant	2,233.67 ft
31) TRIPLE NICKEL TAVERN LLC	26 S WAHSATCH AVE	Tavern	2,261.19 ft
32) SPRINGS ORLEANS & MINING EXCHANGE HOTEL	123 E PIKES PEAK AVE	Hotel & Restaurant	2,272.17 ft
33) KIMBALL'S CINEMAS	113 E PIKES PEAK AVE	Tavern	2,283.38 ft
34) THE MELTING POT	30 E PIKES PEAK AVE	Hotel & Restaurant	2,554.78 ft
35) THE ANTLERS & ANTLERS HOTEL	4 S CASCADE AVE	Hotel & Restaurant	2,585.48 ft
36) PHANTOM CANYON BREWING COMPANY	2 E PIKES PEAK AVE	Brew Pub	2,627.87 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 November 22, 2017 to the following address of record:

Sodos 424, LLC
dba The Bench in Sodo
424 S. Nevada Avenue
Colorado Springs, CO 80903



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

CC: jenny@odysseygastropub.com
Vince Linden <vince@lindenlawgroup.com>
<liquorpros@msn.com>