OFFICE OF THE CITY CLERK

Received:

COLORADO SPRINGS

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): Sherpa Garden LLC			
2. Trade Name (DBA): Sherpa Garden			
3. Premises Address: City, State, Zip:	1005 W. Colorado Ave., Colo Spgs, CO 80904	**Location Phone:**	719-896-5577
Property Tax Schedule No. :	7413224003	**Zoning:**	C5
4. Mailing Address: City, State, Zip:	1005 W. Colorado Ave., Colo Spgs, CO 80904	**Alt Phone:**	303-579-9845
Primary Contact Name And Title:	Pasang Sherpa	**Email:**	PK_Sherpa@yahoo.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
Pasang T. Sherpa	Member	50
Lakpa S. Sherpa	Member	50

Rev 08/10/2016

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
Key Bank -- Pasang T. Sherpa	Checking	15000
Chase Bank -- Lakpa S. Sherpa	Checking	15000
	TOTAL INVESTMENT IN BUSINESS:	$ 30,000

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Lakpa T. Sherpa

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

If leased, provide the terms: START DATE: June 1, 2017 END DATE: 5-31-2017

DIMENSIONS OF PREMISES: 52x18X23x46 TOTAL SQUARE FOOTAGE: 2,030

Is there a patio area? ■ Yes ☐ No --- If yes, provide dimensions 22 x 20

Anticipated number of employees: 4 Anticipated opening date: July 2017

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

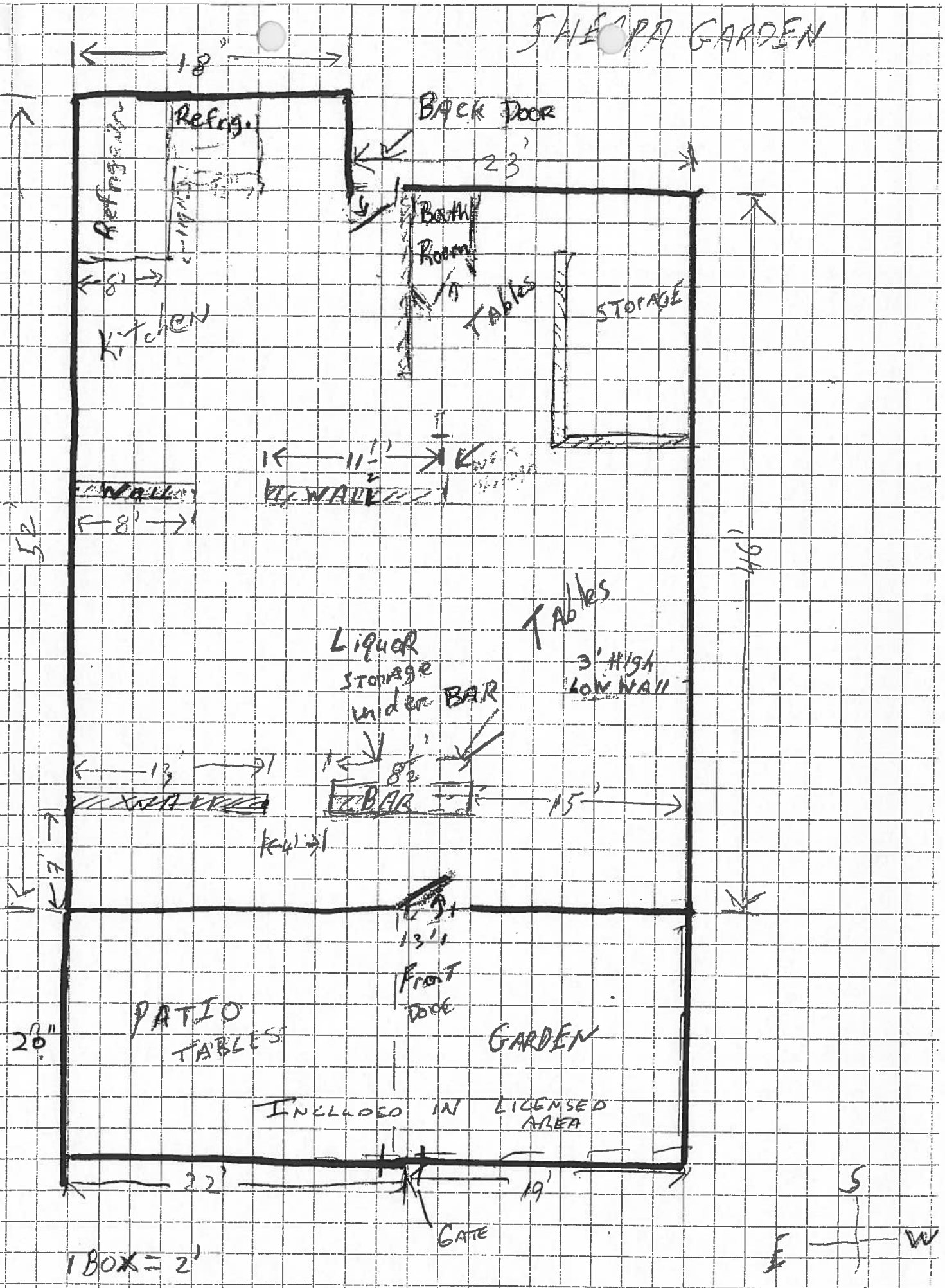
☐ Yes ■ No IF YES, ATTACH a statement or affidavit of explanation, including date(s) and location(s).

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
Tibet's Restaurant & Bar 3212 McCaslin Blvd. A, Louisville, CO 80027	Pasang T. Sherpa	Owner	2007-Current


JALEPA GARDEN
18'
Refrig.
Refrigerator
BACK DOOR
23'
Bath Room
8'
Kitchen
Tables
STORAGE
11'
WALL
WALL
8'
52'
46'
Tables
Liquor Storage under BAR
3' High Low Wall
13'
8½'
BAR
15'
4'
7'
13'
Front Door
PATIO TABLES
20'
GARDEN
INCLUDED IN LICENSED AREA
22'
19'
GATE
1 BOX = 2'
S
E
W
N

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	CITY CLERK'S OFFICE 2017 JUL 14 A 10: 55
IN THE MATTER OF: Sherpa Garden, LLC d/b/a **Sherpa Garden** 1005 W. Colorado Avenue Colorado Springs, CO 80904 Mailing Address: 1005 W. Colorado Avenue Colorado Springs, CO 80904	▲ **BOARD USE ONLY** ▲
	Application No: N-32460

NOTICE OF HEARING AND INITIAL FINDINGS OF FACT

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, August 4, 2017 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon Sherpa Garden, LLC d/b/a Sherpa Garden ("Applicant") application for a new Hotel and Restaurant Liquor License at 1005 W. Colorado Avenue, Colorado Springs, CO 80904.

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, July 25, 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, August 1, 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 June 8, 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 July 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

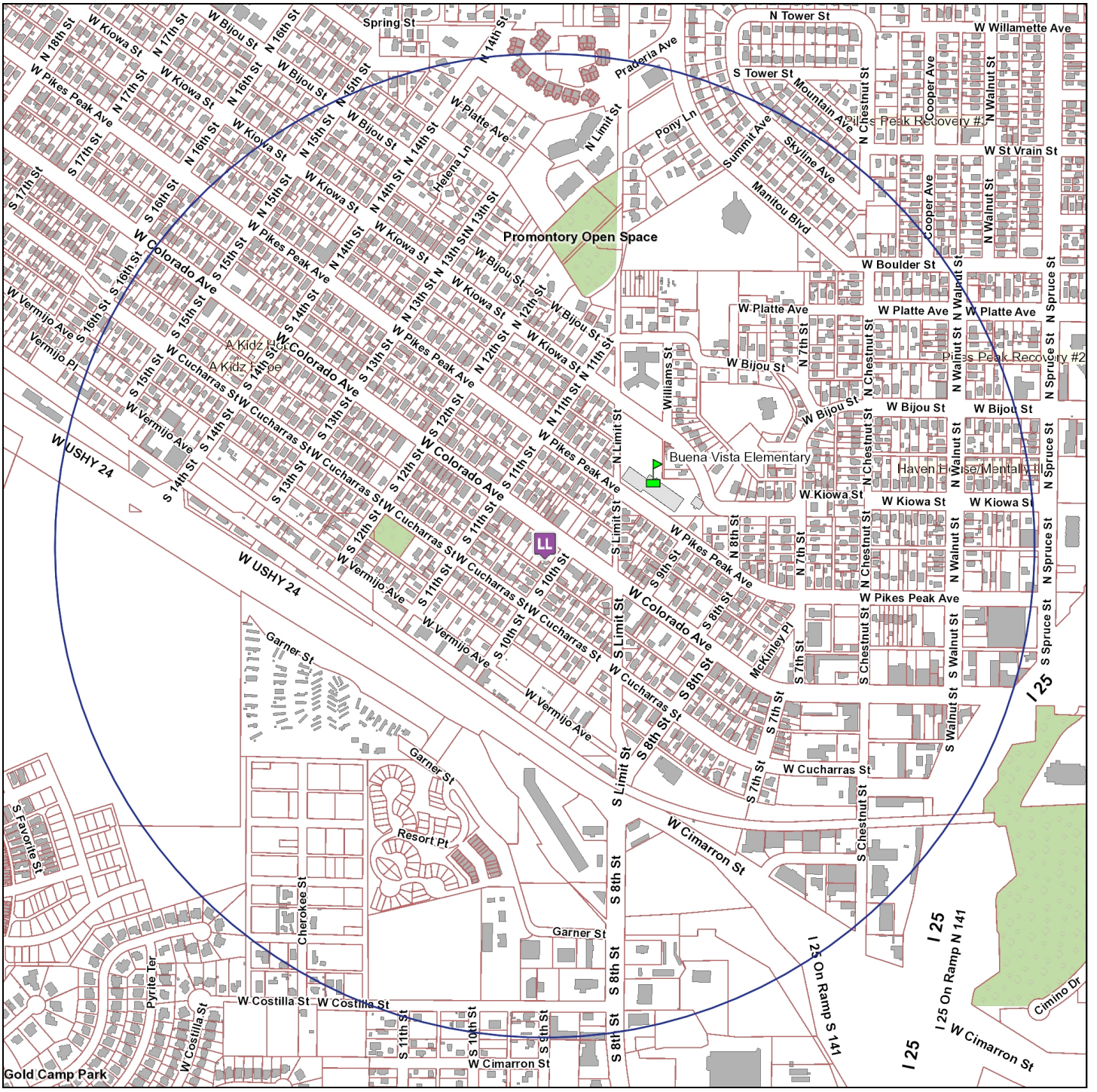
SHERPA GARDEN LLC

d/b/a SHERPA GARDEN

1005 W COLORADO AVE

OFFICE OF THE CITY CLERK

License ID: 32460



0 0.25 0.5 1 Mile

The survey boundary is 0.5 miles from the establishment

Map Prepared: 7/12/2017 8:24 AM

Copyright © 2017 City of Colorado Springs on behalf of the Colorado Springs Utilities. All rights reserved. This work, and/or the data contained heron, 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 responsbility for accuracy, completeness, or usefulness of any data contained hereon. The City of Colorado Springs, Colorado Springs Utilities, and their employees explicitly disclaim any responsibility for the data contained hereon.

OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 32460

SHERPA GARDEN LLC

d/b/a SHERPA GARDEN

1005 W COLORADO AVE

COLORADO SPRINGS, CO 80904

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

	Business d/b/a	Business Address	License Type	
1)	EUROPEAN CAFE & RESTAURANT	1015 W COLORADO AVE	Hotel & Restaurant	96.17 ft
2)	N3 TAPHOUSE	817 W COLORADO AVE	Hotel & Restaurant	823.49 ft
3)	ENGLISH DOCKSIDE FRESH SEAFOOD & GRILL WEST	1201 W COLORADO AVE	Hotel & Restaurant	958.93 ft
4)	THE PINERY AT THE HILL	775 W BIJOU ST	Hotel & Restaurant	1,412.90 ft
5)	BORRIELLO BROTHERS NY PIZZA	229 S 8TH ST	Hotel & Restaurant	1,435.70 ft
6)	CERBERUS BREWING	702 W COLORADO AVE	Brew Pub	1,501.19 ft
7)	BILLY'S OLD WORLD PIZZA	308 S 8TH ST	Beer & Wine	1,503.32 ft
8)	LA CASITA MEXICAN GRILL	306 S 8TH ST	Hotel & Restaurant	1,553.10 ft
9)	SUSHI RING II	308 S 8TH ST	Hotel & Restaurant	1,584.76 ft
10)	8TH STREET LOUNGE	310 S 8TH ST	Tavern	1,722.97 ft
11)	BENNY'S RESTAURANT & LOUNGE	517 W COLORADO AVE	Tavern	2,248.77 ft
12)	503W	503 W COLORADO AVE	Hotel & Restaurant	2,317.53 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 July 14, 2017 to the following address of record:

Sherpa Garden, LLC
dba Sherpa Garden
1005 W. Colorado Avenue
Colorado Springs, CO 80904

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

CC: PK_Sherpa@yahoo.com
Vince Linden (vince@lindenlawgroup.com)