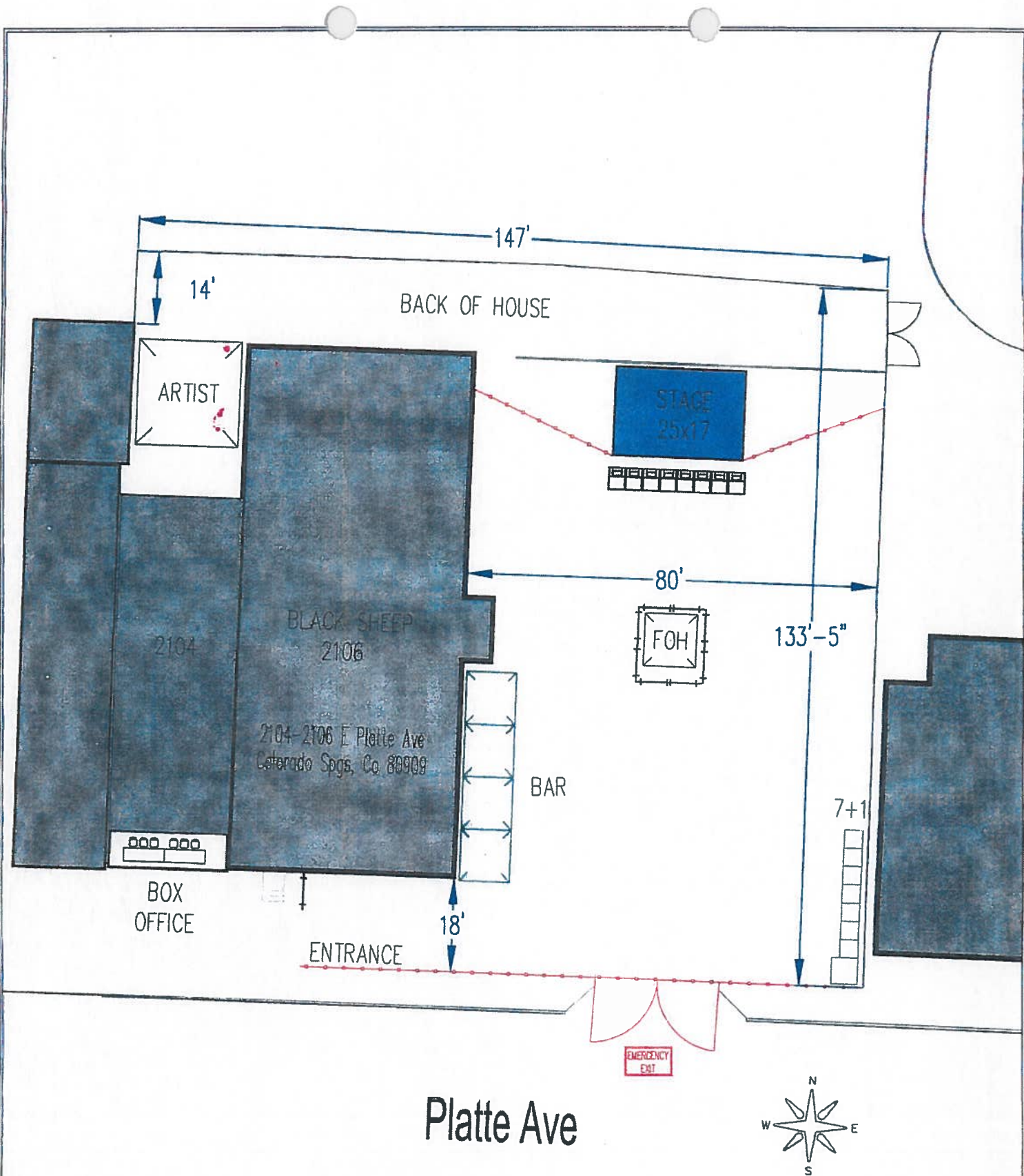


## Permit Application and Report of Changes

<b>Current License Number</b> <u>42199980000</u> <b>All Answers Must Be Printed in Black Ink or Typewritten</b> <b>Local License Fee \$</b> _____		
1. Applicant is a <input type="checkbox"/> Corporation ..... <input type="checkbox"/> Individual <input type="checkbox"/> Partnership ..... <input checked="" type="checkbox"/> Limited Liability Company		<b>Present License Number</b>  42199980000
2. Name of Licensee <div style="text-align: center;">Horns Up LLC</div>	3. Trade Name <div style="text-align: center;">The Black Sheep</div>	
4. Location Address <div style="text-align: center;">2106 E. Platte Ave.</div>		
City <div style="text-align: center;">Colorado Springs</div>	County <div style="text-align: center;">El Paso</div>	ZIP <div style="text-align: center;">80908</div>
<b>SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.</b>		
<b>Section A – Manager reg/change</b>  • License Account No. _____  <input type="checkbox"/> Manager's Registration (Hotel & Restr.) ..... \$75.00 <input type="checkbox"/> Manager's Registration (Tavern) ..... \$75.00 <input type="checkbox"/> Manager's Registration (Lodging & Entertainment) ..... \$75.00 <input type="checkbox"/> Change of Manager (Other Licenses pursuant to section 12-47-301(8), C.R.S.) NO FEE		<b>Section C</b>  <input type="checkbox"/> Retail Warehouse Storage Permit (ea) ..... \$200.00 <input type="checkbox"/> Wholesale Branch House Permit (ea) ..... 200.00 <input type="checkbox"/> Change Corp. or Trade Name Permit (ea) ..... 100.00 <input type="checkbox"/> Change Location Permit (ea) ..... 300.00 <input checked="" type="checkbox"/> Change, Alter or Modify Premises \$300.00 x _____ Total Fee _____  <input type="checkbox"/> Addition of Optional Premises to Existing H/R \$200.00 x _____ Total Fee _____  <input type="checkbox"/> Addition of Related Facility to an Existing Resort or Campus Liquor Complex \$160.00 x _____ Total Fee _____  <input type="checkbox"/> Campus Liquor Complex Designation      No Fee
<b>Section B – Duplicate License</b>  • Liquor License No. _____  <input type="checkbox"/> Duplicate License ..... \$50.00		
<b>Do Not Write in This Space – For Department of Revenue Use Only</b>		
Date License Issued	License Account Number	Period
The State may convert your check to a one time electronic banking transaction. Your bank account may be debited as early as the same day received by the State. If converted, your check will not be returned. If your check is rejected due to insufficient or uncollected funds, the Department of Revenue may collect the payment amount directly from your bank account electronically.		<div style="text-align: right;"> <b>TOTAL AMOUNT DUE</b>      \$ _____ .00         </div>

Change of Manager	<p><b>8. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging &amp; Entertainment liquor license or licenses pursuant to section 12-47-301(8).</b></p> <p>(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging &amp; Entertainment only)</p> <p>Former manager's name _____</p> <p>New manager's name _____</p> <p>(b) Date of Employment _____</p> <p>Has manager ever managed a liquor licensed establishment? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Does manager have a financial interest in any other liquor licensed establishment? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If yes, give name and location of establishment _____</p>
Modify Premises or Addition of Optional Premises or Related Facility	<p><b>9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility</b></p> <p>NOTE: Licensees may not modify or add to their licensed premises until approved by state and local authorities.</p> <p>(a) Describe change proposed <u>Temporarily extend licensed premises onto adjacent parking lot (enclosed) for outdoor concert with nationally acclaimed touring artist</u></p> <p>_____</p> <p>(b) If the modification is temporary, when will the proposed change: <u>2018</u> <u>VLL</u></p> <p>Start <u>5/23/2017</u> (mo/day/year) End <u>5/23/2017</u> (mo/day/year)</p> <p>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$600.00</p> <p>(c) Will the proposed change result in the licensed premises now being located within 500 feet of any public or private school that meets compulsory education requirements of Colorado law, or the principal campus of any college, university or seminary?</p> <p>(If yes, explain in detail and describe any exemptions that apply) Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(d) Is the proposed change in compliance with local building and zoning laws? Yes <input checked="" type="checkbox"/> No <input type="checkbox"/></p> <p>(e) If this modification is for an additional Hotel and Restaurant Optional Premises has the local authority authorized by resolution or ordinance the issuance of optional premises? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises.</p> <p>(g) Attach any existing lease that is revised due to the modification.</p>
Campus Liquor Complex Designation	<p><b>10. Campus Liquor Complex Designation</b></p> <p>An institution of higher education or a person who contracts with the institution to provide food services</p> <p>(a) I wish to designate my existing _____ Liquor License # _____ to a Campus Liquor Complex Yes <input type="checkbox"/> No <input type="checkbox"/></p>
Additional Related Facility	<p><b>11. Additional Related Facility</b></p> <p>To add a Related Facility to an existing Resort or Campus Liquor Complex, include the name of the Related Facility and include the address and an outlined drawing of the Related Facility Premises.</p> <p>(a) Address of Related Facility _____</p> <p>(b) Outlined diagram provided Yes <input type="checkbox"/> No <input type="checkbox"/></p>

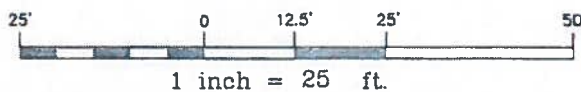
<b>Oath of Applicant</b>		
I declare under penalty of perjury in the second degree that I have read the foregoing application and all attachments thereto, and that all information therein is true, correct, and complete to the best of my knowledge		
Signature <i>Mike J. Ind...</i>	Title Attorney for Licensee	Date March 21 <sup>st</sup> , 2018 <i>VCL</i>
<b>Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)</b>		
The foregoing application has been examined and the premises, business conducted and character of the applicant is satisfactory, and we do report that such permit, if granted, will comply with the applicable provisions of Title 12, Articles 46 and 47, C.R.S., as amended. <b>Therefore, This Application is Approved.</b>		
Local Licensing Authority (City or County)		Date filed with Local Authority
Signature	Title	Date
<b>Report of STATE Licensing Authority</b>		
The foregoing has been examined and complies with the filing requirements of Title 12, Article 47, C.R.S., as amended.		
Signature	Title	Date



Platte Ave



GRAPHIC SCALE

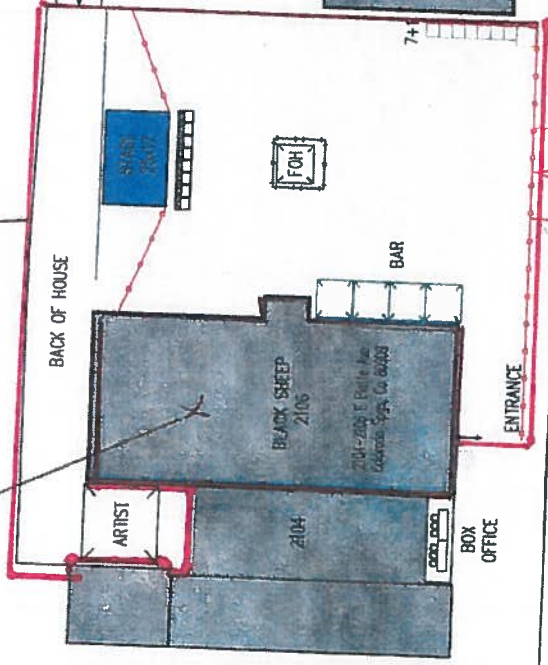
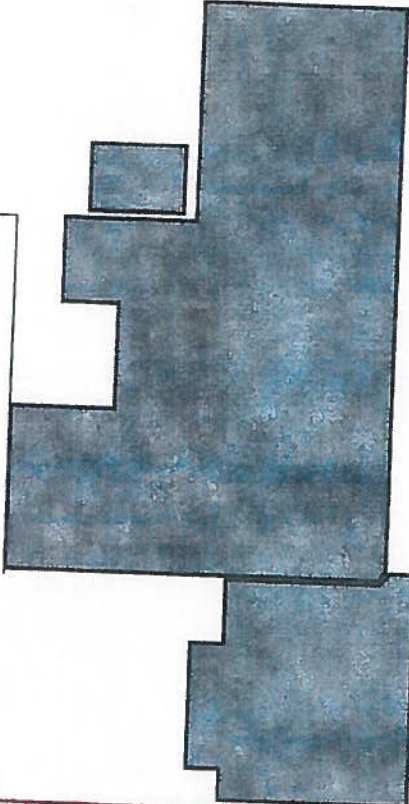


Sunset

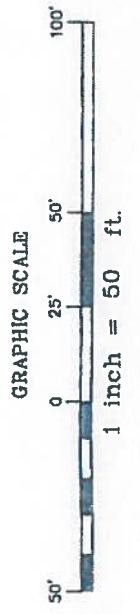
PROPOSED  
TEMPORARY  
MODIFICATION  
(IN RED)

EXISTING  
LICENSE  
2106 E PLATE

BACK OF HOUSE

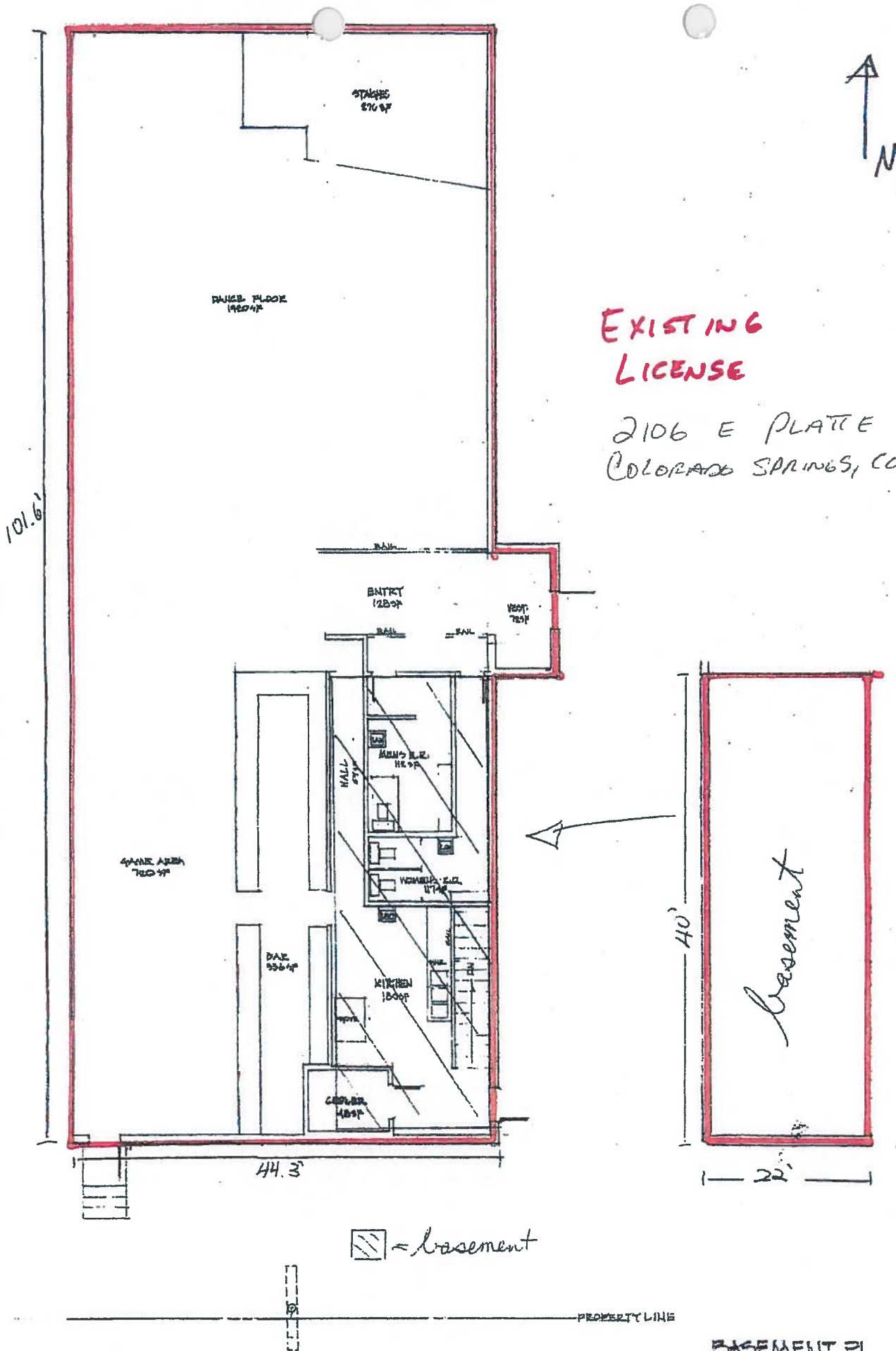


Platte Ave



**Brungardt Enterprises, L.L.C.**  
"CFO Services for Liquors and Taps"  
(866) 745-3353





<b>BEFORE THE LOCAL LIQUOR AND BEER LICENSING AUTHORITY, CITY OF COLORADO SPRINGS, STATE OF COLORADO</b> 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 MAR 29 A 8:55  ▲ CLERK USE ONLY ▲
<b>IN THE MATTER OF:</b>  <b>APPLICANT</b> Horns Up, LLC d/b/a <b>The Black Sheep</b> 2106 E. Platte Avenue Colorado Springs, CO 80909 Mailing Address: P.O. Box 4056 Boulder, CO 80306	Application No: M-711086B
<b>NOTICE OF HEARING AND INITIAL FINDINGS OF FACT</b>	

### NOTICE OF HEARING

This matter comes before the Local Licensing Authority Hearing Officer for hearing on **Friday, April 20, 2018 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Horns Up, LLC d/b/a The Black Sheep ("Applicant") application for a Modification of Premises of the existing Tavern Liquor License at 2106 E. Platte Avenue, Colorado Springs, CO 80909.

At this meeting, the Hearing Officer will consider the factors outlined in Rule No. 21.00 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, April 10, 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, April 17, 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 20, 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 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 March 29, 2018.**

FOR  
THE CITY OF COLORADO SPRINGS  
LOCAL LICENSING AUTHORITY



By: Sarah B. Johnson  
City Clerk

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



# Liquor Survey Boundaries



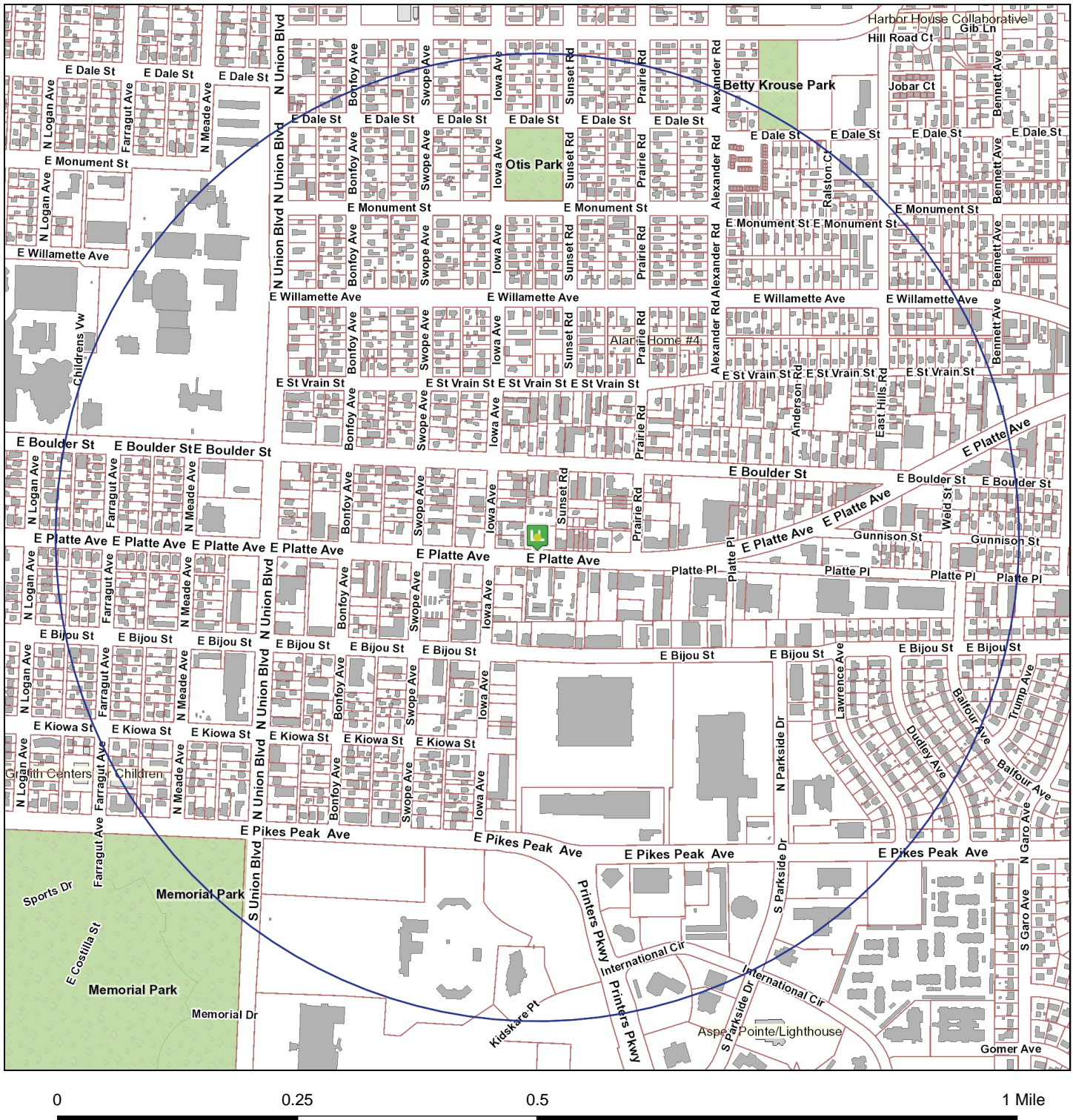
HORNS UP LLC

d/b/a THE BLACK SHEEP

2106 E PLATTE AVE

OFFICE OF THE CITY CLERK

License ID: 16774



The survey boundary is 0.5 miles from the establishment

Map Prepared: 3/28/2018 2:00 PM

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## OFFICE OF THE CITY CLERK

### HEARING LETTER ATTACHMENT

License ID: 16774

HORNS UP LLC

d/b/a THE BLACK SHEEP

2106 E PLATTE AVE

COLORADO SPRINGS, CO 80909

### EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA


<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) THE ANGRY PIRATE	2100 E PLATTE AVE	Tavern	193.65 ft
2) BUTCH'S SKYBOX	2102 E BIJOU ST	Tavern	574.51 ft
3) THE PEAK TAVERN	2001 E PLATTE AVE	Tavern	617.75 ft
4) TAQUERIA LA UNICA	2306 E PLATTE AVE	Hotel & Restaurant	657.04 ft
5) ROYAL CASTLE LOUNGE & GRILL	2351 - 2361 PLATTE PL	Hotel & Restaurant	1,257.18 ft
6) LA CARRETA	35 & 37 N IOWA AVE	Hotel & Restaurant	1,273.60 ft
7) UWE'S GERMAN RESTAURANT	31-33 IOWA AVE N	Hotel & Restaurant	1,330.52 ft
8) DRAGON GATE CHINESE RESTAURANT	323 N UNION BLVD	Hotel & Restaurant	1,411.35 ft
9) CHINA VILLAGE	203 N UNION BLVD	Hotel & Restaurant	1,474.45 ft
10) COLORADO SPRINGS BIKINI BAR	2510 E BIJOU ST	Tavern	1,597.95 ft
11) QUIJOTES MEXICAN GRILL	204-208 N UNION BLVD	Hotel & Restaurant	1,687.53 ft
12) FINISH LINE LOUNGE	1812 E MONUMENT ST	Tavern	2,276.47 ft
13) STARGAZER'S THEATRE AND EVENT CENTER	10 S PARKSIDE DR	Tavern	2,308.22 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 March 30, 2018 to the following address of record:

Horns Up, LLC  
dba The Black Sheep  
P.O. Box 4056  
Boulder, CO 80306



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

CC: mike@sodajerkpresents.com  
Vince Linden <vince@lindenlawgroup.com>  
<liquorpros@msn.com>