



## OFFICE OF THE CITY CLERK

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

Received: CITY CLERK'S OFFICE 2018 APR -3 A 10:23
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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)*

- |  |  |   |  |
|--|--|---|--|
| <input checked="" type="checkbox"/> Hotel/Restaurant (or Resort) | <input type="checkbox"/> Hotel/Restaurant w/Optional | <input type="checkbox"/> Tavern                 | <input type="checkbox"/> Brew Pub                    |
| <input type="checkbox"/> Distillery Pub                          | <input type="checkbox"/> Vintner's Restaurant        | <input type="checkbox"/> Beer and Wine          | <input type="checkbox"/> Optional Premises           |
| <input type="checkbox"/> Retail Liquor Store*                    | <input type="checkbox"/> Liquor Licensed Drugstore*  | <input type="checkbox"/> Racetrack              | <input type="checkbox"/> Arts                        |
| <input type="checkbox"/> Lodging & Entertainment                 | <input type="checkbox"/> 3.2% Beer On Premises       | <input type="checkbox"/> 3.2% Beer Off Premises | <input type="checkbox"/> 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): Western Omelette LLC	
2. Trade Name (DBA): Western Omelette	
3. Premises Address: 16 S. Walnut St., Colorado Springs, CO 80905 City, State, Zip:	Location Phone: (719) 636-2286
Property Tax Schedule No. : 7413125024	Zoning: C6
4. Mailing Address: 16 S. Walnut St., Colorado Springs, CO 80905 City, State, Zip:	Alt Phone: (719) 466-0162
Primary Contact Name And Title: William Borders, manager	Email: bordersbill@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			

**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
William Borders	Member/Manager	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
N/A This business has been in operation since 1992		
There are no loans against it.		
TOTAL INVESTMENT IN BUSINESS:		\$ 0

**Section C: PREMISES / LOCATION INFORMATION**

8. Registered Manager Name: William Borders

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

If leased, provide the terms: START DATE: 4/13/2000 END DATE: 12/31/22

DIMENSIONS OF PREMISES: 56'8" x 70'9" TOTAL SQUARE FOOTAGE: 3596

Is there a patio area? ☒ Yes ☐ No --- If yes, provide dimensions 19'8" x 62' 9"

Anticipated number of employees: 3 servers Anticipated opening date: Already open

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).

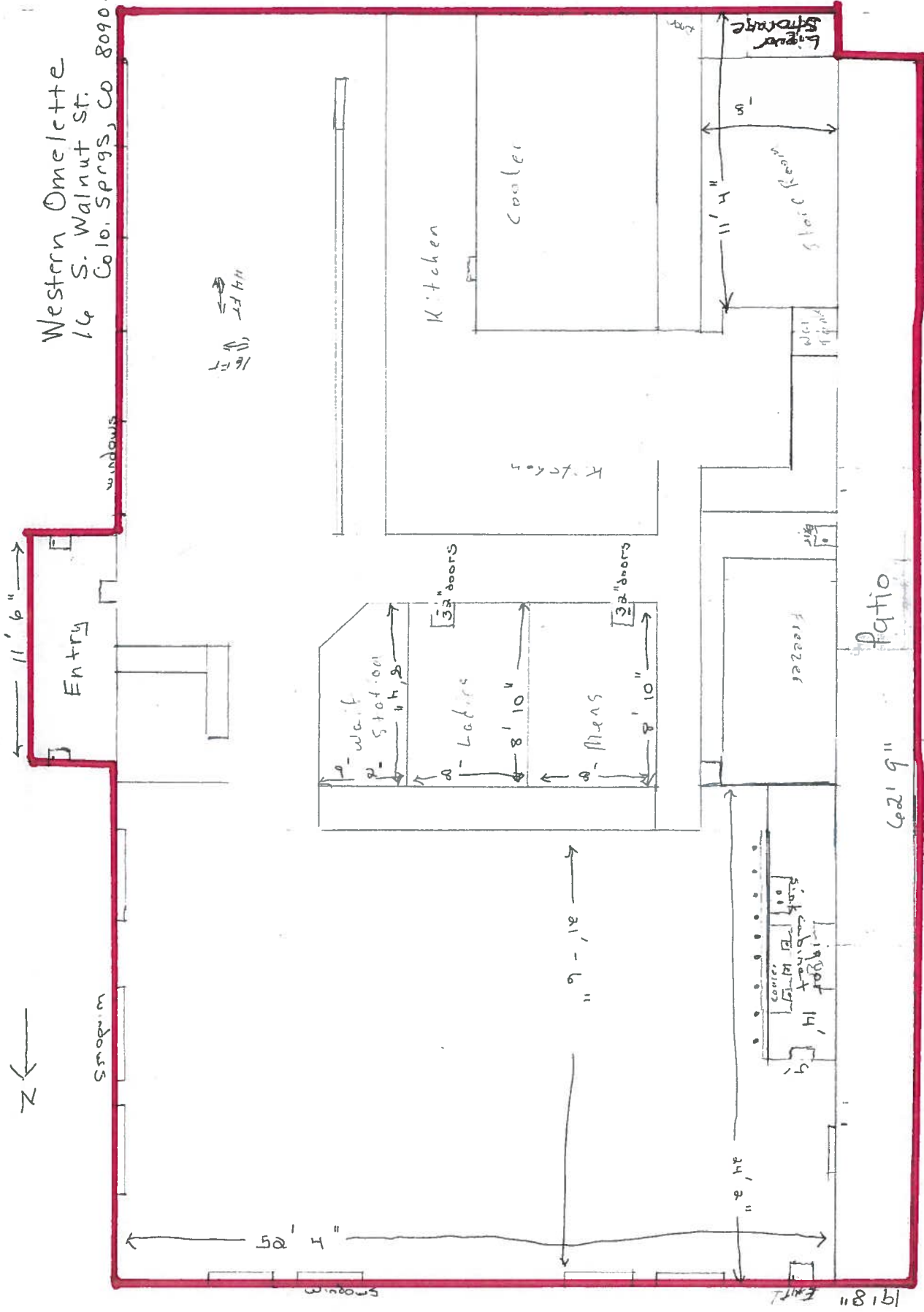
12. Has the applicant/licensee, any partners, any officers, any stockholders or directors, or any manager of said applicant ever been convicted of any crime, received a suspended sentence, a deferred sentence, or have charges pending?

☒ 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
Border Fox 11627 Black Forest Rd Colo. Sprgs, CO 80908	William Borders	Owner	1996
The Brick House Bar & Grill 424 S. Nevada Ave CSC 80903	William Borders	Owner	2014

Western Omelette  
 16 S. Walnut St.  
 Colo. Sprgs, CO 80905



**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 MAY -1 A 10: 23

▲ CLERK USE ONLY ▲

**IN THE MATTER OF:**

**APPLICANT**

Western Omelette, LLC  
d/b/a **Western Omelette**  
16 S. Walnut Street  
Colorado Springs, CO 80905  
Mailing Address:  
16 S. Walnut Street  
Colorado Springs, CO 80905

Application No: N-33725

**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 Western Omelette, LLC d/b/a Western Omelette ("Applicant") application for a new Hotel and Restaurant Liquor License at 16 S. Walnut Street, Colorado Springs, CO 80905.

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 April 3, 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



WESTERN OMELETTE LLC  
d/b/a WESTERN OMELETTE  
16 S WALNUT ST

OFFICE OF THE CITY CLERK  
License ID: 33725



The survey boundary is 0.5 miles from the establishment

Map Prepared: 4/25/2018 11:51 AM

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## OFFICE OF THE CITY CLERK

### HEARING LETTER ATTACHMENT

License ID: 33725

WESTERN OMELETTE LLC

d/b/a WESTERN OMELETTE

16 S WALNUT ST

COLORADO SPRINGS, CO 80905

### EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

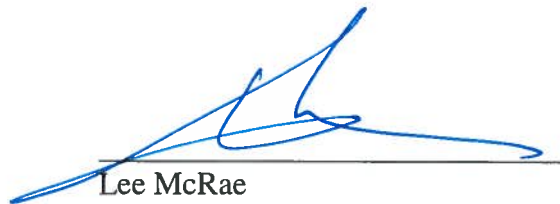
<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) BENNY'S RESTAURANT & LOUNGE	517 W COLORADO AVE	Tavern	367.68 ft
2) 503W	503 W COLORADO AVE	Hotel & Restaurant	374.03 ft
3) CERBERUS BREWING	702 W COLORADO AVE	Brew Pub	780.51 ft
4) N3 TAPHOUSE	817 W COLORADO AVE	Hotel & Restaurant	1,414.26 ft
5) THE PINERY AT THE HILL	775 W BIJOU ST	Hotel & Restaurant	1,524.73 ft
6) BORRIELLO BROTHERS NY PIZZA	229 S 8TH ST	Hotel & Restaurant	1,572.68 ft
7) CLARION HOTEL and QUALITY SUITES	314 W BIJOU ST	Hotel & Restaurant	1,623.41 ft
8) SPICE ISLAND GRILL	10 N SIERRA MADRE ST	Hotel & Restaurant	2,001.23 ft
9) LA CASITA MEXICAN GRILL	306 S 8TH ST	Hotel & Restaurant	2,086.75 ft
10) SHERPA GARDEN	1005 W COLORADO AVE	Hotel & Restaurant	2,137.88 ft
11) WESTSIDE BILLIARDS	310 S 8TH ST	Tavern	2,224.53 ft
12) EUROPEAN CAFE & RESTAURANT	1015 W COLORADO AVE	Hotel & Restaurant	2,225.28 ft
13) SUSHI RING II	308 S 8TH ST	Hotel & Restaurant	2,229.03 ft
14) BILLY'S OLD WORLD PIZZA	308 S 8TH ST	Beer & Wine	2,249.39 ft
15) THE ANTLERS & ANTLERS HOTEL	4 S CASCADE AVE	Hotel & Restaurant	2,337.55 ft
16) PIKES PEAK CENTER	190 S CASCADE AVE	Tavern	2,596.34 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 May 1, 2018, 2018 to the following address of record:

Western Omelette, LLC  
dba Western Omelette  
16 S. Walnut Street  
Colorado Springs, CO 80905



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

CC: bordersbill@yahoo.com  
Erika Kaiser <erikakaiser1@msn.com>  
<liquorpros@msn.com>