

Permit Application and Report of Changes

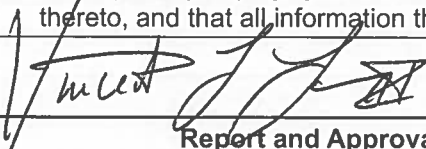
CITY CLERK'S OFFICE

2020 DEC 14 P 3:43

Current License Number _____ 03-03118 All Answers Must Be Printed in Black Ink or Typewritten Local License Fee \$ _____ \$750		
1. Applicant is a <input type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company		Present License Number 03-03118
2. Name of Licensee Pinery Gourmet Catering LLC	3. Trade Name Garden of the Gods Gourmet Market and Cafe	
4. Location Address 410 South 26th Street		
City Colorado Springs	County El Paso	ZIP 80904
SELECT THE APPROPRIATE SECTION BELOW AND PROCEED TO THE INSTRUCTIONS ON PAGE 2.		
Section A – Manager reg/change		Section C
• 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 44-3-301(8), C.R.S.) NO FEE		<input type="checkbox"/> Retail Warehouse Storage Permit (ea) \$100.00 <input type="checkbox"/> Wholesale Branch House Permit (ea) 100.00 <input checked="" type="checkbox"/> Change Corp. or Trade Name Permit (ea) 50.00 <input checked="" type="checkbox"/> Change Location Permit (ea) 150.00 <input type="checkbox"/> Change, Alter or Modify Premises \$150.00 x _____ Total Fee _____ <input type="checkbox"/> Addition of Optional Premises to Existing H/R \$100.00 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 <input type="checkbox"/> Sidewalk Service Area \$75.00
Section B – Duplicate License		
• Liquor License No. _____ <input type="checkbox"/> Duplicate License \$50.00		
Do Not Write in This Space – For Department of Revenue Use Only		
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.		TOTAL AMOUNT DUE \$ _____ .00

Storage Permit	<p>5. Retail Warehouse Storage Permit or a Wholesalers Branch House Permit</p> <p><input type="checkbox"/> Retail Warehouse Permit for:</p> <p style="margin-left: 20px;"><input type="checkbox"/> On-Premises Licensee (Taverns, Restaurants etc.)</p> <p style="margin-left: 20px;"><input type="checkbox"/> Off-Premises Licensee (Liquor stores)</p> <p><input type="checkbox"/> Wholesalers Branch House Permit</p> <p>Address of storage premise: _____</p> <p>City _____, County _____, Zip _____</p> <p>Attach a deed/ lease or rental agreement for the storage premises. Attach a detailed diagram of the storage premises.</p>						
Change Trade Name or Corporate Name	<p>6. Change of Trade Name or Corporation Name</p> <p><input checked="" type="checkbox"/> Change of Trade name / DBA only</p> <p><input type="checkbox"/> Corporate Name Change (Attach the following supporting documents)</p> <p style="margin-left: 20px;">1. Certificate of Amendment filed with the Secretary of State, or</p> <p style="margin-left: 20px;">2. Statement of Change filed with the Secretary of State, <u>and</u></p> <p style="margin-left: 20px;">3. Minutes of Corporate meeting, Limited Liability Members meeting, Partnership agreement.</p> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr> <td style="width: 50%; padding: 2px;">Old Trade Name</td><td style="width: 50%; padding: 2px;">New Trade Name</td></tr> <tr> <td style="padding: 2px;">Garden of the Gods Gourmet and Cafe (keeping)</td><td style="padding: 2px;">Add to Existing: Blind Lark, Till, Vine & Wheel</td></tr> <tr> <td style="padding: 2px;">Old Corporate Name</td><td style="padding: 2px;">New Corporate Name</td></tr> </table>	Old Trade Name	New Trade Name	Garden of the Gods Gourmet and Cafe (keeping)	Add to Existing: Blind Lark, Till, Vine & Wheel	Old Corporate Name	New Corporate Name
Old Trade Name	New Trade Name						
Garden of the Gods Gourmet and Cafe (keeping)	Add to Existing: Blind Lark, Till, Vine & Wheel						
Old Corporate Name	New Corporate Name						
Change of Location	<p>7. Change of Location</p> <p>NOTE TO RETAIL LICENSEES: An application to change location has a local application fee of \$750 payable to your local licensing authority. You may only change location within the same jurisdiction as the original license that was issued. Pursuant to 44-3-311(1) C.R.S. Your application must be on file with the local authority thirty (30) days before a public hearing can be held.</p> <p>Date filed with Local Authority _____ Date of Hearing _____</p> <p>(a) Address of current premises _____ 410 South 26th Street</p> <p style="margin-left: 20px;">City _____ Colorado Springs _____ County _____ El Paso _____ Zip _____ 80904</p> <p>(b) Address of proposed New Premises (Attach copy of the deed or lease that establishes possession of the premises by the licensee)</p> <p style="margin-left: 20px;">Address _____ 616 S. Tejon St</p> <p style="margin-left: 20px;">City _____ Colorado Springs _____ County _____ El Paso _____ Zip _____ 80903</p> <p>(c) New mailing address if applicable.</p> <p style="margin-left: 20px;">Address _____ 616 S. Tejon St</p> <p style="margin-left: 20px;">City _____ Colorado Springs _____ County _____ El Paso _____ State _____ CO _____ Zip _____ 80903</p> <p>(d) Attach detailed diagram of the premises showing where the alcohol beverages will be stored, served, possessed or consumed. Include kitchen area(s) for hotel and restaurants.</p>						

Change of Manager	<p>8. Change of Manager or to Register the Manager of a Tavern, Hotel and Restaurant, Lodging & Entertainment liquor license or licenses pursuant to section 44-3-301(8).</p> <p>(a) Change of Manager (attach Individual History DR 8404-I H/R, Tavern and Lodging & 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, Related Facility, or Sidewalk Service Area	<p>9. Modification of Premises, Addition of an Optional Premises, Addition of Related Facility, or Addition of a Sidewalk Service Area</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 _____</p> <p>_____</p> <p>_____</p> <p>(b) If the modification is temporary, when will the proposed change:</p> <p>Start _____ (mo/day/year) End _____ (mo/day/year)</p> <p>NOTE: THE TOTAL STATE FEE FOR TEMPORARY MODIFICATION IS \$300.00</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 type="checkbox"/></p> <p>(d) Is the proposed change in compliance with local building and zoning laws? Yes <input 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> <p>(h) For the addition of a Sidewalk Service Area per Regulation 47-302(A)(4), include documentation received from the local governing body authorizing use of the sidewalk. Documentation may include but is not limited to a statement of use, permit, easement, or other legal permissions.</p>
Campus Liquor Complex Designation	<p>10. Campus Liquor Complex Designation</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>11. Additional Related Facility</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>

Oath of Applicant		
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 	Title VINCENT L. LINDEN III Attorney for Licensee	Date 12-14-2020
Report and Approval of LOCAL Licensing Authority (CITY / COUNTY)		
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 44, Articles 4 and 3, C.R.S., as amended. Therefore, This Application is Approved.		
Local Licensing Authority (City or County)		Date filed with Local Authority
Signature	Title	Date
Report of STATE Licensing Authority		
The foregoing has been examined and complies with the filing requirements of Title 44, Article 3, C.R.S., as amended.		
Signature	Title	Date

Supplement to DR 8442
Colorado Department of Revenue

Permit Application and Report of Changes

Pinery Gourmet Catering LLC License No. 03-03118

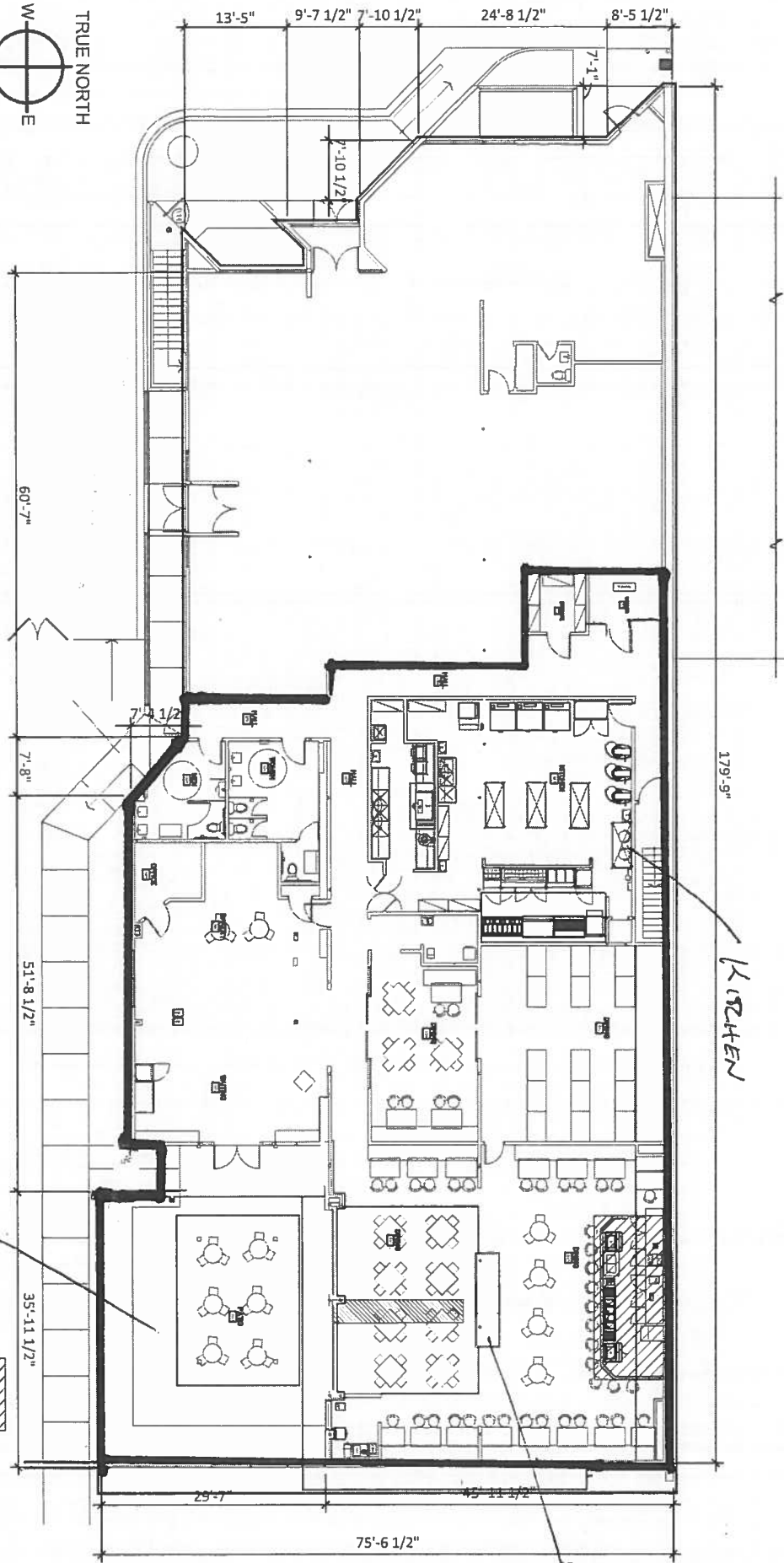
6. Change of Trade Name or Corporation Name Change of Trade name / DBA only

Existing Trade Name: Garden of the Gods Gourmet and Café

New Trade Name: Garden of the Gods Gourmet and Café, Blind Lark, Till, Vine & Wheel

(Applicant is keeping current tradename and adding additional tradenames set forth above).

PINERY GOURMET LLC



SCALE:



AMENDED 12/18/2020
SUBMISSION

1ST FLOOR LIQUOR LICENSE PLAN

12/18/20

OUTDOOR PATIO



LIQUOR STORAGE

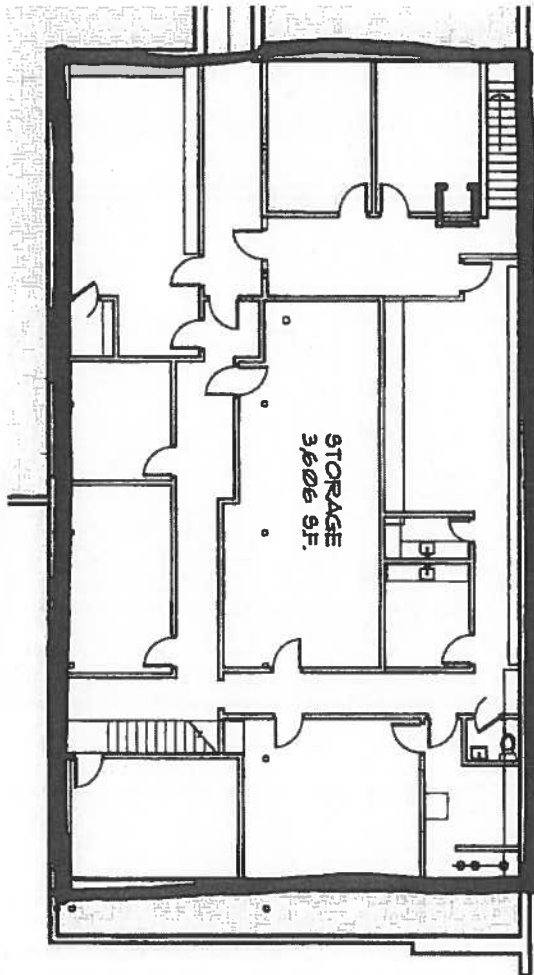
bobboyhill
DESIGNS

219 WEST COLORADO AVE.
SUITE 308
COLORADO SPRINGS, CO.
719-634-3600 719-634-2239

616 S TEJON ST
COLORADO SPRINGS,
CO 80903

PINERY GOURMET, LLC

STORAGE ONLY
NO CONSUMPTION
NO DINING



LOWER LEVEL = 3,606 S.F.

616 S. TEJON ST.
COLORADO SPRINGS, COLORADO 80903

PLAN - LOWER LEVEL
SCALE: 1/8" = 1'-0"



AMENDED
SUBMISSION
12/18/2020

VL

**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 DEC 23 A 8:44

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

Pinery Gourmet Catering, LLC
d/b/a **Garden of the Gods Gourmet Market and Café**
616 S. Tejon Street
Colorado Springs, CO 80903
Mailing Address:
1720 Jet Stream Drive, #100
Colorado Springs, CO 80921

Application No: C-0721889

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, January 15, 2021 at 9:00 A.M. by virtual hearing with remote participation** upon Pinery Gourmet Catering, LLC d/b/a Garden of the Gods Gourmet Market and Café ("Applicant") application for a Change of Location of its existing Hotel and Restaurant Liquor License at 410 S. 26th Street to 616 S. Tejon Street, Colorado Springs, CO 80903. **Additional information related to appearance, remote participation, and public comment for this public hearing will be provided via email communication as soon as possible, but not later than Tuesday, January 12, 2021.**

At this meeting, the Hearing Officer will consider the factors outlined in Rule No. 9.08 and 15.00 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. 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, January 5, 2021. 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, January 12, 2021.

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 December 14, 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 evidenced 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 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 December 23, 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



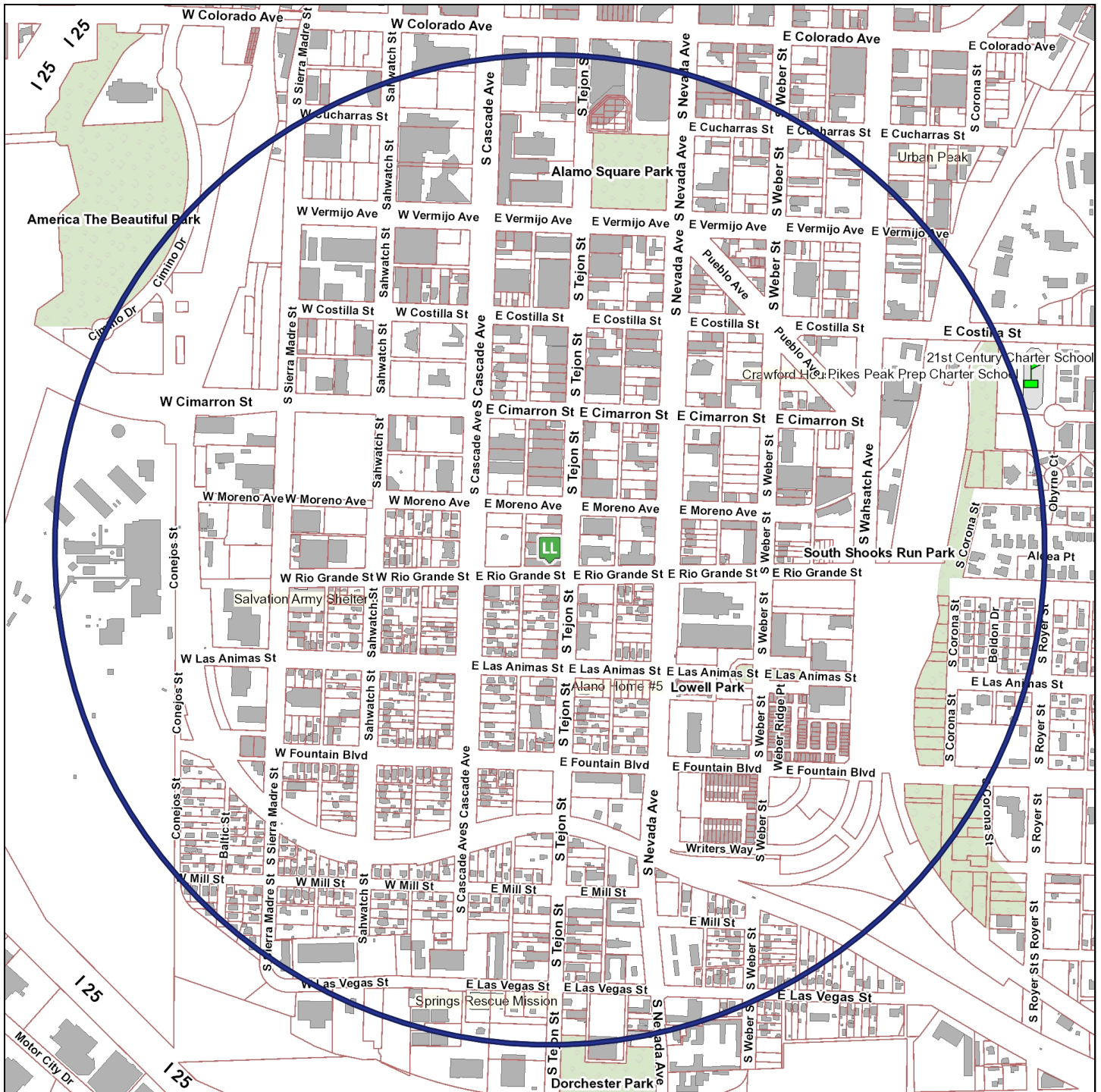
PINERY GOURMET CATERING, LLC

d/b/a GARDEN OF THE GODS GOURMET MARKET & CAFE

616 S TEJON ST

OFFICE OF THE CITY CLERK

License ID: 0721889



The survey boundary is 0.5 miles from the establishment

Map Prepared: 12/22/2020 3:30 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 0721889

PINERY GOURMET CATERING, LLC

d/b/a GARDEN OF THE GODS GOURMET MARKET & CAFE

616 S TEJON ST

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) V F W CLUB 101	702 S TEJON ST	Club Liquor License	214.92 ft
2) ATOMIC COWBOY/DENVER BISCUIT CO. et al	528 S TEJON ST	Hotel & Restaurant Liquor License	352.66 ft
3) CORK AND CASK DRINKS	60 E MORENO AVE	Tavern Liquor License	367.10 ft
4) DOS SANTOS	70 E MORENO AVE	Hotel & Restaurant Liquor License	371.37 ft
5) THE COFFEE EXCHANGE	526 S TEJON ST	Hotel & Restaurant Liquor License	411.94 ft
6) STREETCAR520	520 S TEJON ST	Hotel & Restaurant Liquor License	428.17 ft
7) PIKES PEAK BREWING CO., COATI	514 S TEJON ST	Brew Pub Liquor License	487.62 ft
8) SHUGA'S	702 S CASCADE AVE	Hotel & Restaurant Liquor License	549.79 ft
9) THE WAREHOUSE RESTAURANT	25 W CIMARRON ST	Hotel & Restaurant Liquor License	1,013.44 ft
10) THE BENCH IN SODO	424 S NEVADA AVE	Hotel & Restaurant Liquor License	1,051.31 ft
11) LOYAL COFFEE	408 S NEVADA AVE	Hotel & Restaurant Liquor License	1,233.03 ft
12) IRON BIRD BREWING CO.	402 & 404 S NEVADA AVE	Brew Pub Liquor License	1,265.81 ft
13) THE BLOCK BAR & GRILL	333 S TEJON ST	Hotel & Restaurant Liquor License	1,328.52 ft
14) BAR-K	124 E COSTILLA ST	Tavern Liquor License	1,380.84 ft
15) CHINA TOWN RESTAURANT	326 S NEVADA AVE	Hotel & Restaurant Liquor License	1,464.47 ft
16) LUIGIS RESTAURANT	947 S TEJON ST	Hotel & Restaurant Liquor License	1,745.38 ft
17) THE CARTER PAYNE	320 S WEBER ST	Brew Pub Liquor License	1,817.80 ft
18) PIKES PEAK CENTER	190 S CASCADE AVE	Tavern Liquor License	2,252.82 ft
19) UNITED STATES OLYMPIC & PARALYMPIC MUSEUM	200 S SIERRA MADRE ST	Hotel & Restaurant Liquor License	2,332.00 ft



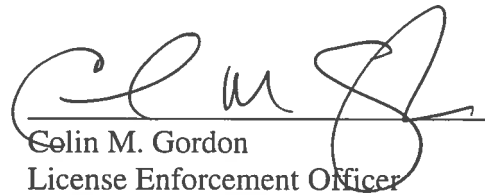
OFFICE OF THE CITY CLERK

20) MACKENZIES CHOPHOUSE	128 S TEJON ST	Hotel & Restaurant Liquor License	2,357.43 ft
21) URBAN STEAM COFFEE BAR	1025 S SIERRA MADRE ST	Tavern Liquor License	2,533.33 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 December 23, 2020 to the following address of record:

Pinery Gourmet Catering, LLC
d/b/a Garden of the Gods Gourmet Market and Café
1720 Jet Stream Drive, #100
Colorado Springs, CO 80921



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

CC: vince@lindenlawgroup.com
amy@thepinery.com
liquorpros@msn.com