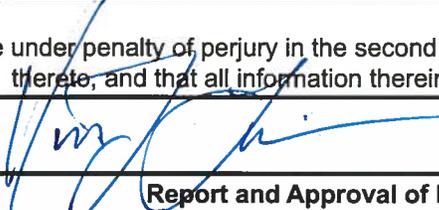


Permit Application and Report of Changes

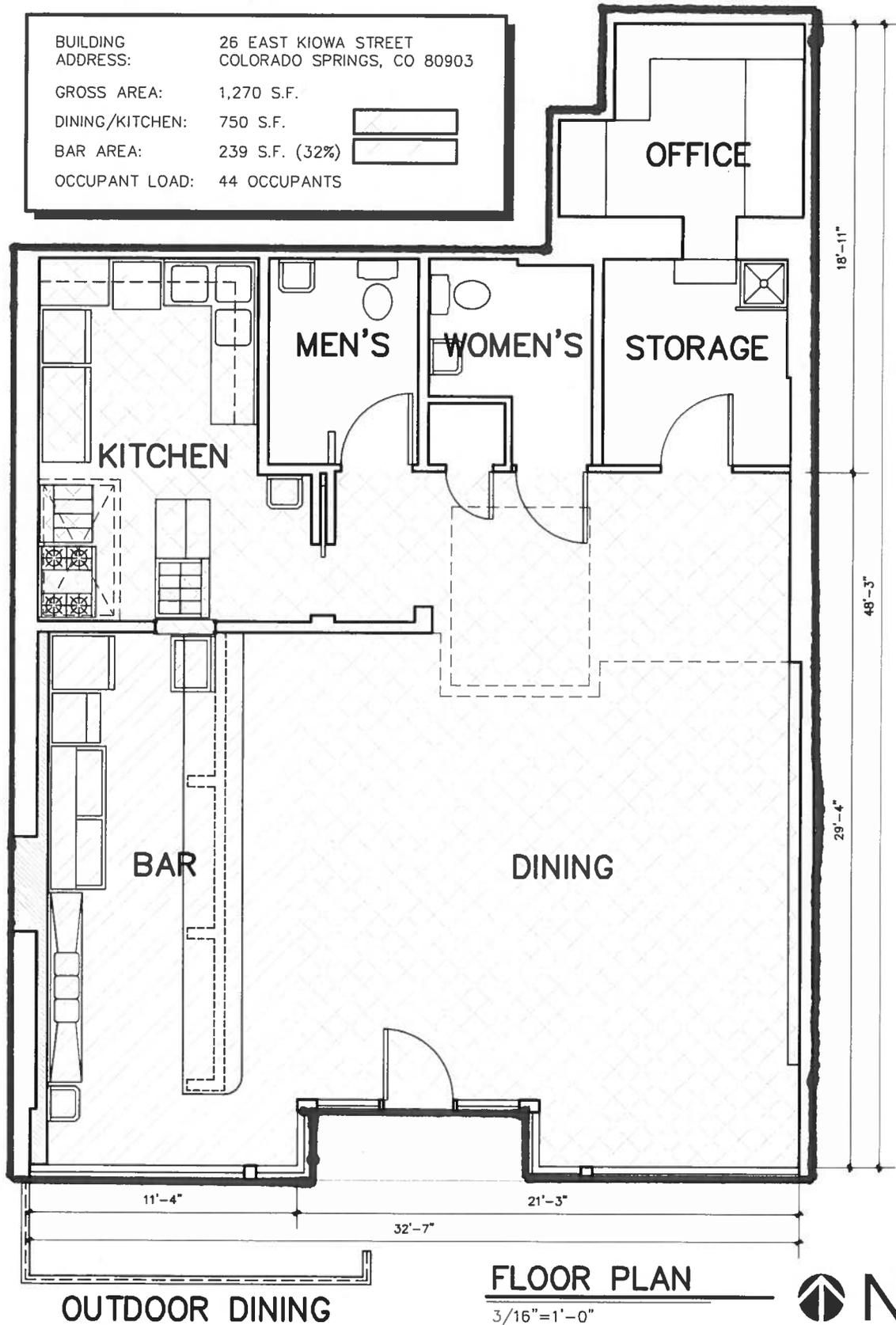
Current License Number _____ All Answers Must Be Printed in Black Ink or Typewritten Local License Fee \$ _____		
1. Applicant is a <input type="checkbox"/> Corporation <input type="checkbox"/> Individual <input type="checkbox"/> Partnership <input checked="" type="checkbox"/> Limited Liability Company		Present License Number _____
2. Name of Licensee <p style="text-align: center;">T Byrd's Tacos, LLC</p>		3. Trade Name <p style="text-align: center;">T Byrd's Tacos and Tequila</p>
4. Location Address <p style="text-align: center;">26 East Kiowa Street</p>		
City <p style="text-align: center;">Colorado Springs</p>	County <p style="text-align: center;">El Paso</p>	ZIP _____
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 12-47-301(8), C.R.S.) NO FEE		<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 _____
Section B – Duplicate License		
• Liquor License No. _____ <input type="checkbox"/> Duplicate License \$50.00		<input type="checkbox"/> Addition of Optional Premises to Existing H/R \$200.00 x _____ Total Fee _____ <input type="checkbox"/> Addition of Related Facility to Resort Complex \$75.00 x _____ Total Fee _____ <input type="checkbox"/> Tavern Conversion No Fee
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

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 12-47-301(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 or Related Facility	<p>9. Modification of Premises, Addition of an Optional Premises, or Addition of Related Facility</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>Addition of outdoor seating area pursuant to attached diagram;</u> <u>City's revocable permit attached.</u></p> <p>(b) If the modification is temporary, when will the proposed change: Start _____ (mo/day/year) End _____ (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? (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 or Resort Complex Related Facility, has the local authority authorized by resolution or ordinance the issuance of optional premises? Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(f) Attach a diagram of the current licensed premises and a diagram of the proposed changes for the licensed premises. <u>ATTACHED</u></p> <p>(g) Attach any existing lease that is revised due to the modification. <u>NONE - CITY PROPERTY</u></p>
Tavern Conversion	<p>10. Tavern Conversion <u>CITY REVOCABLE PERMIT ATTACHED</u></p> <p><i>(Note* Must be completed by August 10, 2017 as the Tavern conversion will no longer be permitted. Only Tavern licenses issued before August 10, 2016, that do not fit the definition of a tavern as defined in section 12-47-103(38), C.R.S. may convert to a different license type.)</i> Please pick one of the following choices:</p> <p>(a) I wish to convert my existing Tavern Liquor License # _____ to a Lodging and Entertainment Liquor License?..... Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>(b) I wish to convert my existing Tavern Liquor License # _____ to a _____ Liquor License?..... 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 Attorney for Licensee	Date 7-19-2017
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 12, Articles 46 and 47, 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 12, Article 47, C.R.S., as amended.		
Signature	Title	Date

T Byrd's Tacos, LLC d/b/a
 T Byrd's Tacos and Tequila

BUILDING ADDRESS:	26 EAST KIOWA STREET COLORADO SPRINGS, CO 80903
GROSS AREA:	1,270 S.F.
DINING/KITCHEN:	750 S.F.
BAR AREA:	239 S.F. (32%)
OCCUPANT LOAD:	44 OCCUPANTS



FLOOR PLAN

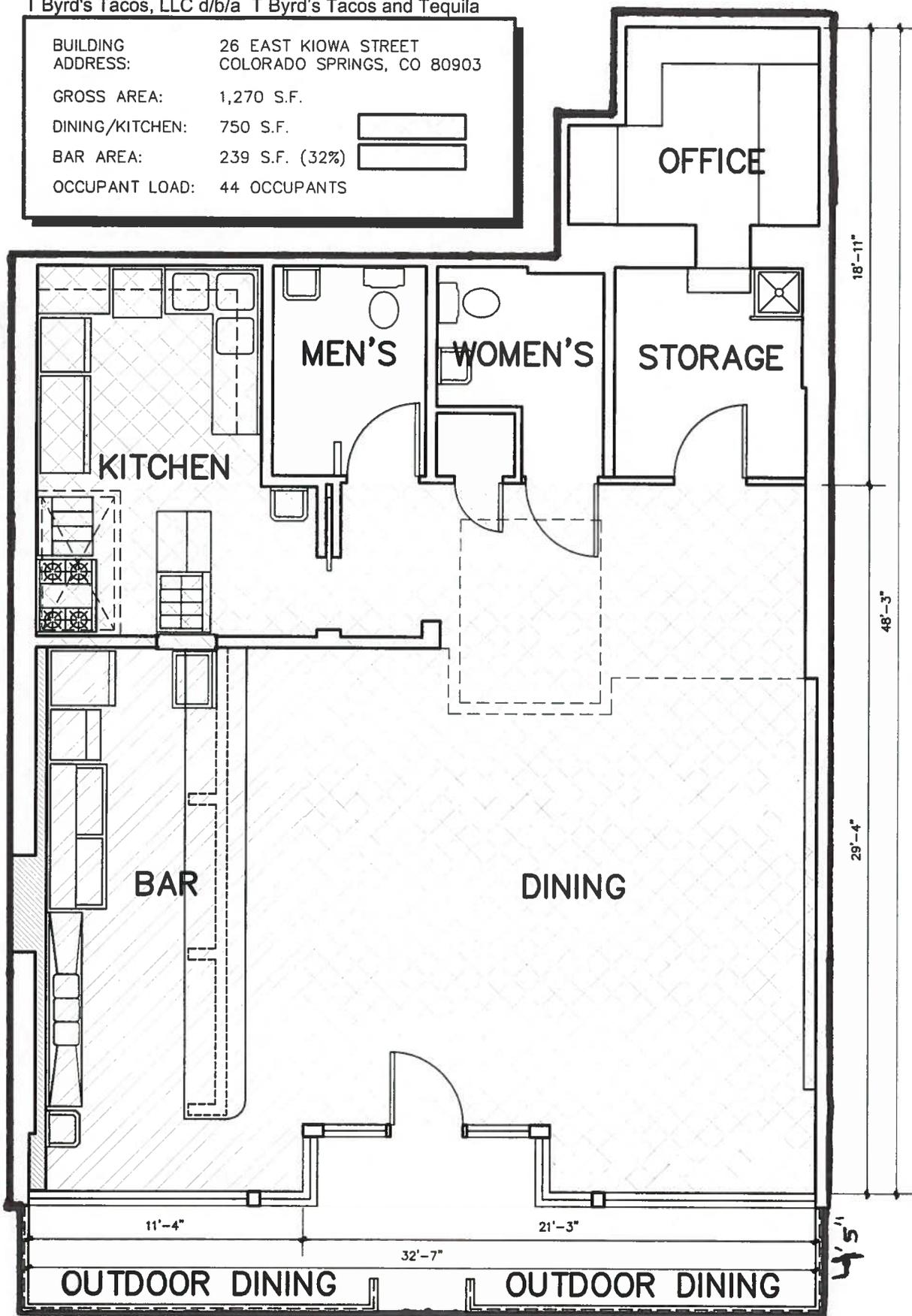
3/16" = 1'-0"



EXISTING

T Byrd's Tacos, LLC d/b/a T Byrd's Tacos and Tequila

BUILDING ADDRESS:	26 EAST KIOWA STREET COLORADO SPRINGS, CO 80903
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FLOOR PLAN  N
3/16" = 1'-0"

PROPOSED

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 AUG 24 A 8: 24

IN THE MATTER OF:

T Byrd's Tacos, LLC d/b/a
T Byrd's Tacos and Tequila
26 E. Kiowa Street
Colorado Springs, CO 80903
Mailing Address:
526 Penrose Boulevard
Colorado Springs, CO 80906

▲ BOARD USE ONLY ▲

Application No: M-724403

NOTICE OF HEARING AND INITIAL FINDINGS OF FACT

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, September 15, 2017 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon T Byrd's Tacos, LLC d/b/a T Byrd's Tacos and Tequila ("Applicant") application for a Modification of Premises of the existing Hotel and Restaurant Liquor License at 26 E. Kiowa Street, Colorado Springs, CO 80903.

At this meeting, the Board will consider the factors outlined in Rule No. 21.00 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, September 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, September 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 July 19, 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. 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 August 24, 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.

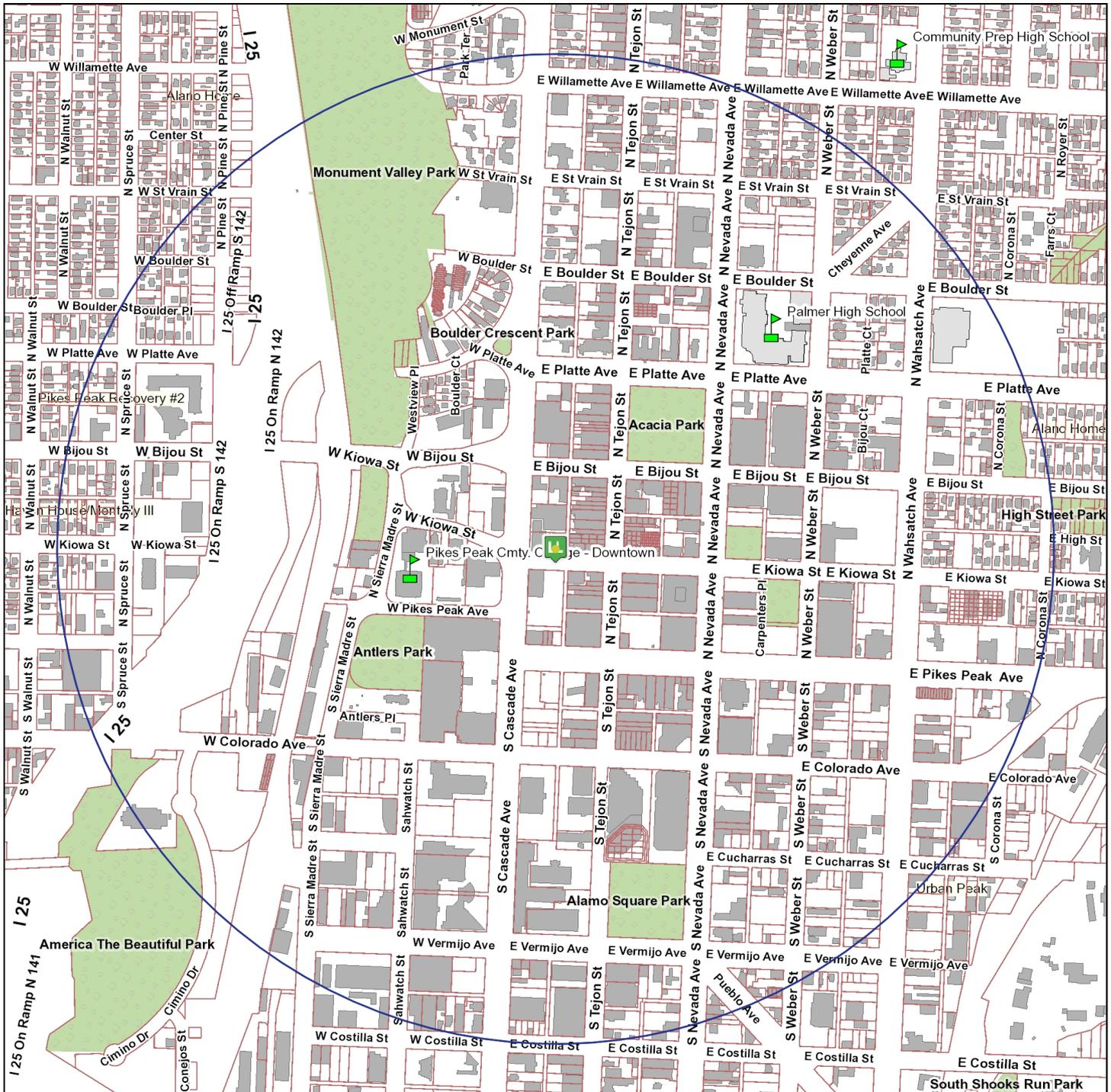
Liquor Survey Boundaries



OFFICE OF THE CITY CLERK

License ID: 30309

T BYRD'S TACOS, LLC
 d/b/a T BYRD'S TACOS AND TEQUILA
 26 E KIOWA ST



The survey boundary is 0.5 miles from the establishment

Map Prepared: 8/22/2017 8:52 AM

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HEARING LETTER ATTACHMENT

License ID: 30309

T BYRD'S TACOS, LLC
d/b/a T BYRD'S TACOS AND TEQUILA
26 E KIOWA 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) HUNAN SPRINGS INC	24 E KIOWA ST	Hotel & Restaurant	32.80 ft
2) V BAR BY CLUB Q	17-19 E KIOWA ST	Tavern	150.97 ft
3) YOO-MAE	21 & 21-1/2 E. KIOWA ST	Hotel & Restaurant	171.84 ft
4) BEAUTY BAR	26 N TEJON ST	Tavern	284.13 ft
5) OSKAR BLUES COLORADO SPRINGS	118 N TEJON ST	Hotel & Restaurant	298.02 ft
6) 15c CLUB INC	15 E BIJOU ST	Tavern	300.46 ft
7) GASOLINE ALLEY	28 N TEJON ST	Tavern	313.85 ft
8) RED MARTINI/BLONDIES	22 N TEJON ST	Tavern	343.00 ft
9) THE MANSION / THE MEZZANINE	20 N TEJON ST	Tavern	354.81 ft
10) RENDEZVOUS	128 N TEJON ST	Tavern	361.78 ft
11) PAINTING WITH A TWIST	115 N TEJON ST	Beer & Wine	396.24 ft
12) BINGO BURGER	132 N TEJON ST	Hotel & Restaurant	398.46 ft
13) THE FAMOUS	31 N TEJON ST	Hotel & Restaurant	405.24 ft
14) COWBOYS	25 N TEJON ST	Tavern	440.12 ft
15) BONNY & READ FINE SEAFOOD & STEAKS	101 N TEJON ST	Hotel & Restaurant	457.52 ft
16) THE RABBIT HOLE	101 N TEJON ST	Hotel & Restaurant	472.30 ft
17) PHANTOM CANYON BREWING COMPANY	2 E PIKES PEAK AVE	Brew Pub	492.34 ft
18) THE MELTING POT	30 E PIKES PEAK AVE	Hotel & Restaurant	506.67 ft
19) EVEREST NEPAL RESTAURANT	28 E BIJOU ST	Hotel & Restaurant	520.74 ft
20) BAMBINO'S, INC.	36 E BIJOU ST	Hotel & Restaurant	551.62 ft
21) MEDITERRANEAN CAFE	118 E KIOWA ST	Beer & Wine	584.53 ft
22) UNDERGROUND PUB & GRILL, AND BREWER'S REPUBLIC	110 N NEVADA AVE	Hotel & Restaurant	738.42 ft
23) FRATELLI RISTORANTE ITALIANO	124 N NEVADA AVE	Hotel & Restaurant	781.91 ft
24) JOSE MULDOONS	222 N TEJON ST	Hotel & Restaurant	791.38 ft
25) THE PERK DOWNTOWN	14 S TEJON ST	Hotel & Restaurant	841.11 ft
26) AMERICAN LEGION POST NO. 5	15 E PLATTE AVE	Club	844.14 ft
27) IL VICINO WOOD OVEN PIZZA	11 S TEJON ST	Hotel & Restaurant	853.33 ft



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28) KIMBALL'S CINEMAS	113 E PIKES PEAK AVE	Tavern	873.13 ft
29) RITZ BAR & GRILL, THE	15 S TEJON ST	Hotel & Restaurant	901.33 ft
30) THE ANTLERS & ANTLERS HOTEL	4 S CASCADE AVE	Hotel & Restaurant	913.48 ft
31) SPRINGS ORLEANS & MINING EXCHANGE HOTEL	123 E PIKES PEAK AVE	Hotel & Restaurant	943.79 ft
32) FUJIYAMA	22 S TEJON ST	Hotel & Restaurant	950.79 ft
33) CHIPOTLE MEXICAN GRILL	17 S TEJON	Hotel & Restaurant	953.12 ft
34) THE UTE AND YETI	21 N NEVADA AVE	Beer & Wine	955.38 ft
35) EAST COAST DELI	24 S TEJON ST	Hotel & Restaurant	970.49 ft
36) JACK QUINN'S IRISH ALE HOUSE AND PUB	21 S TEJON ST	Hotel & Restaurant	990.82 ft
37) SONTERRA INNOVATIVE SOUTHWEST GRILL	28 S TEJON ST	Hotel & Restaurant	1,008.17 ft
38) SPICE ISLAND GRILL	10 N SIERRA MADRE ST	Hotel & Restaurant	1,008.54 ft
39) RED GRAVY	23 S TEJON ST	Hotel & Restaurant	1,018.81 ft
40) SAIGON CAFÉ	20 E COLORADO AVE	Beer & Wine	1,036.33 ft
41) THE THIRSTY PARROT	32 S TEJON ST	Tavern	1,062.63 ft
42) EL PASO CLUB	30 E PLATTE AVE	Club	1,106.61 ft
43) MINING EXCHANGE HOTEL OR THE GOLD ROOM	18 S NEVADA AVE	Tavern	1,134.54 ft
44) CITY AUDITORIUM CONCESSIONS	221 E KIOWA	Tavern	1,182.84 ft
45) ODYSSEY GASTROPUB	311 N TEJON ST	Hotel & Restaurant	1,248.52 ft
46) THE RESTAURANT AT POOR RICHARD'S	324 N TEJON ST	Hotel & Restaurant	1,311.60 ft
47) JOHNNY MARTIN'S CAR CENTRAL	1 S NEVADA AVE	Hotel & Restaurant	1,318.49 ft
48) TONY'S	326 N TEJON ST	Hotel & Restaurant	1,376.48 ft
49) FOUR BY BROTHER LUCK	321 N TEJON ST	Hotel & Restaurant	1,392.84 ft
50) ROOSTER'S HOUSE OF RAMEN	323 & 325 N TEJON ST	Hotel & Restaurant	1,421.77 ft
51) SUPERNOVA	111 E BOULDER ST	Hotel & Restaurant	1,485.11 ft
52) NOSH	121 S TEJON ST	Hotel & Restaurant	1,493.18 ft
53) MACKENZIES CHOPHOUSE	128 S TEJON ST	Hotel & Restaurant	1,541.78 ft
54) THE WILD GOOSE MEETING HOUSE	401 N TEJON ST	Hotel & Restaurant	1,586.97 ft
55) RASTA PASTA	405 N TEJON ST	Hotel & Restaurant	1,641.83 ft
56) PIKES PEAK CENTER	190 S CASCADE AVE	Tavern	1,787.44 ft
57) TRIPLE S BREWING	318 E COLORADO AVE	Brew Pub	1,920.85 ft
58) TRIPLE NICKEL TAVERN LLC	26 S WAHSATCH AVE	Tavern	2,026.15 ft
59) CLARION HOTEL and QUALITY SUITES	314 W BIJOU ST	Hotel & Restaurant	2,130.91 ft
60) V F W PIKES PEAK POST 4051	430 E PIKES PEAK AVE	Club	2,350.89 ft
61) OSCAR'S TEJON STREET	333 S TEJON ST	Hotel & Restaurant	2,596.57 ft
62) CHINA TOWN RESTAURANT	326 S NEVADA AVE	Hotel & Restaurant	2,620.74 ft



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63) PANINO'S RESTAURANT	604 N TEJON ST	Hotel & Restaurant	2,631.28 ft
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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 August 24, 2017 to the following address of record:

T Byrd's Tacos, LLC
dba T Byrd's Tacos and Tequila
526 Penrose Boulevard
Colorado Springs, CO 80906



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

CC: mthompson@tbyrdstacos.com
Vince Linden (vince@lindenlawgroup.com)