



OFFICE OF THE CITY CLERK

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

Received:

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):

T-Bird Southwest Restaurant Group, LLC

2. Trade Name (DBA): Outback Steakhouse

3. Premises Address:

City, State, Zip: 2825 Geyser Drive, Colorado Springs, CO 80906-4005

Location

Phone: 719-527-8745

Property Tax Schedule No. : 64321-03-005

Zoning: Planned Business Center

4. Mailing Address:

City, State, Zip: 1250 Prospect St., Suite 305, La Jolla, CA 92037

Alt Phone: 732-727-5030

Primary Contact

Name And Title: Sharon Skene, Paralegal

Email: sskene@skenelawfirm.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
Outback Steakhouse #617	42925160013	Hotel and Restaurant	8/30/2017

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
Elliot Maluth	Director, President	0
Michael Wong	Vice President, CFO & Secretary	0
T-Bird Restaurant Group Holdings, Inc.	Shareholder	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
Goldman Sachs Specialty Lending Group, LP 16011 Connection Dr., Irving, TX 75039	Loan	\$31,075,000.00
TOTAL INVESTMENT IN BUSINESS:		\$31,075,000.00 0

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Trenton Dean

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

If leased, provide the terms: START DATE: 3/16/17 END DATE: 9/30/36

DIMENSIONS OF PREMISES: 69'4" x 75' TOTAL SQUARE FOOTAGE: 6,115

Is there a patio area? ☐ Yes ☒ No --- If yes, provide dimensions _____

Anticipated number of employees: 60-65 Anticipated opening date: 2/15/2017

Will training be offered or required? ☒ Yes ☐ No --- If yes, through what agency? TIPS

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
Please see attached rider.			

AFFIDAVIT OF TRANSFER AND STATEMENT OF COMPLIANCE

Pursuant to the requirements of 12-47-303(3)(b), Colorado Revised Statutes, Licensee hereby states that all accounts for alcohol beverages sold to the Applicant are:

☒

Paid in full. There are no outstanding accounts with any Colorado Wholesalers.

☐

Licensee hereby certifies that the following is a complete list of accounts for alcohol beverages that are unpaid:

Licensee and Applicant agree that all accounts will be paid for from the proceeds at closing by the: ☐ Licensee ☐ Applicant

☐

Licensee unavailable to certify disposition of accounts for alcohol beverages - Inventory list attached. Transfer by operation of law - Regulation 47-304.

☐

Applicant will assume full responsibility for payment of the outstanding accounts as listed above.

☐

No alcohol beverage inventory transferred or sold.

Licensee hereby authorizes the transfer of its Colorado Retail Liquor License to the Applicant, its agent, or a company, corporation, partnership or other business entity to be formed by the Applicant.

Dated this 26 day of Jun, 20 17.

Seller:

Outback Steakhouse of Florida LLC 42925160013
Licensee & License Number

Outback Steakhouse #617
Trade name

Signature

Position

Print Name

Executive Vice President

Joseph J. Kadow

Buyer:

T-Bird Southwest Restaurant Group, LLC
Applicant

Outback Steakhouse
Trade name

Signature

CFO, VP & Secretary
Position

Michael Wong
Print Name

[illegible]

Colorado Springs, CO (GEYSER)
2011A STACK IN REMODEL



UNITED STATES STEAKHOUSE

DRAWN	LOW DESIGN	DATE	5/10/2011
CHECKED	9/2/MJL	SCALE	1/8" = 1'-0"
BY CODE	051	SHEET NUMBER	067
		SHEET #	FS-1

DEMOSCEL EQUIPMENT SCHEDULE			QUANTITY	DESCRIPTION	REMARKS
1	1	1	1	1	1
2	2	2	2	2	2
3	3	3	3	3	3
4	4	4	4	4	4
5	5	5	5	5	5
6	6	6	6	6	6
7	7	7	7	7	7
8	8	8	8	8	8
9	9	9	9	9	9
10	10	10	10	10	10
11	11	11	11	11	11
12	12	12	12	12	12
13	13	13	13	13	13
14	14	14	14	14	14
15	15	15	15	15	15
16	16	16	16	16	16
17	17	17	17	17	17
18	18	18	18	18	18
19	19	19	19	19	19
20	20	20	20	20	20
21	21	21	21	21	21
22	22	22	22	22	22
23	23	23	23	23	23
24	24	24	24	24	24
25	25	25	25	25	25
26	26	26	26	26	26
27	27	27	27	27	27
28	28	28	28	28	28
29	29	29	29	29	29
30	30	30	30	30	30
31	31	31	31	31	31
32	32	32	32	32	32
33	33	33	33	33	33
34	34	34	34	34	34
35	35	35	35	35	35
36	36	36	36	36	36
37	37	37	37	37	37
38	38	38	38	38	38
39	39	39	39	39	39
40	40	40	40	40	40
41	41	41	41	41	41
42	42	42	42	42	42
43	43	43	43	43	43
44	44	44	44	44	44
45	45	45	45	45	45
46	46	46	46	46	46
47	47	47	47	47	47
48	48	48	48	48	48
49	49	49	49	49	49
50	50	50	50	50	50
51	51	51	51	51	51
52	52	52	52	52	52
53	53	53	53	53	53
54	54	54	54	54	54
55	55	55	55	55	55
56	56	56	56	56	56
57	57	57	57	57	57
58	58	58	58	58	58
59	59	59	59	59	59
60	60	60	60	60	60
61	61	61	61	61	61
62	62	62	62	62	62
63	63	63	63	63	63
64	64	64	64	64	64
65	65	65	65	65	65
66	66	66	66	66	66
67	67	67	67	67	67
68	68	68	68	68	68
69	69	69	69	69	69
70	70	70	70	70	70
71	71	71	71	71	71
72	72	72	72	72	72
73	73	73	73	73	73
74	74	74	74	74	74
75	75	75	75	75	75
76	76	76	76	76	76
77	77	77	77	77	77
78	78	78	78	78	78
79	79	79	79	79	79
80	80	80	80	80	80
81	81	81	81	81	81
82	82	82	82	82	82
83	83	83	83	83	83
84	84	84	84	84	84
85	85	85	85	85	85
86	86	86	86	86	86
87	87	87	87	87	87
88	88	88	88	88	88
89	89	89	89	89	89
90	90	90	90	90	90
91	91	91	91	91	91
92	92	92	92	92	92
93	93	93	93	93	93
94	94	94	94	94	94
95	95	95	95	95	95
96	96	96	96	96	96
97	97	97	97	97	97
98	98	98	98	98	98
99	99	99	99	99	99
100	100	100	100	100	100

GENERAL NOTES

[illegible]

KEY NOTES

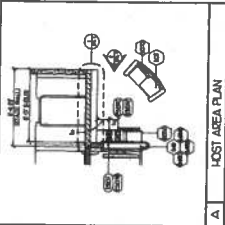
1	GENERAL INFORMATION
2	NAME OF PARTY OR PERSON
3	DATE OF BIRTH
4	DATE OF DEATH
5	DATE OF INTERVIEW
6	NAME OF INTERVIEWER
7	NAME OF WITNESS
8	NAME OF PARTY OR PERSON
9	DATE OF BIRTH
10	DATE OF DEATH
11	DATE OF INTERVIEW
12	NAME OF INTERVIEWER
13	NAME OF WITNESS
14	NAME OF PARTY OR PERSON
15	DATE OF BIRTH
16	DATE OF DEATH
17	DATE OF INTERVIEW
18	NAME OF INTERVIEWER
19	NAME OF WITNESS
20	NAME OF PARTY OR PERSON
21	DATE OF BIRTH
22	DATE OF DEATH
23	DATE OF INTERVIEW
24	NAME OF INTERVIEWER
25	NAME OF WITNESS
26	NAME OF PARTY OR PERSON
27	DATE OF BIRTH
28	DATE OF DEATH
29	DATE OF INTERVIEW
30	NAME OF INTERVIEWER
31	NAME OF WITNESS
32	NAME OF PARTY OR PERSON
33	DATE OF BIRTH
34	DATE OF DEATH
35	DATE OF INTERVIEW
36	NAME OF INTERVIEWER
37	NAME OF WITNESS
38	NAME OF PARTY OR PERSON
39	DATE OF BIRTH
40	DATE OF DEATH
41	DATE OF INTERVIEW
42	NAME OF INTERVIEWER
43	NAME OF WITNESS
44	NAME OF PARTY OR PERSON
45	DATE OF BIRTH
46	DATE OF DEATH
47	DATE OF INTERVIEW
48	NAME OF INTERVIEWER
49	NAME OF WITNESS
50	NAME OF PARTY OR PERSON
51	DATE OF BIRTH
52	DATE OF DEATH
53	DATE OF INTERVIEW
54	NAME OF INTERVIEWER
55	NAME OF WITNESS
56	NAME OF PARTY OR PERSON
57	DATE OF BIRTH
58	DATE OF DEATH
59	DATE OF INTERVIEW
60	NAME OF INTERVIEWER
61	NAME OF WITNESS
62	NAME OF PARTY OR PERSON
63	DATE OF BIRTH
64	DATE OF DEATH
65	DATE OF INTERVIEW
66	NAME OF INTERVIEWER
67	NAME OF WITNESS
68	NAME OF PARTY OR PERSON
69	DATE OF BIRTH
70	DATE OF DEATH
71	DATE OF INTERVIEW
72	NAME OF INTERVIEWER
73	NAME OF WITNESS
74	NAME OF PARTY OR PERSON
75	DATE OF BIRTH
76	DATE OF DEATH
77	DATE OF INTERVIEW
78	NAME OF INTERVIEWER
79	NAME OF WITNESS
80	NAME OF PARTY OR PERSON
81	DATE OF BIRTH
82	DATE OF DEATH
83	DATE OF INTERVIEW
84	NAME OF INTERVIEWER
85	NAME OF WITNESS
86	NAME OF PARTY OR PERSON
87	DATE OF BIRTH
88	DATE OF DEATH
89	DATE OF INTERVIEW
90	NAME OF INTERVIEWER
91	NAME OF WITNESS
92	NAME OF PARTY OR PERSON
93	DATE OF BIRTH
94	DATE OF DEATH
95	DATE OF INTERVIEW
96	NAME OF INTERVIEWER
97	NAME OF WITNESS
98	NAME OF PARTY OR PERSON
99	DATE OF BIRTH
100	DATE OF DEATH

Send letters to Mr. & Mrs. J. C. Smith	
THE JORDANS	
Mr. & Mrs. J. C. Smith	
Mr. & Mrs. J. C. Smith	
Mr. & Mrs. J. C. Smith	
Mr. & Mrs. J. C. Smith	
Mr. & Mrs. J. C. Smith	

ENTURE COUNT

[illegible]

HOST AREA PLAN



GENERAL ELECTRICAL NOTES

4. ELECTRICAL CONNECTIONS TO SELECTED WELD CONNECTIONS TO BE SHOWN LOCATED BELOW ON SHEET PM-4 COORDINATE WITH SHEET LOCATION OF GROUND PLATE.

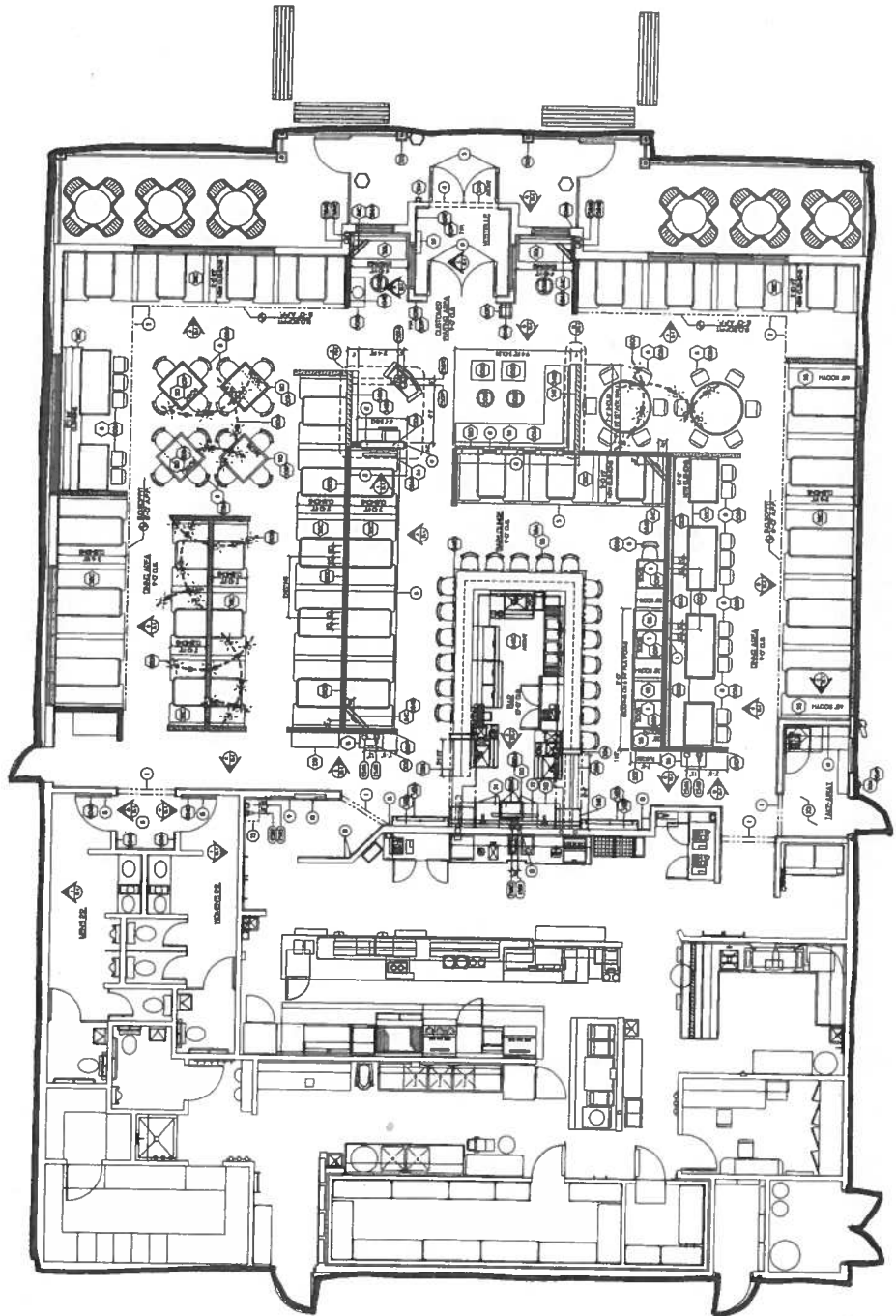
5. ELECTRICAL CONNECTIONS TO PROVIDE AND DETAIL ALL CABLE TRAYS BY CDS 12.

TRIC KEY NOTES

[illegible]

ELECTRICAL LEGEND

1	NAME	
2	DATE OF BIRTH	
3	SEX	
4	PROFESSION	
5	RELIGION	
6	DATE OF DEATH	



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 JUN 27 A 6: 21

IN THE MATTER OF:

T-Bird Southwest Restaurant Group, LLC d/b/a
Outback Steakhouse
2825 Geyser Drive
Colorado Springs, CO 80906
Mailing Address:
1250 Prospect Street, #305
La Jolla, CA 92037

▲ BOARD USE ONLY ▲

Application No: T-725847

NOTICE OF HEARING AND INITIAL FINDINGS OF FACT

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, July 21, 2017 at 9:00 A.M.** in the **City Council Chambers of City Hall at 107 N. Nevada Avenue** upon T-Bird Southwest Restaurant Group, LLC d/b/a Outback Steakhouse ("Applicant") application for a transfer of the Hotel and Restaurant Liquor License currently issued to Outback Steakhouse of Florida, LLC d/b/a Outback Steakhouse #617 at 2825 Geyser Drive, Colorado Springs, CO 80906.

At this meeting, the Board will consider the factors outlined in Rule No. 9.08 and 16.00 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, July 11, 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, July 18, 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 April 20, 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.

ON BEHALF OF THE LOCAL LICENSING AUTHORITY done June 27, 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.

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 June 27, 2017 to the following address of record:

T-Bird Southwest Restaurant Group, LLC
dba Outback Steakhouse
1250 Prospect Street, #305
La Jolla, CA 92037



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

CC: sskene@skenelawfirm.com
[Ginnissa Pettinger <ginnissapettinger@colo-law.com>](mailto:GinnissaPettinger@ginnissapettinger@colo-law.com)