



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

OFFICE OF THE CITY CLERK

Received:

CITY CLERK'S OFFICE

2018 DEC -3 A 9 16

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 (Ist Corporation/LLC/Partnership/Association/Sole Proprietor):

Chuy's Opco Inc.

2. Trade Name (DBA): Chuy's

3. Premises Address: 9297 Forrest Bluffs View, Colorado Springs, CO
City, State, Zip: 80920

Location
Phone: Pending

Property Tax Schedule No. : 6233201009¹²

Zoning: PBC

4. Mailing Address: 3345 Bee Cave Road, Suite 105, Austin TX 78746
City, State, Zip:

Alt Phone: 512-614-2009

Primary Contact
Name And Title: Kyle Hill

Email: hey@chuys.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
Chuy's Opco, Inc.		100%
Steven Hislop	President	0%
John Howie	Vice President	0%
Tim Larson	Secretary	0%
Kyle Hill	Assistant Secretary	0%

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
Please see Annual Report/Statement of Income	Corporate Funds	3m. 300000.00
TOTAL INVESTMENT IN BUSINESS:		\$3m. 300000

Section C: PREMISES / LOCATION INFORMATION

8. Registered Manager Name: Kyle Hill

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

If leased, provide the terms: START DATE: 3/2019 END DATE: 3/2029

DIMENSIONS OF PREMISES: 106'4 1/4"x70' 10 3/4' TOTAL SQUARE FOOTAGE: 7131

Is there a patio area? ☒ Yes ☐ No --- If yes, provide dimensions 27'1"x58'4 1/2"

Anticipated number of employees: 100 Anticipated opening date: 3/2019

Will training be offered or required? ☒ Yes ☐ No --- If yes, through what agency? Chuy's does their own training

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
N/A			

Question ~~14~~ 10 + 13

States & Cities where Chuy's Opco, Inc. holds retail liquor licenses:

Alabama:	Birmingham, Tuscaloosa
Arkansas:	Little Rock, North Little Rock, Rogers
Colorado:	Greenwood Village, Lakewood, Westminster
Florida:	Doral, Gainesville, Jacksonville, Miami (2), Kissimmee, Lutz, Orlando (3), Tallahassee, Winter Park
Georgia:	Alpharetta, Cobb County (2), Dunwoody
Illinois:	Orland Park, Schaumburg, Warrenville
Indiana:	Carmel, Clarksville, Noblesville
Kansas:	Olathe, Overland Park
Kentucky:	Bowling Green, Florence, Lexington, Louisville
Louisiana:	Lafayette
Maryland:	Anne Arundel County, Rockville
Missouri:	Kansas City
North Carolina:	Cary, Charlotte, Jacksonville, Raleigh
Ohio:	Beavercreek, Columbus, Madeira, Miami Township, West Chester
Oklahoma:	Norman, Tulsa (2)
South Carolina:	Greenville
Tennessee:	Chattanooga, Franklin, Knoxville, Murfreesboro, Nashville (2)
Texas:	Addison, Arlington, Austin (4), Cedar Park, College Station, Corpus Christi, Dallas, Denton, El Paso, Fort Worth (2), Houston (5), Humble, Katy, Lubbock, Pasadena, Plano (2), Round Rock, San Antonio (3), San Marcos, Selma, Shenandoah, Southlake, Sugar Land, Tyler, Waco, Webster
Virginia:	Fairfax, Glen Allen, Midlothian, Springfield, Sterling, Woodbridge

Question 8b & 8c //

Chuy's ABC Violations

Date	Location	Agency	Violation	Disposition	Permittee
1/17/2009	Shenandoah, TX	TX ABC	Sale to Minor	Fine	Chuy's Bevco, LLC*
3/11/2011	Shenandoah, TX	TX ABC	Sale to Minor	Restrained	Chuy's Bevco, LLC*
6/23/2011	Franklin, TN	Franklin Beer Board	Sale to Minor	Fine	Chuy's Bevco, LLC*
6/23/2011	Franklin, TN	TN ABC	Sale to Minor	Fine	Chuy's Bevco, LLC*
7/15/2011	Austin, TX (Barton Springs)	TX ABC	Sale to Minor	Restrained	Chuy's Bevco, LLC*
10/13/2011	Louisville, KY	KY ABC	Sale to Minor	Fine	Chuy's Bevco, LLC*
12/21/2012	Knoxville, TN	City of Knoxville	Sale to Minor	adopt remedial plan to prevent future violations	Chuy's Bevco, LLC
5/29/2013	Tulsa, OK	OK ABLE	Sale to Minor	Fine	Chuy's Opco, Inc.
12/7/2013	Houston, TX	TX ABC	Sale to Minor	Fine	Chuy's Opco, Inc.
4/26/2014	Nashville, TN (B'way)	TABC	Sale to Minor	Fine	Chuy's Opco, Inc.
5/28/2014	Knoxville, TN	City of Knoxville (beer board)	Sale to Minor	Suspension	Chuy's Opco, Inc.
5/28/2014	Knoxville, TN	TN ABC	Sale to Minor	Suspension	Chuy's Opco, Inc.
2/20/2015	Greenville, SC	SC Department of Revenue	Sale to Minor	Fine	Chuy's Opco, Inc.
9/12/2015	Clarksville, IN	IN ATC	Sale to Minor; employee acting w/o permit	Fine	Chuy's Opco, Inc.
10/28/2015	Murfreesboro, TN	TN ABC	Employees w/o permits	Fine	Chuy's Opco, Inc.
1/7/2016	Nashville, TN (Opry Mills)	TN ABC	Sale to Minor	Fine	Chuy's Opco, Inc.
1/7/2016	Nashville, TN (Opry Mills)	Nashville Beer Board	Sale to Minor	Fine	Chuy's Opco, Inc.
3/31/2016	Little Rock, AR	AR ABC Division	Sale to Minor	Fine	Chuy's Opco, Inc.
8/15/2016	Franklin TN	TN ABC	Employees w/o permits	Fine	Chuy's Opco, Inc.
10/31/2016	Nashville, TN	TN ABC	Employees w/o permits	Fine	Chuy's Opco, Inc.
9/16/2016	Fort Worth, TX	TX ABC	Sale to Minor	Fine	Chuy's Opco, Inc.
12/21/2016	Birmingham, AL	AL Alc. Bev. Control Board	Recordkeeping	Fine	Chuy's Opco, Inc.
2/10/2017	Rockville, MD	Montgomery County	Sale to Minor	Pending	Chuy's Opco, Inc.
2/21/2017	Kansas City, MO	City of Kansas City	Employees w/o permits	Warning	Chuy's Opco, Inc.

2/23/2017	Tallahassee, FL	Div. of Alc. Bev. and Tobacco	Sale to Minor	Warning	Chuy's Opco, Inc.
5/17/2017	Knoxville, TN	City PD	Sale to Minor	Remedial Plan	Chuy's Opco, Inc.
5/17/2017	Knoxville, TN	TABC	Sale to Minor	Fine	Chuy's Opco, Inc.
5/18/2017	Rogers, AR	AR ABC Division	Sale to Minor	Fine	Chuy's Opco, Inc.
5/25/2017	Humble, TX	TABC	Sale to Minor	Restrained	Chuy's Opco, Inc.
2/16/2017	Dunwoody, GA	City of Dunwoody	Sale to Minor	Suspension	Chuy's Opco, Inc.
9/28/2017	Franklin, TN	TABC	Sale to Minor	Fine	Chuy's Opco, Inc.
4/18/2018	Little Rock, AR	AR ABC Division	Sale to Minor	Fine	Chuy's Opco, Inc.
7/10/2018	Franklin, TN	Franklin Beer Board	Sale to Minor	Fine	Chuy's Opco, Inc.

* merged into Chuy's Opco, Inc. 11/25/2013

**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

2019 JAN 11 A 8:59

▲ CLERK USE ONLY ▲

IN THE MATTER OF:

APPLICANT

Chuy's Opco, Inc.
d/b/a **Chuy's**
9297 Forrest Bluffs View
Colorado Springs, CO 80920
Mailing Address:
3345 Bee Cave Road, #105
Austin, TX 78746

Application No: N-34905

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, February 1, 2019 at 9:00 A.M. in Division 2, Municipal Court Building, 224 E. Kiowa Street, Colorado Springs, CO 80903** upon Chuy's Opco, Inc. d/b/a Chuy's ("Applicant") application for a new Hotel and Restaurant Liquor License at 9297 Forrest Bluffs View, Colorado Springs, CO 80920.

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, January 22, 2019. 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 29, 2019.

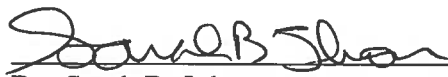
Pursuant to C.R.S. §44-3-312 and City Rule No. 7, the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant's application. NOW THEREFORE these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on December 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. §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 evidence 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 C.R.S. §44-3-307(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. §44-3-308.
- VII. Applicant is not a person prohibited as a licensee pursuant to C.R.S. §44-3-307.
- 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 January 10, 2019.

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.



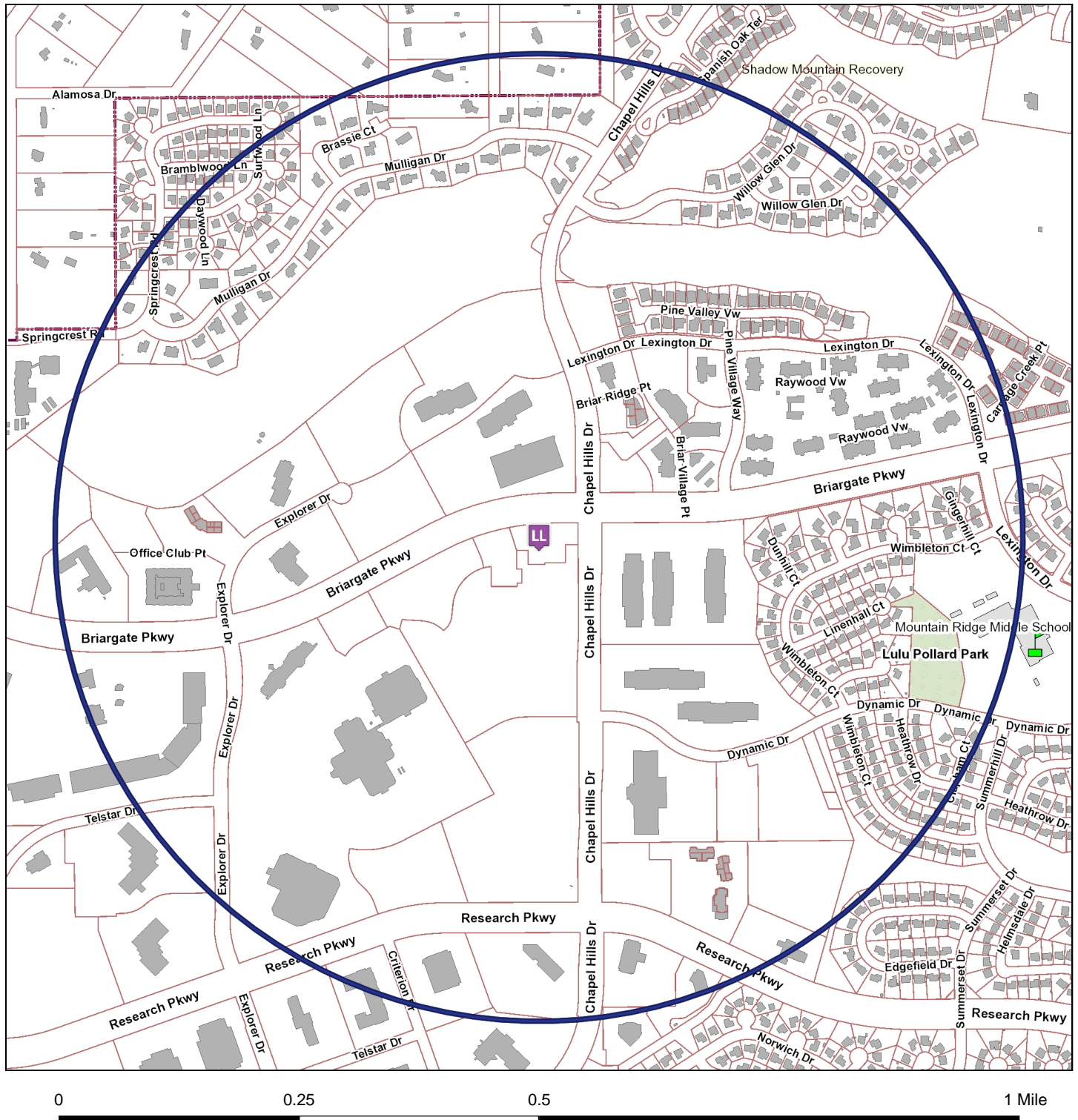
CHUY'S OPCO INC.

d/b/a CHUY'S

9297 FORREST BLUFFS VW

OFFICE OF THE CITY CLERK

License ID: 34905



The survey boundary is 0.5 miles from the establishment

Map Prepared: 12/21/2018 10:21 AM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 34905

CHUY'S OPCO INC.

d/b/a CHUY'S

9297 FORREST BLUFFS VW

COLORADO SPRINGS, CO 80920

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) SMASHBURGER	9290 HIGHLAND RIDGE HTS	Beer & Wine	265.70 ft
2) BASIL & BARLEY PIZZERIA NAPOLETANA	9278 FOREST BLUFFS VW	Hotel & Restaurant	669.29 ft
3) SALSA BRAVA FRESH MEXICAN GRILL	9420 BRIAR VILLAGE PT	Hotel & Restaurant	779.49 ft
4) PAINTING WITH A TWIST	9475 BRIAR VILLAGE PT	Beer & Wine	1,006.31 ft
5) BACK EAST BAR AND GRILL	9475 BRIAR VILLAGE PT	Hotel & Restaurant	1,082.53 ft
6) HOMEWOOD SUITES COLO SPRINGS NORTH	9130 EXPLORER DR	Hotel & Restaurant	1,951.12 ft
7) HILTON GARDEN INN COLORADO SPRINGS	1810 BRIARGATE PKWY	Hotel & Restaurant	2,443.29 ft
8) MODERN MARKET	1765 BRIARGATE PKWY	Beer & Wine	2,471.58 ft
9) BAD DADDY'S BURGER BAR	1765 BRIARGATE PKWY	Hotel & Restaurant	2,485.87 ft
10) P.F. CHANG'S CHINA BISTRO	1725 BRIARGATE PKWY	Hotel & Restaurant	2,603.47 ft
11) BIAGGI'S RISTORANTE ITALIANO	1805 BRIARGATE PKWY	Hotel & Restaurant	2,615.00 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 January 11, 2019 to the following address of record:

Chuy's Opco, Inc.
dba Chuy's
3345 Bee Cave Road, #105
Austin, TX 78746



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

CC: kcoates@dillanddill.com
lsitz@dillanddill.com
hey@chuys.com