

CITY OF COLORADO SPRING

LIQUOR OR 3.2% FERMENTED MALT BEVERAGE APPLICATION



NEW LICENSE



TRANSFER OF OWNERSHIP

Type of License applying for (Check One)

- | | | | | |
|---|--|--|---|--|
| <input type="checkbox"/> Hotel/Restaurant | <input type="checkbox"/> Hotel/Restaurant w/Optional Premises | <input type="checkbox"/> Tavern | <input checked="" type="checkbox"/> Beer & Wine | <input type="checkbox"/> Brew Pub |
| <input type="checkbox"/> Retail Liquor Store | <input type="checkbox"/> 3.2% Beer On Premises | <input type="checkbox"/> 3.2% Beer Off Premises | <input type="checkbox"/> 3.2% Beer On and Off Premises | |
| <input type="checkbox"/> Drugstore | <input type="checkbox"/> Racetrack | <input type="checkbox"/> Optional Premises | <input type="checkbox"/> Club | <input type="checkbox"/> Vinters |

APPLICANT INFORMATION

Name of Applicant: Indus, LLC	Property Tax Schedule No. : 62172-03-033
Trade Name (DBA): Indus Modern Kitchen	Business Telephone: (719) 246-8660
Address of Premises: 12229 Voyager Pkwy #140, Colorado Springs, CO 80921	Alternate Telephone: (719) 321-9436

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			

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.

NAME	POSITION HELD	%OWNED
Gayathri Chelvadurai	Member/Manager	25%
Mukesh Khatri	Member/Manager	25%
Bonmayuri Kalita	Member/Manager	50%

FINANCIAL INFORMATION

TOTAL INVESTMENT IN BUSINESS (include purchase, start up, inventory)	\$ 99,200.00 plus \$35,000 tenant allowance
Source(s) of funds invested (provide names, banks, and indicate checking, savings, loan, promissory note, gift or other).	
THE FOLLOWING INFORMATION MUST REFLECT THE SOLE SOURCE OF FUNDS INVESTED. NO OTHER PERSON OR PARTIES MAY HAVE A FINANCIAL INTEREST IN THE BUSINESS FOR WHICH THIS AFFIDAVIT IS SUBMITTED.	
NAME/ADDRESS OF FUNDING SOURCE (bank(s), individual(s), et al.)	FUNDING SOURCE (checking/savings/ loan/ note/ gift) AMOUNT
Bonmayuri Kalita 7705 Lindsey Dr., Colo. Sprgs, CO 80920	loan \$99,200.00
Voyager, LLC 8031 Fox Ridge Ct., Boulder, CO 80301	tenant allowance \$35,000.00

List applicant(s) prior experience in the sale of alcoholic beverages. Include dates and locations.

Business Name & Address	Applicant's Name	Experience/Position	Dates
None			

Has the applicant previously been issued a liquor or beer license (include any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation)? ☐ yes ☒ no

If yes, identify the business and any current or former financial interest in said business including any loans to or from a licensee.

Name of Business	Address	Type/amt. of Interest
N/A		

PREMISES/ESTABLISHMENT

Terms of legal possession of the premises for which the application is made? ☐ own ☒ lease

If leased provide terms: Start date March 17, 2016 End date 2/29/2024

Dimensions of premises 32' x 52' Square footage 1664 Seating Capacity 30

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

Anticipated number of employees? 6

Will training be offered or required? ☒ yes ☐ no --- If yes, through what agency? Liquor Pros

Has the applicant or manager in Colorado, or any other State (include any of the partners, if a partnership; members or manager if a limited liability company; or officers, stockholders or directors if a corporation), ever:	YES	NO
Been denied an alcohol beverage license?		X
Had an alcohol beverage license suspended or revoked?		X
Had interest in another entity where an alcohol beverage license was suspended or revoked?		X
Ever been charged or convicted of a crime, received a suspended sentence, a deferred sentence, or have charges pending?	X	
If yes, provide explanation, date(s) and location(s).		
<u>Mukesh Khatri was charged with domestic violence in December 2012 in El Paso Co.</u>		

Has the applicant ever received a violation notice, suspension, or revocation for any liquor law violation, have charges pending; or has the applicant applied for and been denied a liquor or beer license anywhere in the United States?

Yes ☐ No ☒

If yes, provide explanation, date(s) and location(s):

I declare under the penalty of perjury in the second degree that this application and all attachments are true, correct, and complete to the best of my knowledge. I understand that any falsehood or omission will jeopardize the application as such falsehood or omission constitutes evidence regarding the character of the applicant.

State of Colorado County of El Paso

ERIKA M KAISER
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 19924016387
MY COMMISSION EXPIRES JANUARY 16, 2017

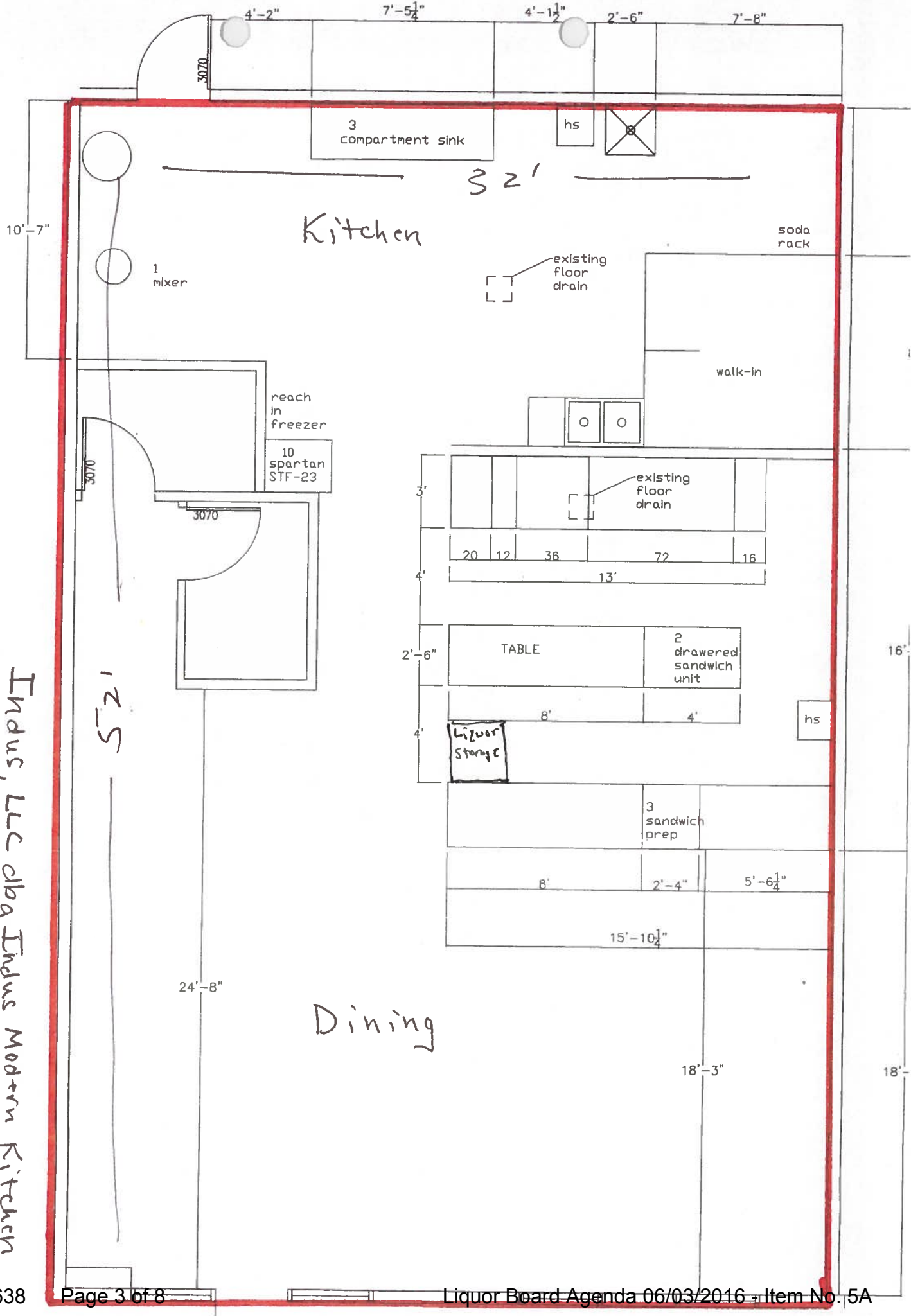
Signature Bonnaville Karila
Title: Co-Manager

Subscribed and sworn to before me this 21 day of March, 20 16.

My Commission Expires: 1-16-2017

Erika M. Kaiser
Notary Public

Indus, LLC dba Indus Modern Kitchen
 12229 Voyager Parkway Unit 140
 Colorado Springs, CO 80921



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 2016 MAY 13 A 10:51
<hr/> IN THE MATTER OF: Indus, LLC d/b/a Indus Modern Kitchen 12229 Voyager Parkway, #140 Colorado Springs, CO 80921 Mailing Address: 12229 Voyager Parkway, #140 Colorado Springs, CO 80921	<hr/> <p style="text-align: center;">▲ BOARD USE ONLY ▲</p>
<hr/>	<hr/> Application No: N-30638
NOTICE OF HEARING AND INITIAL FINDINGS OF FACT	

NOTICE OF HEARING

This matter comes before the Board for hearing on **Friday, June 3, 2016 at 9:00 A.M. in the City Council Chambers of City Hall at 107 N. Nevada Avenue** upon Indus, LLC d/b/a Indus Modern Kitchen ("Applicant") application for a new Beer and Wine License at 12229 Voyager Parkway, #140, Colorado Springs, CO 80921.

At this meeting, the Board will consider the factors outlined in Rule No. 9.08 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, May 24, 2016. 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 31, 2016.

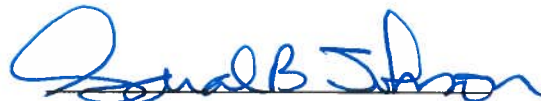
Pursuant to C.R.S. §12-47-312 and Local Rule No. 7 the Local Licensing Authority, through the Office of the City Clerk, has conducted an investigation into Applicant's application. NOW THEREFORE these Initial Findings of Fact are presented.

INITIAL FINDINGS OF FACT

- I. Applicant's application was filed on April 6, 2016, 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 evidenced 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.
- VIII. 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 May 13, 2016.

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

INDUS, LLC

d/b/a INDUS MODERN KITCHEN

12229 VOYAGER PKWY #140



OFFICE OF THE CITY CLERK

License ID: 30638



The survey boundary is 0.5 miles from the establishment

Map Prepared: 5/12/2016 3:06 PM

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OFFICE OF THE CITY CLERK

HEARING LETTER ATTACHMENT

License ID: 30638

INDUS, LLC

d/b/a INDUS MODERN KITCHEN

12229 VOYAGER PKWY #140

COLORADO SPRINGS, CO 80921

EXISTING SIMILAR LICENSES WITHIN BOUNDARY AREA

<u>Business d/b/a</u>	<u>Business Address</u>	<u>License Type</u>	
1) DUCA'S NEAPOLITAN PIZZA	12229 VOYAGER PKWY	Beer & Wine	46.48 ft
2) NEW PANDA RESTAURANT	12225 VOYAGER PKWY	Hotel & Restaurant	243.55 ft
3) ALL AMERICAN SPORTS CAFE	12225 VOYAGER PKWY	Hotel & Restaurant	390.26 ft

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 May 13, 2016 to the following address of record:

Indus, LLC
dba Indus Modern Kitchen
12229 Voyager Parkway, #140
Colorado Springs, CO 80921



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

CC: cduraigayathri@hotmail.com
erikakaiser1@msn.com