

Beyond Pho Corp 2 DBA 5ive Spice  
227 Mulberry St, Store B, New York, NY 10012

Corporate Change application

**Current Approved Corporate Set-Up:**

Kim Ching Chow – Pres, 200 shares

**Proposed:**

Stephen Chung – Pres, 200 shares



COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

Community Board 2 Liquor License Stipulations

The original signed and notarized form must be returned to the CB2 office by December 11, 2020

I, Kim Ching Chow as a qualified representative of Beyond Pho Corp 2

Located at 227 Mulberry Street, Store B, New York, New York 10012 agree to the following stipulations:

Application Type: [ ] OP Restaurant/Tavern [x] RW [ ] TW [ ] Alteration [ ] Other: \_\_\_\_\_

[x] Premise will be advertised and operated as a traditional Vietnamese restaurant with our own added twist on flavors

[x] Hours of operation:

Sunday: 11:30 AM to 11:00 PM Thursday: 11:30 AM to 11:00 PM
Monday: 11:30 AM to 11:00 PM Friday: 11:30 AM to 11:00 PM
Tuesday: 11:30 AM to 11:00 PM Saturday: 11:30 AM to 11:00 PM
Wednesday: 11:30 AM to 11:00 PM

(Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)

- [x] Will operate full service restaurant, specifically a (type of restaurant) Vietnamese restaurant with the kitchen open and full menu items available until closing every night.
[x] Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
[x] Will not have televisions.
[x] Will not operate a backyard garden or any outdoor area for commercial purposes (not including licensed sidewalk cafe).
[x] Sidewalk Cafe is not included in this application. [ ] Will not have a sidewalk cafe now or in the future.
[x] Will play quiet ambient recorded background music only. No music will be audible in any adjacent residences anytime.
[x] Will close all doors and windows at 8:00 PM every night.
[x] Will not make changes to the existing facade except to change signage or awning.
[x] Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits & Certificates.
[x] Will provide a Letter of No Objection or Certificate of Occupancy permitting eating and drinking for store front premises proposed to be licensed prior to issuance of license
[x] Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
[x] There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
Will not have: [x] Dancing [x] DJs [x] Live Music [x] Promoted Events [x] Any event where cover fee is charged
[x] Scheduled Performances [ ] Velvet ropes or metal barricades [x] Security Personnel/Doorman.
[x] Any sidewalk or roadbed seating ends by 11 PM (all patrons will be cleared by this hour and area closed); no speakers or music played outdoors and no interior speakers positioned to face outside
[x] Will appear before CB2, Manhattan prior to submitting any changes to any stipulation agreed to herein.

Residents may contact the Manager/Owner at the following phone number. Any complaints will be addressed immediately

Name: Kim Ching Chow (Alex) Phone Number: (646) 639-2526

Signed [Signature] Kim Ching Chow Print Name 12/10/2020 Dated
Sworn to this 10th day of December 2020 [Signature] Notary Public

CB2 and Applicant/Licensee request that the SLA add these stipulations to the method of operation/conditions of license.

Notary Public, State of New York
No. 01LE6109987
Qualified in Queens County
Commission Expires May 24, 2024

APPLICATION FOR APPROVAL OF CORPORATE CHANGE

This form is to be used by a corporate licensee to apply for permission to make a corporate change involving (1) change of officers or directors, LLC Members, etc., or (2) any change in ownership interest of existing principals, or (3) any change in ownership interest which would increase the holdings of any one officer, director, LLC Member or stockholder to 10% or more of the licensee.

*Such change cannot become effective under the Alcoholic Beverage Control Law until permission has been granted by the State Liquor Authority. Therefore, it is recommended that any change be made conditional upon approval by the State Liquor Authority.*

**Section A**

License ID  County  Telephone #

Full Name of Licensee as listed on the License

Trade Name (DBA) as listed on the License Certificate

Complete Address of Licensed Premises including Zip

Post Office/Mailing Address, if different than premises

FEIN#  Business Website

Business Email Address (required)

Name of Contact   Attorney  Representative  Contact

Office Address

City  State  Zip Code

Telephone Number of Office (Include Area Code)

E-mail Address (if available)

Submit a completed Notice of Appearance

**Section B**

**Change Requested:** Check all that apply

- New stockholding(s)/stockholder(s).
- Appointment of new officer(s)/director(s)/member(s).
- The removal of officer(s)/director(s)/member(s).
- Death of officer(s)/director(s)/member(s)/stockholder(s).

1. How was the interest acquired in the Corporation/LLC?

2. Are there any other licenses held in New York under this corporation/LLC? If yes, list all serial numbers.

**Part 1. Current Approved Corporate Set-Up**

List below the names of all LLC members/managers, officers, directors and individual stockholders that are currently licensed to hold an interest in the subject license. *Attach additional sheets if necessary.*

Name	Current Title(s)	Current % of Interest	Current Number of Shares
KIM CHING CHOW	PRESIDENT	100%	200 NPV

**Part 2. Proposed Corporate Set-Up**

List below the names of all LLC members/managers, officers, directors and individual stockholders who will own 10% or more in the subject license upon approval of this corporate change. You must account for 100% of the ownership and you must disclose any percentage of ownership not held by the individuals on this form, confirming no individual owns 10% or more of the remaining interest. *Attach additional sheets if necessary.*

Name	Proposed Title(s)	Proposed % of Interest	Proposed # of Shares	Check if New
STEPHEN CHUNG	PRESIDENT	100%	200 NPV	<input checked="" type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>
				<input type="checkbox"/>

*All parties listed in Part 2 and are NEW to the corporation/LLC must complete a Personal Questionnaire as well as submit an Applicant Statement, an original color photo, and a photo ID for themselves. The forms are available for download on our web site at: [www.sla.ny.gov](http://www.sla.ny.gov)*

**ALL NEW APPLICANT PRINCIPALS WILL BE REQUIRED TO BE FINGERPRINTED ELECTRONICALLY**

**NOTE:** Persons CURRENTLY licensed by the State Liquor Authority do not have to be fingerprinted. Each applicant principal that is required to be fingerprinted will be instructed to do so on the application Filing Receipt once the application is received by the Authority. Fingerprinting instructions are available on the Filing Receipt or on our website, [www.sla.ny.gov](http://www.sla.ny.gov).

**Section D**

The licensee represents that there have been no changes other than those set forth herein, in any of the facts required to be set forth in the application for license, and agrees that any application filed by it or by any of its officers, directors or stockholders, for any license or permit under the Alcoholic Beverage Control Law, and the occupation record submitted herewith, shall be deemed and made a part hereof and considered by the Authority in acting upon this Application for Approval of Corporate Change.

I/We, the Applicant(s) also certify that all papers filed in support of this application or any application filed under the Alcoholic Beverage Control Law by any person having an interest, direct or indirect, either in the business to be licensed or any license or permit shall be deemed a part hereof and considered by the State Liquor Authority in acting upon this application.

I/We understand that the information I/we submit will be relied on by the State Liquor Authority in acting on this application. I/we understand that any false statements or misrepresentations shall constitute sufficient cause for the disapproval of the applications and/or revocation, cancellation or non-renewal of any license which is issued or affected as a result of such application.

I/We verify that all of the above statements are true. If any of the above information changes prior to receipt of the license or approval of the corporate change, I/we will notify the Authority by registered or certified mail within 48 hours. If any changes occur after the issuance of the license or approval applied for, I/we understand that failure to give the required notice may constitute a violation of Section 110 of the Alcoholic Beverage Control Law and/or Rule 36.1(j) of the State Liquor Authority and will result in proceedings to revoke, cancel or suspend such license.

I/We, the Applicant(s) certify that there are no financial transactions involved concerning the license applied for EXCEPT as described herein.

**I/We acknowledge that the licensed premises is bound by the Method of Operation previously approved by the New York State Liquor Authority.**

**KIM CHING CHOW**  
(Print Name)

certifies that he is

**PRESIDENT**  
(Title)

of the above named licensee; that he knows the contents of the above application and the statements and answers therein; that the same are true of his own knowledge that he has been authorized by order of the Board of Directors of said licensee to make the statements and answers therein in behalf of said licensee with the same force and effort as if said licensee made such statements and answers itself.

**02/10/2026**  
Dated

(Signature of Currently Authorized Officer)

**STEPHEN CHUNG**  
(Print Name)

certifies that he is to be

**PRESIDENT**  
(Title)

of the above named licensee; that he knows the contents of the above application and the statements and answers therein; that the same are true of his own knowledge.

**02/10/2026**  
Dated

(Signature of Proposed Authorized Officer)

**OFFICE USE ONLY:**

Approved or Disapproved

License Board Member

Dated

**STATEMENT OF FINANCES  
FOR CORPORATE CHANGE**

State the total amount of money you are investing in the Purchase of the Stock.

TOTAL DOLLAR AMOUNT FOR STOCK INTEREST PURCHASE	\$	<input type="text" value="160,000"/>
MISCELLANEOUS EXPENSES	\$	<input type="text" value="2,000"/>
TOTAL INVESTMENT	\$	<input type="text" value="162,000"/>

**BREAKDOWN OF TOTAL FOR PURCHASE OF STOCK**

Total Cash	\$	<input type="text" value="162,000"/>
Total Deferred	\$	<input type="text" value="0"/>

Explain Cash:

Explain Deferred:

**REAL PROPERTY PURCHASE IF APPLICABLE**

Total Cash	\$	<input type="text"/>
Total Deferred	\$	<input type="text"/>

Explain Cash:

Explain Deferred:

NOTE: For the purpose of this form, CASH is defined as money that you have in your possession that you don't have to pay back and is verifiable (example: stocks, bonds, CD's, savings accounts, etc.).

For the purpose of this form, DEFERRED is defined as money that you have to pay back at some point in time (example: loan, credit card, mortgage, line of credit, note, etc.).

1. Set forth the source of funds for this investment (accounts, loans, gifts, asset sales, etc.) and enter account numbers. (Provide documentation)
2. Set forth all repayment terms for any deferred monies. (Provide documentation)
3. Lease agreement if required.

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## APPLICANT STATEMENT

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I, [print name] STEPHEN CHUNG

(the  sole proprietor,  partner,  corporate principal or,  LLC/LLP member)  
understand that the State Liquor Authority will rely on each and every answer in the application and accompanying documents in reaching its determination and state, under penalty of perjury, that all statements and representations therein are true to the best of my knowledge and belief; and

I state that the location and description of the premises to be licensed does not violate any requirement of the ABC law or other state or local ordinances; and

I understand that if any change occurs in the information provided to the Authority in the application, the licensee must notify the Authority by certified mail within 48 hours and if any change occurs after receipt of the license, the licensee must notify the Authority by certified mail within 10 days. I understand that failure to give such notice may result in disapproval of the application or revocation or non-renewal of any license for which this application is submitted; and

I understand that the licensee will be bound by the statements and representations made in the application, including, but not limited to the licensee's method of operation and the identity of persons with an ownership or financial interest in the licensed premises; and that all statements and representations made become conditions of the license; and

I understand that any physical alterations to, or changes to the size of the area used for the sale and consumption of alcoholic beverages, must be reported to the Authority and may require the approval of the Authority; and

I understand that the licensee must keep the Authority advised of any change in the mailing addresses of the licensee, the licensee's principals, and the licensee's landlord.

I understand that the licensee's failure to operate the licensed premises in accordance with the statements and representations made in the application may result in revocation of any license for which the application was submitted; and

I understand that any false statement or misrepresentation will constitute cause for disapproval of the application or revocation or non-renewal of any license for which this application is submitted.

\_\_\_\_\_  
Signature

02/10/2026

\_\_\_\_\_  
Date