



CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

424 West 33 Street, Suite #580
New York, NY 10001
tel: 212-736-4536
www.nyc.gov/mcb4

JESSICA CHAIT
Chair

JESSE R. BODINE
District Manager

April 11, 2024

Chris Alexander
Executive Director
NYS of Cannabis Management
Harriman State Office Building Campus 1220 Washington Ave.
Albany, NY 12207

Tremaine Wright
Chairwoman
Cannabis Control Board
Harriman State Office Building Campus 1220 Washington Ave.
Albany, NY 12207

RE: 807 Ninth Avenue – Bar 9 Entertainment Corp

Manhattan Community Board 4 (“MCB4”), at its regularly scheduled full board meeting on Wednesday, April 3rd, 2024, voted, by a vote of 35 for, 2 against, 1 abstaining, and 1 present-not-eligible, to recommend approval of the application of Social & Economic Equity applicant Bar 9 Entertainment Corp for an Adult-Use Retail Dispensary at 807 Ninth Avenue.

MCB4 votes to approve the Applicant in spite of its immense frustration with the continued proliferation of illegal smoke-shops and dispensaries in our district. Although MCB4 does not believe that those who have followed the law by waiting for a license, such as the Applicant, should be penalized for the illegal acts of others, it is becoming increasingly difficult to recommend approval on blocks already saturated with such illicit dispensaries. MCB4 anticipates that if State and City agencies significantly improve their enforcement efforts against illegal enterprises, a cannabis dispensary, when operated in a legal, responsible, and neighborly way, can: (a) compete with, and displace, illicit and dangerous dispensaries and smoke-shops; (b) create jobs within our district; (c) contribute to New York’s tax revenue.




Bar 9 Entertainment Corp is owned by Steven Padernacht, who has owned and operated a fully licensed bar since 2014 at this location. This owner has partnered with Robert Lim who holds a CUARD license in the Bronx. Mr. Padernacht is committed to this neighborhood and intends to renew his lease in November of 2024 for either an Adult-Use Retail Dispensary if the license is granted or continue to operate as Bar 9. Adult-Use retail dispensaries are the principal license to conduct retail sales of adult-use cannabis products to consumers over twenty-one (21) years old. Retail dispensaries are allowed to acquire, possess, sell, and deliver adult-use cannabis products

from their own licensed premises and licensed distributors, in addition to other select items including paraphernalia.

Bar 9 is demonstrating an understanding of the complexity of the OCM regulations having brought on to this project an experienced cannabis dispensary consultant. Additionally, this team is showing respect of the community concerns. Members of the HK49-54 Block Alliance have provided statements of support for the proposed dispensary noting this type of establishment will reduce quality of life issues related to liquor establishments.

MCB4 recommends approval if and only if the Applicant agrees to the following stipulations:¹

- A commitment to closing at 10pm on weekdays and 11pm on weekends closing with the promise to discuss with MCB4 if after an analysis of business operation, they would like to operate past midnight
- Continue to engage with the local Block Associations
- The Applicant will operate the dispensary in accordance with the methods outlined in the applicant's MCB4 Cannabis Task Force application (annexed hereto as Exhibit A).

MCB4 District Office	MCB4 Cannabis Task Force	
Signature:  Print: Jesse Bodine Date: 4/11/24	Signature:  Print: Delores Rubin Date: 4/11/24	
Applicant		
Signature:  Print: Steven P... Date: 4/11/24		

¹ Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its dispensary license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

CB4 Cannabis Licensing Applicant Questionnaire

Email *

AKAPOOR@KAPOORFIRM.COM

Corporation Name *

BAR 9 ENTERTAINMENT CORP.

*Doing Business As *

BAR 9 ENTERTAINMENT CORP.

Address (or intended address) *

807 9TH AVE, NEW YORK, NY 10019

Attorney/Representative

ASHISH KAPOOR

Owner *

ROBERT M LIM / STEVEN PADERNACHT

Please list all individuals and entities with financial interest in this business and percentage of ownership: *

ROBERT M LIM / STEVEN PADERNACHT

Phone Number/Email Address *

5163078380 / AKAPOOR@KAPOORFIRM.COM

Property Owner Information: Name, Phone Number, Business Address & Email Address *

ORA LLC 506 9TH AVE, SUITE 2FN, NEW YORK, NY 11008

Does the Applicant have a fully executed lease? *

Yes

No

Application Type *

- Adult-Use Retail Dispensary
- Adult-Use Retail Dispensary & Consumption Facility
- Microbusiness
- Registered organization (ROD)
- Other:

Applicant Priority

- Social & Economic Equity Applicant
- CAURD Licensee
- CAURD Applicant
- N/A

Has the owner filed with the Cannabis Control Board/OCM? *

- Yes
- No

If no, when does the owner plan on filing?

.....

Pursuant to § 119.1 of the Adult-Use Cannabis Regulations, has the applicant confirmed that the location is **NOT** (a) on the same road and within 200 feet of a building occupied exclusively as a house of worship? *

Yes

No

(b) on the same road and within 500 feet of the entrance of a building occupied exclusively as a school? *

Yes

No

(c) on the same road and within 500 feet of a structure and its grounds occupied exclusively as a public youth facility? *

Yes

No

N/A (see § 119.1 (3))

Are there any drug treatment facilities, harm reduction facilities, playgrounds or parks within 1000 ft. of the proposed cannabis business location? If yes, please list: *

N/A

Background

Does the owner(s) have a connection to Community District 4? *

- Business Owner
- Resident
- Other
- None

Please provide a brief overview of the applicant's previous business experience. *

OPERATED ENTERTAINMENT SPACE

If the applicant has previous experience in the cannabis industry, please explain.

N/WA

Is there any other information the applicant would like to provide the Board regarding work or life experience?

N/A

Operational Details

State the name and type of business previously located in this space. *

BAR 9 ENTERTAINMENT CORP.

What are the hours of operation M-F? *

M- CLOSED, T-F: 6PM-2AM

What are the hours of operation Sat-Sun? *

SAT: 6PM-2AM; SUNDAY: CLOSED

Please provide the applicant's detailed security plan. *

APPLICANT WILL USE CAMERA AND SECURITY PERSONNEL IN COMPLIANCE WITH CANNABIS LOCATION REGULATIONS.

What is the anticipated increase in sidewalk traffic? How will you manage the sidewalk, crowd control, vehicular traffic? Will you use utilize stanchions and ropes? *

NO INCREASE IN SIDEWALK TRAFFIC. IF REQUIRED, WE WILL USE ROPED OFF AREAS AND SECURITY PERSONNEL.

How many employees does the applicant expect to employ? How many full-time/part-time? *

4-10

Please provide the applicant's hiring plan; please explain if the applicant will take steps to hire from CB4. *

THOROUGH VETTING PROCESS FROM A POOL OF APPLICANTS IN THE LOCAL AREA.

What products does the applicant expect to carry? *

RECRETATIONAL CANNABIS PRODUCTS.

Will the applicant accept online or telephone orders? If yes, how will the applicant verify the purchaser is over the age of 21? (See § 123.10 (d)(4)) *

NO

Does the applicant intend to operate a delivery service? *

As of 5/28/2023, the revised Adult-Use Regulations do now allow a business licensed to sell adult-use cannabis to simultaneously hold a delivery license/make deliveries. (See § 123.20 (c)(1))

Yes

No

If this dispensary includes or plans to include on-site consumption at any point, please describe how it will be managed. What is the capacity? What environmental monitoring and ventilation measures will be taken to protect shoppers and staff from second hand smoke and other potential hazards? If not, please write n/a. *

N/A

Do you use/plan to use any outdoor space? If so, please explain how you intend to use the space. *

N/A

Is the entrance of the store ADA compliant?

Yes

No

Please upload an Executed Lease or Landlord Letter of Intent (LOI) for your intended location.

 Bar 9 Lease (1) - ...

Please upload the site/floor plan for your business.

Choose 

Community Notification/Relations

List all: block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted. *

N/A

Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? *

Yes

No

Will applicant inform the Community Board of its job openings and/or provide a hyperlink to applicants jobs webpage? *

Yes

No

This content is neither created nor endorsed by Google.

Google Forms