

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)		
APRIL CORP		GOLDEN CHICKEN		
STREET ADDRESS		CROSS STREETS		
533 9TH AVENUE		WEST 39TH ST & WEST 40TH ST		
OWNER	NAME:	BLANCA GONZALEZ	ATTORNEY	
	PHONE:	(646)704-9711		
	FAX:			
MANAGER	NAME:		LANDLORD	
	PHONE:			
	FAX:			
		NAME:	PABLO QUEZADA	
		PHONE:	(212)567-2355	
		FAX:	(212)567-2000	
		NAME:	JOSEPH ABRUSCATO	
		PHONE:	(917)690-8006	
		FAX:		
DESCRIPTION OF BUSINESS				
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____			
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES <input type="radio"/> NO	
		What is/was the name of establishment?	UNCLE MARK'S REST	
		What is/was the address of the establishment?	3496 Broadway NY, NY 10031	
		What were the dates the applicant was involved with this former premise?	5/2012-2/2013	
	<input type="radio"/> Transfer	What is the prior license #?	1264110	
		What is the expiration date on the prior license?	6/30/2014	
		Are you making any alterations or operational changes?	<input type="radio"/> YES <input type="radio"/> NO	
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

BC

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	11AM-4AM	11AM-4AM	11AM-4AM	11A-4AM	11A-4AM	11AM-4AM	11AM-4AM	11AM-4AM	
	Music	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	
	Kitchen	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4PM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables	
	75	75	12	24		1	20			
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+			
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A			
Will applicant have bottle service?					YES	NO	N/A			
Will you be hosting private parties and promotional events?					YES	NO	N/A			
Will outside promoters be used?					YES	NO	N/A			
Will the security plan submitted be implemented?					YES	NO	N/A			
Will State certified security personnel be used?					YES	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A			
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ	No Music				
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A			
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?					YES	NO	N/A			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A			

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	<input checked="" type="radio"/> NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	<input checked="" type="radio"/> NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	<input checked="" type="radio"/> NO	N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	NO	<input checked="" type="radio"/> N/A
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		



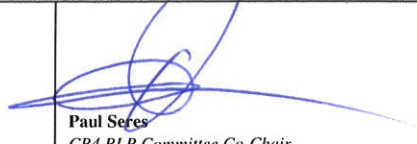
ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

Manhattan Community Board 4 (MCB4) recommends:	<input type="radio"/> Approval <input checked="" type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial
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CB4 REPRESENTATIVES

 Nelly Gonzalez <i>CB4 Community Associate</i>	 Lisa Daglian <i>CB4 BLP Committee Co-Chair</i>	 Paul Seres <i>CB4 BLP Committee Co-Chair</i>
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APPLICANT AGREEMENT WITH THE COMMUNITY

Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

SIGN HERE →	 SIGNATURE OF APPLICANT	10/16/2013 DATE
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CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

COREY JOHNSON
Chair

ROBERT J. BENFATTO
District Manager

October 2, 2013

Pablo M. Quezada
251 Sherman Ave Ste. E
New York, NY 10034

Re: Golden Chicken – 533 9th Avenue

Mr. Quezada,

Manhattan Community Board No. 4 invites you to present your application for an On-Premise Liquor License at its next Business Licenses & Permits Committee meeting scheduled for:

Tuesday, November 12, 2013

6:30 pm

**Intercontinental New York Time Square,
300 W. 44th St., Ballroom Level**

Please post the enclosed public notice of this hearing in a highly visible window of your establishment. We ask that you complete and submit the enclosed questionnaire **no later than 11 am. Monday, October 21st, 2013** Failure to comply by October 21st, will result in a request to postpone to the following month's meeting (December 10th) or a denial recommendation from the committee. In addition, please provide copies of the following by October 21st and bring 16 copies to the meeting (Tuesday, November 12th):

- Floorplans
- Sidewalk Café plans
- Diagram of Establishments that trigger either the 500 Foot Rule or 200 Foot Rule
- Menu
- Photos of Exterior
- 500 Foot Hearing Public Interest Statement, IF REQUIRED

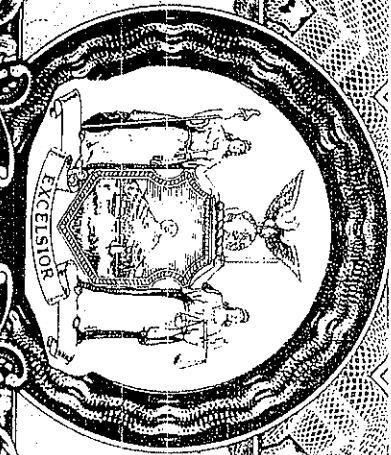
If you wish to **POSTPONE** your application, please contact us. We will **REQUIRE** a letter stating that you will **NOT APPLY** to the **SLA UNTIL AFTER** appearing at our **NEXT MEETING**. If you do appear before the Committee with insufficient or questionable information, you may request a new hearing. In this case you must also submit a postponement letter.

Please contact the Board office if you have any questions. Thank you for your cooperation.

Sincerely,

Nelly Gonzalez
Assistant District Manager

ON-PREMISES LIQUOR LICENSE
SERIAL #: 1264110
COUNTY: NEW YORK



EFFECTIVE DATE: 07/16/2012
EXPIRATION DATE: 06/30/2014
CERTIFICATE #: 805318

NEW YORK STATE LIQUOR AUTHORITY

THE LICENSEE DESIGNATED BELOW IS HEREBY GRANTED PERMISSION UNDER THE ALCOHOLIC BEVERAGE CONTROL LAW TO TRAFFIC IN ALCOHOLIC BEVERAGE PURSUANT TO THE TYPE OF LICENSE INDICATED IN THE UPPER LEFT HAND CORNER OF THIS CERTIFICATE AND ACCORDING TO THE STATUTES AND REGULATIONS PERTAINING THERETO.

THIS LICENSE SHALL NOT BE TRANSFERABLE TO ANY OTHER PERSON OR TO ANY OTHER PREMISES OR TO ANY OTHER PART OF THE BUILDING CONTAINING SUCH LICENSED PREMISES. IT SHALL NOT BE DEEMED A PROPERTY OR VESTED RIGHT AND MAY BE REVOKED AT ANY TIME PURSUANT TO LAW.

RESTAURANT SERVING BEER WINE & LIQUOR

UNCLE MARKS RESTAURANT INC

3496 BROADWAY
NEW YORK NY 10031

FILING FEE \$200.00
LICENSE FEE \$4,352.00

Dennis Rosen
Dennis Rosen
Chairman

BEFORE COMMENCING OR DOING ANY BUSINESS FOR THE TIME FOR WHICH THIS LICENSE HAS BEEN ISSUED, THE SAID LICENSEE SHALL BE ENCLOSED IN A SUITABLE WOOD OR METAL FRAME, HAVING A CLEAR GLASS SPACE AND A SUBSTANTIAL WOOD OR METAL BACK SO THAT THE WHOLE OF SAID LICENSE MAY BE SEEN THEREIN, AND SHALL BE POSTED UP AND AT ALL TIMES DISPLAYED IN A CONSPICUOUS PLACE IN THE ROOM WHERE SUCH BUSINESS IS CARRIED ON, SO THAT ALL PERSONS VISITING SUCH PLACE MAY READILY SEE THE SAME.

Certificate No. B805318

SLA FORM 180-033 (1/0/09)

FOLD AND TEAR HERE

FOLD AND TEAR HERE

Certificate of Assumed Name

of

APRIL CORP.

Pursuant to Section 130 of the General Business Law

1. The name of the Corporation is **APRIL CORP.**
2. The Corporation was formed under the Business Corporation Law of New York.
3. The assumed name of the above-named corporation shall be:

GOLDEN CHICKEN

4. The principal place of business in New York State is to be located at:

**533 9TH AVENUE
NEW YORK, NY 10018**

5. The County in which the Corporation shall be authorized to conduct business under the assumed name is the county of **NEW YORK.**
6. Each address where the Corporation shall be authorized to conduct business under the assumed name is as follows:

**533 9TH AVENUE
NEW YORK, NY 10018
COUNTY OF NEW YORK**

7. An officer of the corporation is **BLANCA GONZALEZ**

IN WITNESS WHEREOF, the undersigned being the **PRESIDENT** of the corporation hereby executes this certificate of assumed name.

DATED: 10/15/2013



BLANCA GONZALEZ, PRESIDENT

40. ADDITIONAL RENT. All payments or other charges payable hereunder (other than Base Rent) shall be considered "additional rent" for default in the payment of which Landlord shall have the same remedies as for a default in the payment of Base Rent.

41. NO JOINT VENTURE. Nothing in this Lease shall be construed to make the parties hereto partners or joint venturers or members of a joint enterprise. Each party hereto shall bear its own expenses incurred in connection with the negotiation, execution and delivery of this Lease.

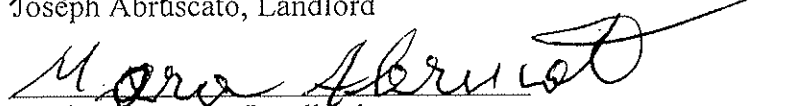
42. ENTIRE AGREEMENT. This Agreement may not be changed, canceled or discharged orally, but only by an agreement in writing and signed by the party against whom enforcement of any waiver, change modification or discharge is sought. All understandings and agreements between Landlord and Tenant are merged in this Lease which represents the entire agreement between the parties and which fully and completely sets forth all terms and conditions of the transactions embodied in this Lease.

43. HEADINGS. The Article and Section headings in this Lease are inserted only as a matter of convenience in reference and are not to be given any effect in construing any provision of this Lease. The Exhibits annexed hereto are hereby incorporated into this Lease and are made a part hereof as if fully set forth herein.

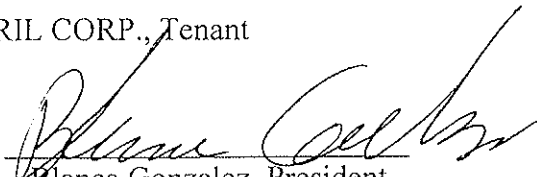
44. SUCCESSORS AND ASSIGNS. The covenants and agreements contained in this Lease shall apply to, inure to the benefit of, and be binding upon Landlord and Tenant and upon their respective successors and permitted assigns, except as otherwise expressly stated to the contrary in this Lease.

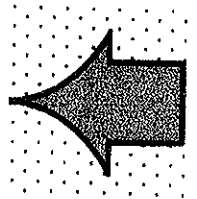
IN WITNESS WHEREOF, this Agreement has been duly executed and delivered by a duly authorized representative of each of Landlord and Tenant as of the day and year first above written.


Joseph Abruscato, Landlord


Maria Abruscato, Landlord

APRIL CORP., Tenant

By: 
Blanca Gonzalez, President



CERTIFICATE OF INCORPORATION

OF

APRIL CORP.

Pursuant to Section 402 of the Business Corporation Law

I, the undersigned, a natural person of at least 18 years of age, for the purpose of forming a corporation under Section 402 of the Business Corporation Law of the State of New York hereby certify:

FIRST: The name of the corporation is:

APRIL CORP.

SECOND: The purpose of the corporation is to engage in the business of a restaurant as well as any lawful act or activity for which corporations may be organized under Article IV of the Business Corporation Law, except that it is not formed to engage in any act or activity requiring the consent or approval of any state official, department, board, agency or other body without such consent or approval first being obtained.

THIRD: The office of the corporation is to be located in the County of **NEW YORK**, State of New York.

FOURTH: The aggregate number of shares which the corporation shall have the authority to issue is **TWO HUNDRED**, each of which shall be common stock with no par value.

FIFTH: The Secretary of State is designated as agent of the corporation upon whom process against it may be served. The post office address to which the Secretary of State shall mail a copy of any process against the corporation served upon him is:

**THE CORPORATION
533 9TH AVENUE
NEW YORK, NY 10018**

SIXTH: No director of the corporation shall have personal liability to the corporation or to its shareholders for damages for any breach of duty in such capacity, provided, however, that the provision shall not eliminate or limit:

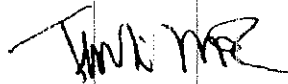
(a) the liability of any director of the corporation if a judgment or other final adjudication adverse to him establishes that his acts or omissions were in bad faith or involved intentional misconduct or a knowing violation of law or that he personally gained in fact a financial profit or other advantage to which he was not legally entitled or, with respect to any director of the corporation, that his acts violated Section 719 of the Business Corporation Law of the State of New York, or

(b) the liability of a director for any act or omission prior to the final adoption of this article.

SEVENTH: The holders of any of the corporation's equity shares shall be entitled to preemptive rights in accordance with the provisions of BCL section 622.

IN WITNESS WHEREOF, the undersigned incorporator has executed this certificate of incorporation.

9/26/13



Trudi Winter, Incorporator
BlumbergExcelsior Corporate
Services, Inc.
236 Broadway
Menands, NY 12204