

**PERSONAL & CONFIDENTIAL – FOR BOARD MEMBERS ONLY  
ITEMS TO BE REVIEWED ON 5/19/22 - # 1 – 3**

1) Julieta Restaurant Corp. – 37-63 81st Street, Jackson Heights (Full Liquor)

- Original application filed in 2019 and withdrawn in January 2020
- Hours of Operation – Mon. – Fri. – 12pm – 4am / Sat. & Sun. – 10am – 4am
- Committee has recommended a 2am closure every day, owner is not in agreement
- Occupancy – 152 people
- Applicant must submit a Public Assembly Permit (occupancy is limited to 74 people without permit)
- Alcohol service will end one hour prior to closing daily
- Committee Vote – 6 in favor of approval / 2 in opposition / 1 abstention

**THE COMMITTEE RECOMMENDS APPROVAL OF AN APPLICATION FOR AN ON-PREMISE FULL LIQUOR LICENSE FOR THIS APPLICANT PROVIDED A STIPULATION HAS BEEN SUBMITTED STATING THE HOURS OF OPERATION WILL BE MONDAY TO FRIDAY FROM 12PM – 4AM & SATURDAY & SUNDAY FROM 10AM – 4AM, ALCOHOL SERVICE WILL END ONE HOUR PRIOR TO CLOSING DAILY, & OCCUPANCY OF 152 WILL BE LIMITED TO 74 PEOPLE UNTIL A FDNY PUBLIC ASSEMBLY PERMIT IS OBTAINED**

2) Viva Ceviche Corp. – 88-15 37<sup>th</sup> Avenue, Jackson Heights (Wine/Beer/Cider)

- Applicant has been operating a restaurant since 2019
- Hours of Operation – Sun. – Thu. – 12pm – 9pm / Fri. & Sat. – 11am – 10pm
- Earlier closing time during Fall & Winter
- Occupancy – 16 people (13 seats)
- Committee Vote – 7 in favor of approval (unanimous)

**THE COMMITTEE RECOMMENDS APPROVAL OF AN APPLICATION FOR AN ON-PREMISE WINE, BEER, & CIDER LICENSE FOR THIS APPLICANT PROVIDED A STIPULATION HAS BEEN SUBMITTED STATING THE HOURS OF OPERATION WILL BE SUNDAY TO THURSDAY FROM 12PM – 9PM & FRIDAY AND SATURDAY FROM 11AM – 10PM**

3) J. Nazca Corp. d/b/a Nazca Palace – 35-14/16 Junction Blvd., Corona (Full Liquor)

- Applicant plans to operate a bar/lounge with a full kitchen
- Applicant currently operates 2 auto repair businesses
- Hours of Operation – Mon. – Thu. 12pm – 2am / Fri. – Sun. – 12pm – 4am
- Occupancy – 283 people (160 people – 1st Floor / 123 people – Basement)
- Each floor will have a separate bar & kitchen
- Plans to hold private events & have valet parking
- Applicant seems to describe a catering operation for a portion of the location, but claims not to be a catering hall
- DJ & live music
- Full kitchen menu will stop at 10:30pm daily
- Applicant agrees to stop serving alcohol one hour prior to closing daily
- Valet Parking – offsite at 94<sup>th</sup> Street & 34<sup>th</sup> Road
- No 3<sup>rd</sup> Party Promoters
- Committee Vote – 7 in favor of disapproval / 1 abstention

**THE COMMITTEE RECOMMENDS DISAPPROVAL OF AN APPLICATION FOR AN ON-PREMISE FULL LIQUOR LICENSE FOR THIS APPLICANT DUE TO THE PROBLEMATIC HISTORY OF THE LOCATION, APPLICANTS LACK OF EXPERIENCE, & UNCLEAR METHOD OF OPERATION FOR A LARGE VENUE**

**The following applicants were present and will be reviewed at the next Committee Meeting**

4) Tacoman Corp. – 94-07 Astoria Blvd., East Elmhurst (Wine/Beer/Cider)

- Applicant has been operating a restaurant
- Hours of Operation – 11am – 4am daily
- Security – Sun. – Thu. – 11am – 4am (1 guard) / Fri. & Sat – 11am – 4 am (2 guards)
- Jukebox, DJ, recorded music, karaoke, live non-amplified music
- Application will be reviewed at the June 2022 Committee Meeting

5) Cielo NYC Corp. – 88-19 31<sup>st</sup> Avenue, East Elmhurst (Full Liquor)

- Applicant will be operating a Bar/Lounge
- Hours of Operation – Mon. & Thu. – Sat. – 4pm – 4am / Tue. & Wed. – 4pm – 2am / Sun. – 11am – 2am
- Security – 2 guards – Mon. & Thu. – Sat. – 4pm – 4am / Tue. & Wed. – 4pm – 2am / Sun. – 11am – 2am
- DJ, recorded music, karaoke, & live music
- Application will be reviewed at the June 2022 Committee Meeting

- 6) Prohibition 8601 Corp. – 86-01 Northern Blvd., Jackson Heights (Full Liquor)
- Applicant did not appear at March 2022 Committee Meeting
  - Hours of Operation – 11am – 4am daily
  - Occupancy – 100 people
  - Jukebox, disc jockey, recorded music, live music, & karaoke
  - Applicant must submit an amended questionnaire and Letter of No Objection
  - Application will be reviewed at the June 2022 Committee Meeting

- 7) 86-09 Restaurant Corp. – 86-09 Roosevelt Avenue, Jackson Heights (Wine/Beer/Cider)
- Applicant has been operating a Bar/Lounge
  - Hours of Operation – 11am – 4am daily
  - Security – 11am – 4 am daily (2 guards)
  - Jukebox, DJ, recorded music, karaoke, live non-amplified music
  - Application will be reviewed at the June 2022 Committee Meeting

**The following applicants were not present and will be reviewed at the next Committee Meeting**

- 8) Raices Colombianas Corp. – 86-02 37<sup>th</sup> Avenue, Jackson Heights (Alteration)
- Applicant did not appear at May 2022 Committee Meeting
  - Application will be reviewed at the June 2022 Committee Meeting

- 9) Raices Colombianas Corp. – 86-02 37<sup>th</sup> Avenue, Jackson Heights (Method of Operation Change)
- Applicant did not appear at May 2022 Committee Meeting
  - Application will be reviewed at the June 2022 Committee Meeting

- 10) Vicioso Restaurant Corp. d/b/a La Casa del Dominicano Restaurant – 38-22 108th Street, Corona (Tavern Wine)
- Applicant did not appear at December 2021 & January - May 2022 Committee Meetings
  - Attorney appeared on behalf of the applicant stating that all documents were submitted in a prior year
  - Attorney is unaware that the corporate name is the same, but filing is under a different principal
  - Application will be reviewed at the June 2022 Committee Meeting

- 11) Michelada House NY II Inc. – 88-19 Roosevelt Avenue, Jackson Heights (Class Change – Full Liquor)
- Applicant did not appear at April & May 2022 Committee Meetings
  - Application will be reviewed at the June 2022 Committee Meeting

- 12) Donna's Café Corp. – 97-14 Northern Blvd., Corona (Full Liquor)
- Applicant did not appear at April & May 2022 Committee Meetings
  - Application will be reviewed at the June 2022 Committee Meeting

**Public Interest (excerpt from NYS SLA Law – Section 64)**

If the location is subject to the 500-foot rule, and no other exception applies, the license cannot be issued unless the State Liquor Authority makes an affirmative finding that it is in the public interest to issue the license. This clearly creates a presumption that the license should not be issued.

The 500-foot rule requires that the Authority consult with the municipality or community board and conduct a hearing to gather facts to determine whether the public interest would be served by issuing the license. This is commonly referred to as the “500-foot hearing”.

When considering whether it would be in the public interest to approve the application, the Authority may consider the following:

- the number, classes and character of other licensed premises not only in the area where the proposed establishment will be located but also in the particular municipality (or subdivision of the municipality);
  - whether the applicant has obtained all other necessary governmental licenses and permits;
  - the effect on vehicular traffic and parking in proximity to the location;
  - the impact on the existing noise level;
  - the history of ABC violations and reported criminal activity at the location;
- and
- any other factor specified by law or regulation that would be relevant to deciding whether public convenience and advantage, as well as the public interest, would be served by approving the application.

The fact that the community opposes an application does not mean that the Authority must disapprove the application. Conversely, an application may be disapproved even if the community supports it.

When such matters are referred to the Members of the Authority, the applicant may come to an agreement with the “community opposition” on stipulations concerning the operation of the establishment.

In such cases, the Members of the Authority may incorporate those stipulations into the approved method of operation of the licensed premises. These stipulations essentially become conditions of the license privilege.

Failure to comply with those conditions subjects the licensee to disciplinary action