

PERSONAL & CONFIDENTIAL – FOR BOARD MEMBERS ONLY

ITEMS TO BE REVIEWED ON 1/20/22 - # 1 & 2

- 1) & 2) J & C Delicias Corp. d/b/a J & C Delicias – 37-61 79th Street, Jackson Heights (Alteration) (Method of Operation Change)
- Applicant is operating a Colombian Restaurant
 - Applicant is seeking an extension of hours & relocation of bar area
 - Current Hours of Operation – 12pm – 12am daily
 - Proposed Hours of Operation – Sun. – Wed. – 12pm – 12am / Thu. – Sat. – 12pm – 4am
 - Applicant has agreed to stop serving alcohol one hour prior to closing from Thursday to Saturday
 - Occupancy – 74 people
 - Licensed security until closing from Thursday – Saturday
 - Kitchen will be open serving a full menu at all times
 - Background music

Motion 1

THE COMMITTEE RECOMMENDS APPROVAL OF AN APPLICATION FOR AN ALTERATION OF A PREMISE WITH AN ON-PREMISE FULL LIQUOR LICENSE FOR THIS APPLICANT

Motion 2

THE COMMITTEE RECOMMENDS APPROVAL OF AN APPLICATION FOR A METHOD OF OPERATION CHANGE OF A PREMISE WITH AN ON-PREMISE FULL LIQUOR LICENSE FOR THIS APPLICANT PROVIDED A STIPULATION HAS BEEN SIGNED STATING THE HOURS OF OPERATION WILL BE SUNDAY TO WEDNESDAY – 12PM – 12AM, & THURSDAY TO SATURDAY – 12PM – 4AM, LICENSED SECURITY - THURSDAY TO SUNDAY UNTIL CLOSING, ALCOHOL SERVICE WILL END ONE HOUR PRIOR TO CLOSING FROM THURSDAY TO SUNDAY, KITCHEN WILL BE OPEN AT ALL TIME SERVING A FULL MENU, & THERE WILL BE BACKGROUND MUSIC ONLY

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

- 3) Sabor Hispano, Inc. – 37-29 103rd Street, Corona (Class Change)
- Applicant did not appear at January 2022 Committee Meeting
 - Manager appeared, applicant could not be reached
 - Application will be reviewed at the February 2022 Committee Meeting

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

- 4) Encanto Mexican Lounge, Inc. – 99-10 Northern Blvd., Corona (Tavern Wine)
 - Applicant did not appear at October - December 2021 & January 2022 Committee Meetings
 - Applicant never submitted a 30-day notice to CB3
 - CB3 is currently seeking contact information for the applicant
 - Application will be reviewed at the February 2022 Committee Meeting

- 5) Gimiga Corp. d/b/a La Pequena Colombia – 83-27 Roosevelt Avenue, Jackson Heights (Corporate Change)
 - Applicant did not appear at November - December 2021, & January 2022 Committee Meetings
 - Application will be reviewed at the February 2022 Committee Meeting

- 6) Atlantic Café Inc. – 93-13 Roosevelt Avenue, Jackson Heights (Corporate Change)
 - Applicant did not appear at January 2022 Committee Meeting
 - Applicant is bought 100% of the current corporation in September 2021
 - Hours of Operation – Mon. – Wed. – 12pm – 2am / Thu. – Sun. – 12pm -4am
 - Committee will request a copy of the bill of sale
 - Application will be reviewed at the February 2022 Committee Meeting

- 7) Himalayan Group LLC d/b/a Bamboo House & Bar – 76-03 37th Avenue, Jackson Heights (Corporate Change)
 - Applicant did not appear at January 2022 Committee Meeting
 - Application will be reviewed at the February 2022 Committee Meeting

- 8) Espana Sports Bar Inc. d/b/a Espana Sports Bar – 81-03 Roosevelt Avenue, Jackson Heights (Full Liquor)
 - Applicant did not appear at September 2021, December 2021, & January 2022 Committee Meetings
 - Applicant will be operating a Sports Bar
 - Past 2 licenses have been cancelled at this location
 - Attorney appeared but not applicant at June, October, & November 2021 Committee Meetings
 - Hours of Operation – Mon. & Tue. –12pm –12am /Wed. & Thu. –12pm – 2am /Fri. & Sat. –12pm – 4am /Sun. 11am – 3am
 - Applicant must submit all documents requested
 - Attorney states that the applicant has not retired from his current occupation and is unable to appear
 - Committee has requested that the applicant appear at the Committee Meeting
 - Application will be reviewed at the February 2022 Committee Meeting

- 9) The Neighbors NYC Corp. – 85-13 Northern Blvd., Jackson Heights (Full Liquor)
- Applicant did not appear at December 2021 & January 2022 Committee Meetings
 - Application will be reviewed at the February 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 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 February 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.