



THE CITY OF NEW YORK  
 MANHATTAN COMMUNITY BOARD 3  
 59 East 4th Street - New York, NY 10003  
 Phone (212) 533-5300 - Fax (212) 533-3659  
 www.cb3manhattan.org - info@cb3manhattan.org

Gigi Li, Board Chair

Susan Stetzer, District Manager

Community Board 3 Liquor License Stipulations

1. Luz Espinal, as a qualified representative of Michelle Restaurant Corp., located at 125 Avenue D, New York, NY agree to the following stipulations:

1.  I will operate a full-service restaurant, specifically a (type of restaurant) Latin Food with a kitchen open and serving food to within 1 1/2 hour(s) of closing every night  during all hours of operation.
2. My hours of operation will be Sunday through Thursday from 8:00 A.M. to 10:00 P.M., and Friday and Saturday 8:00 A.M. to 12:00 A.M.

(I understand opening is "no later than" specified opening hour, and all patrons are to be cleared from business at specified closing hour.)

3.  I will not use outdoor space for commercial use.
4.  I will operate my sidewalk café no later than \_\_\_\_\_
5.  I will employ a doorman/security personnel on the following days: \_\_\_\_\_
6.  I will install soundproofing, \_\_\_\_\_
7.  I will close any front or rear facade doors and windows at 10:00 P.M. every night or during any amplified performances, including but not limited to DJs, live music and live nonmusical performances.  I will not have French doors or windows and doors will be closed by \_\_\_\_\_
8. I will not have  DJs,  live music,  promoted events,  any event at which a cover fee is charged,  scheduled performances,  more than \_\_\_\_\_ DJs/ promoted events per \_\_\_\_\_,  more than \_\_\_\_\_ private parties per \_\_\_\_\_
9.  I will play ambient recorded background music only.
10.  I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
11.  I will not seek a change in class to a full on-premise liquor license without first obtaining approval from CB 3.
12.  I will not participate in pub crawls or have party buses come to my establishment.
13.  I will not have a happy hour.  Happy hour will end by \_\_\_\_\_
14.  I will not have wait lines outside.  There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.
15.  I will conspicuously post this stipulation form beside my liquor license inside of my business.
16.  Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: LUZ ESPINAL Phone Number: 917-650-0362

17.  I will: \_\_\_\_\_

I hereby certify that the information provided above is truthful and accurate based upon my personal belief.

Signed Luz Espinal  
 Sworn to this 12<sup>th</sup> day of March 2015

March 12, 2015  
 IRVING URODRIGUEZ  
 Notary Public, State of New York  
 034845051  
 Notary Public  
 FEBRUARY 28, 2010



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Community Board 3 Liquor License Application Questionnaire

Please bring the following items to the meeting:

NOTE: ALL ITEMS MUST BE SUBMITTED FOR APPLICATION TO BE CONSIDERED.

- Photographs of the inside and outside of the premise.
- Schematics, floor plans or architectural drawings of the inside of the premise.
- A proposed food and/or drink menu.
- Petition in support of proposed business or change in business with signatures from residential tenants at location and in buildings adjacent to, across the street from and behind proposed location. Petition must give proposed hours and method of operation. For example: restaurant, sports bar, combination restaurant/bar (petition provided)
- Notice of proposed business to block or tenant association if one exists. You can find community groups and contact information on the CB 3 website:  
[http://www.nyc.gov/html/mbcb3/html/communitygroups/community\\_group\\_listings.shtml](http://www.nyc.gov/html/mbcb3/html/communitygroups/community_group_listings.shtml)
- Photographs of proof of conspicuous posting of meeting with newspaper showing date.
- If applicant has been or is licensed anywhere in City, letter from applicable community board indicating history of complaints and other comments.

Check which you are applying for:

- new liquor license       alteration of an existing liquor license       corporate change

Check if either of these apply:

- sale of assets       upgrade (change of class) of an existing liquor license

Today's Date: \_\_\_\_\_

If applying for sale of assets, you must bring letter from current owner confirming that you are buying business or have the seller come with you to the meeting.

Is location currently licensed?  Yes  No      Type of license: \_\_\_\_\_

If alteration, describe nature of alteration: \_\_\_\_\_

Previous or current use of the location: Restaurant

Corporation and trade name of current licensee: \_\_\_\_\_

APPLICANT:

Premise address: 125 Avenue D, New York, NY 10009

Cross streets: 8th Street & 9th Street

Name of applicant and all principals: Michelle Restaurant Corp.

Luz Espinal

Trade name (DBA): \_\_\_\_\_

**PREMISE:**

Type of building and number of floors: Private building and 4 Floors

Will any outside area or sidewalk cafe be used for the sale or consumption of alcoholic beverages?  
(includes roof & yard)  Yes  No If Yes, describe and show on diagram: \_\_\_\_\_

Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any  
back or side yard use?  Yes  No What is maximum NUMBER of people permitted? 40

Do you plan to apply for Public Assembly permit?  Yes  No

What is the zoning designation (check zoning using map: <http://gis.nyc.gov/doitt/nycitymap/> -  
please give specific zoning designation, such as R8 or C2):  
\_\_\_\_\_

**PROPOSED METHOD OF OPERATION:**

Will any other business besides food or alcohol service be conducted at premise?  Yes  No  
If yes, please describe what type: \_\_\_\_\_

What are the proposed days/hours of operation? (Specify days and hours each day and hours of  
outdoor space) Sunday thru Thursday 8am - 10 PM  
Friday and Saturday 8am - 12am

Number of tables? 10 tables Number of seats at tables? 4 Seats (34 Seats)

How many stand-up bars/ bar seats are located on the premise? 1

(A stand up bar is any bar or counter (whether with seating or not) over which a patron can order,  
pay for and receive an alcoholic beverage)

Describe all bars (length, shape and location): 6, 528 sq feet, L Shape

Does premise have a full kitchen?  Yes  No?

Does it have a food preparation area?  Yes  No (If any, show on diagram)

Is food available for sale?  Yes  No If yes, describe type of food and submit a menu  
Spanish and American Food

What are the hours kitchen will be open? S-T 8am to 9pm Friday - Saturday 8am - 11pm

Will a manager or principal always be on site?  Yes  No If yes, which? Luz Espinal

How many employees will there be? 5

Do you have or plan to install  French doors  accordion doors or  windows?

Will there be TVs/monitors?  Yes  No (If Yes, how many?) 1

Will premise have music?  Yes  No

If Yes, what type of music?  Live musician  DJ  Juke box  Tapes/CDs/iPod

If other type, please describe \_\_\_\_\_

What will be the music volume?  Background (quiet)  Entertainment level

Please describe your sound system: \_\_\_\_\_

Will you host any promoted events, scheduled performances or any event at which a cover fee is charged? If Yes, what type of events or performances are proposed and how often? NO

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans. (Please do not answer "we do not anticipate congestion.")

Will there be security personnel?  Yes  No (If Yes, how many and when) \_\_\_\_\_

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans.

Do you  have or  plan to install sound-proofing?

#### APPLICANT HISTORY:

Has (his corporation or any principal been licensed previously?  Yes  No

If yes, please indicate name of establishment: \_\_\_\_\_

Address: \_\_\_\_\_ Community Board # \_\_\_\_\_

Dates of operation: \_\_\_\_\_

If you answered "Yes" to the above question, please provide a letter from the community board indicating history of complaints or other comments.

Has any principal had work experience similar to the proposed business?  Yes  No If Yes, please attach explanation of experience or resume.

Does any principal have other businesses in this area?  Yes  No If Yes, please give trade name

and describe type of business Joselito Restaurant Corp - (type) Restaurant

Has any principal had SLA reports or action within the past 3 years?  Yes  No If Yes, attach list of violations and dates of violations and outcomes, if any.

Attach a separate diagram that indicates the location (name and address) and total number of establishments selling/serving beer, wine (B/W) or liquor (OP) for 2 blocks in each direction. Please indicate whether establishments have On-Premise (OP) licenses. Please label streets and avenues and identify your location. Use letters to indicate Bar, Restaurant, etc. The diagram must be submitted with the questionnaire to the Community Board before the meeting.

**LOCATION:**

How many licensed establishments are within 1 block? \_\_\_\_\_

How many On-Premise (OP) liquor licenses are within 500 feet? \_\_\_\_\_

Is premise within 200 feet of any school or place of worship?  Yes  No

**COMMUNITY OUTREACH:**

Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups. Also use provided petitions, which clearly state the name, address, license for which you are applying, and the hours and method of operation of your establishment at the top of each page. (Attach additional sheets of paper as necessary).

*We are including the following questions to be able to prepare stipulations and have the meeting be faster and more efficient. Please answer per your business plan; do not plan to negotiate at the meeting.*

1.  I agree to close any doors and windows at 10:00 P.M. every night?
2.  I will not have  DJs,  live music,  promoted events,  any event at which a cover fee is charged,  scheduled performances,  more than \_\_\_\_ DJs/ promoted events per \_\_\_\_,  more than \_\_\_\_ private parties per \_\_\_\_
3.  I will play ambient recorded background music only.
4.  I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
5.  I will not seek a change in class to a full on-premise liquor license. Or  my business plan is to seek an upgrade at a later date.
6.  I will not participate in pub crawls or have party buses come to my establishment.
7.  I will not have a happy hour. Or  Happy hour will end by \_\_\_\_\_.
8.  I will not have wait lines outside.  There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.
9.  Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.