

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

Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

Community Board 3 Liquor License Stipulations for Administrative Approval

I, Ernest Butt, as a qualified representative of Dian Kitchen LLC
 located at 435 East 9th Street, New York, NY agree to the following stipulations:

1. I will operate a full-service restaurant, specifically a (type of restaurant) _____
 Kitchen open and serving food every night during all hours of operation.
2. My hours of operation will be:
 Mon 11:30AM to 10:30PM ; Tue 11:30AM to 10:30PM ; Wed 11:30AM to 10:30PM ;
 Thu 11:30AM to 10:30PM ; Fri 11:30AM to 10:30PM ; Sat 11:30AM to 10:30PM ; Sun 11:30AM to 10:30PM .
 (I understand opening is no later than specified opening hour & 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 façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances. I will have a closed fixed façade with no open doors or windows except my entrance door will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances.
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 or for any physical alterations of any nature 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 unlimited drink specials, including boozy brunches, with food.
14. I will not have a happy hour or drink specials with or without time limitations OR I will have happy hour and it will end by _____.
15. I will not have wait lines outside. I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
16. I will conspicuously post this stipulation form beside my liquor license inside of my business.
17. Residents may contact the manager/owner at the number below. Any complaints will be addressed immediately. I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: Ernest Butt Phone Number: 516-417-4749

18. I will: _____

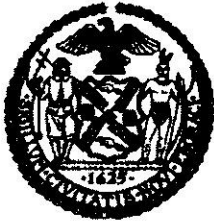
I hereby certify that the information provided above is truthful and accurate based upon my personal belief.

Signed _____
 Sworn to this 17th day of October 2018

Dated 10/17/18

 Notary Public

EVA L. VIERA
 Notary Public, State of New York
 No. 01V16237818
 Qualified in Richmond County
 Commission Expires September 17, 2019



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Community Board 3 Liquor License Application Questionnaire

Today's Date: 10/16/2018

APPLICANT

1. Name of applicant and principle(s): Dian Kitchen, LLC; Ernest Butt; Yuanyuan Zhang
2. Premise address: 435 East 9th Street, New York, NY 10009
3. Cross streets: First Avenue, Avenue A
4. Trade name (DBA): N/A
5. Check which you are applying to: New liquor licence Alteration of an existing license Sale of assets
6. If alteration, describe nature of alteration: N/A
7. Is location currently licensed? Yes No
8. Type of license: N/A
9. Previous or current use of the location: N/A
10. Corporation and trade name of current location: _____
11. Type of building and number of floors: Walk-up Apartments - With Stores - 5 Floors
12. Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any back or side yard use? Yes No 12a. What is the permitted occupancy indoors and outdoors? N/A
13. Do you plan to apply for Public Assembly permit? Yes No
14. 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): R&B
15. How many licensed establishments are within 1 block? 9 establishments
16. How many On-Premise (OP) liquor licenses are within 500 feet? 8
17. Is premise within 200 feet of any school or place of worship? Yes No

PROPOSED METHOD OF OPERATION

18. Describe your method of operation: Quick service food
19. Will any other business besides food or alcohol service be conducted at premise? Yes No
20. If yes, please describe what type: N/A
21. What are the proposed days/hours of operation (specify days/hours each day and hours of outdoor space if applicable):
Sun-Sat / 11:30am - 10:30pm
22. Total number of table: 5
23. Total number of seats: 17

24. How many stand-up bars/ bar seats are located on the premise? None (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.)
25. Describe all bars (length, shape, and location): No Bars only eating counters
26. Does premise have a full kitchen? Yes No
27. What are the hours kitchen will be open? 11:30am to 10:30pm
28. What type of food is available for sale? Chinese cuisine
29. Will a manager or principal always be on site? Yes No If yes, which? Ernest Butt
30. How many employees will there be? 2
31. Do you have or plan to install French doors accordion doors or windows? No
32. Will there be TVs/monitors? Yes No (If Yes, how many?) _____
33. Will premise have music? Yes No 33a. If Yes, what type of music? Live Music Juke box
 DJ Tapes/CDs/iPod
34. If other type, please describe: ambient recorded background music only.
35. What will be the music volume? Background (quiet) Entertainment level
36. Please describe your sound system: ceiling insulated speakers (low volume)
37. Will you host any promoted events, scheduled performances or any event at which a cover fee is charged? Yes No
38. If Yes, what type of events or performances are proposed and how often? N/A
39. How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Not an issue; however I would employ someone to keep people organized and traffic moving.
40. Will there be security personnel? Yes No 40a. If Yes, how many and when? _____
41. How do you plan to manage noise inside and outside your business so neighbors will not be affected? calm environment
42. Do you have sound proofing installed? Yes No 43. If not, do you plan to install sound-proofing? Yes No

APPLICANT HISTORY

44. Has this corporation or any principal been licensed previously? Yes No If yes, please indicate name of establishment(s): N/A
45. Address: N/A 47. Community Board # N/A
46. Dates of operation: N/A
47. Has any principal had work experience similar to the proposed business? Yes No If yes, explanation of experience or resume.
48. Does any principal have other businesses in this area? Yes No If yes, give trade name and describe type of business: N/A
49. 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.

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.

ATTENTION RESIDENTS & NEIGHBORS

Dian Kitchen, LLC

Company/DBA Name and Contact Number for Questions

plans to open a

Restaurant

(Please choose) Bar/Restaurant/Club and indicate if there will be a Sidewalk Café or Backyard Garden

at the following location

435 East 9th Street

Building Number and Street Name (Address)

This establishment is seeking a license to serve

Beer

Beer & Wine or Beer

dian.kitchen.nyc@gmail.com

Applicant Contact Information

Contact the Applicant or COMMUNITY BOARD 3

With any questions or concerns.

info@cb3manhattan.org - www.cb3manhattan.org