



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 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)
- Letter of 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/mancb3/html/sla/community_groups.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: JANUARY 2, 2014.

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.

Type of license: ON-PREMISE LIQUOR (WITH BEER & WINE) Is location currently licensed? Yes No

If alteration, describe nature of alteration: NO ALTERATION.

Previous or current use of the location: RESTAURANT.

Corporation and trade name of current license: ROBATAYA NY LLC D/B/A ROBATAYA

APPLICANT:

Premise address: 231 EAST 9TH STREET, NEW YORK, NY 10003

Cross streets: BETWEEN 2ND AVENUE AND 3RD AVENUE

Name of applicant and all principals: APPLICANT: AMERICA OOTOYA INC.

PRINCIPAL: NOBUHITO TANAKA, PRESIDENT

Trade name (DBA): ROBATAYA

PREMISE:

Type of building and number of floors: TWO-STORY COMMERCIAL BUILDING.

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 certificate of occupancy for back or side yard intended for commercial use? Yes No

Indoor Certificate of Occupancy 70 Outdoor Certificate of Occupancy NOT APPLICABLE.
(fill in maximum NUMBER of people permitted)

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

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

R8B

Is this premise wheel chair accessible? Yes No

PROPOSED METHOD OF OPERATION:

What type of establishment will this be (i.e.: restaurant, bar, performance space, club, hotel)?
RESTAURANT.

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) 11:00 AM - 12:00 AM (SAME HOURS AS CURRENT OPERATION).
NO OUTDOOR SPACE.

Number of tables? 16 Number of seats at tables? 63

How many stand-up bars/ bar seats are located on the premise? STANDUP BAR/COUNTER: 1
BAR/COUNTER SEATS: 21.

(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): IRREGULAR SHAPE LOCATED IN FRONT OF PREMISES AS PER INTERIOR DIAGRAM.

Any food counters? Yes No If Yes, describe: BAR/FOOD COUNTER FOR PATRONS TO SIT, ORDER AND EAT, AS PER INTERIOR DIAGRAM.

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

What are the hours kitchen will be open? 11 AM - 11:30 PM.

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

How many employees will there be? 50

Do you have or plan to install French doors accordion doors or windows? NO CHANGES.

Will you agree to close any doors and windows at 10:00 P.M. every night? Yes No

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

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: SIMPLE, BASIC OLD-FASHION MUSIC AUDIO SYSTEM.

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

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans. **WE DO NOT ANTICIPATE ADDITIONAL VEHICULAR TRAFFIC OR CROWDS SPILLING OVER SIDEWALK AND INTERFERING WITH PEDESTRIANS.**

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. **WE DO NOT ANTICIPATE ANY ADDITIONAL NOISE.**

Do you have or plan to install sound-proofing? **WE DO NOT ANTICIPATE TO INSTALL SOUND-PROOFING.**

APPLICANT HISTORY:

Has this corporation or any principal been licensed previously? Yes No

1) AMERICA OOTOYA INC. D/B/A OOTOYA

If yes, please indicate name of establishment: 2) AMERICA OOTOYA INC. D/B/A TIMES SQUARE OOTOYA

1) 6-8 WEST 18TH STREET, NEW YORK, NY 10011

Address: 2) 141 WEST 41 STREET, NEW YORK, NY 10036 Community Board # CB 5

Dates of operation: 1) SINCE MAY 31, 2012 AND 2) SINCE JULY 25, 2013

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. **MARCH 2011 - MAY 2013: OPERATED RESTAURANT IN JAPAN.
MAY 2013 - PRESENT: OPERATES TWO (2) JAPANESE RESTAURANTS
IN MIDTOWN AND FLAT IRON DISTRICT.**

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

RESTAURANTS:

and describe type of business 1) AMERICA OOTOYA INC. D/B/A OOTOYA; AND 2) AMERICA OOTOYA INC. D/B/A

TIMES SQUARE OOTOYA

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. **SEE ATTACHED DIAGRAM.**

****500 FOOT RULE IS NOT APPLICABLE AS "PREMISES HAS BEEN CONTINUOUSLY LICENSED ON OR PRIOR TO NOVEMBER 1, 1993", WHICH HAS BEEN CONFIRMED WITH STATE LIQUOR AUTHORITY (SLA).****

LOCATION:

How many licensed establishments are within 1 block? NINE (9) LICENSED ESTABLISHMENTS.

How many licensed establishments are within 500 feet? FOUR (4) LICENSED ESTABLISHMENTS.

Is premise within a 500 foot radius of 3 or more establishments with OP licenses? Yes No

How many On-Premise (OP) liquor licenses are within 500 feet? THREE (3) OP LICENSED ESTABLISHMENTS**.

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

If there is a school or place of worship within 200 feet of your premise on the same block, submit a block plot diagram or area map showing its location in proximity to your premise and indicate the distance and name and address of the school or house of worship.

COMMUNITY OUTREACH:

If there are block associations or tenant associations in the immediate vicinity of your location, you must contact them. Contact the CB 3 office at info@cb3manhattan.org to find block and tenant associations. **Please attach proof (copies of letters or email and poster) that you have advised these groups of your application with sufficient time for them to respond to your notice.**

Please 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).

ATTENTION RESIDENTS & NEIGHBORS

**AMERICA OOTOYA INC.
D/B/A ROBATAYA**

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
231 EAST 9TH STREET**

Building Number and Street Name (Address)

**This establishment is seeking a license to serve
ON-PREMISES LIQUOR (WITH WINE & BEER)**

Beer & Wine or Beer/Wine & Liquor

There will be an opportunity for public comment on

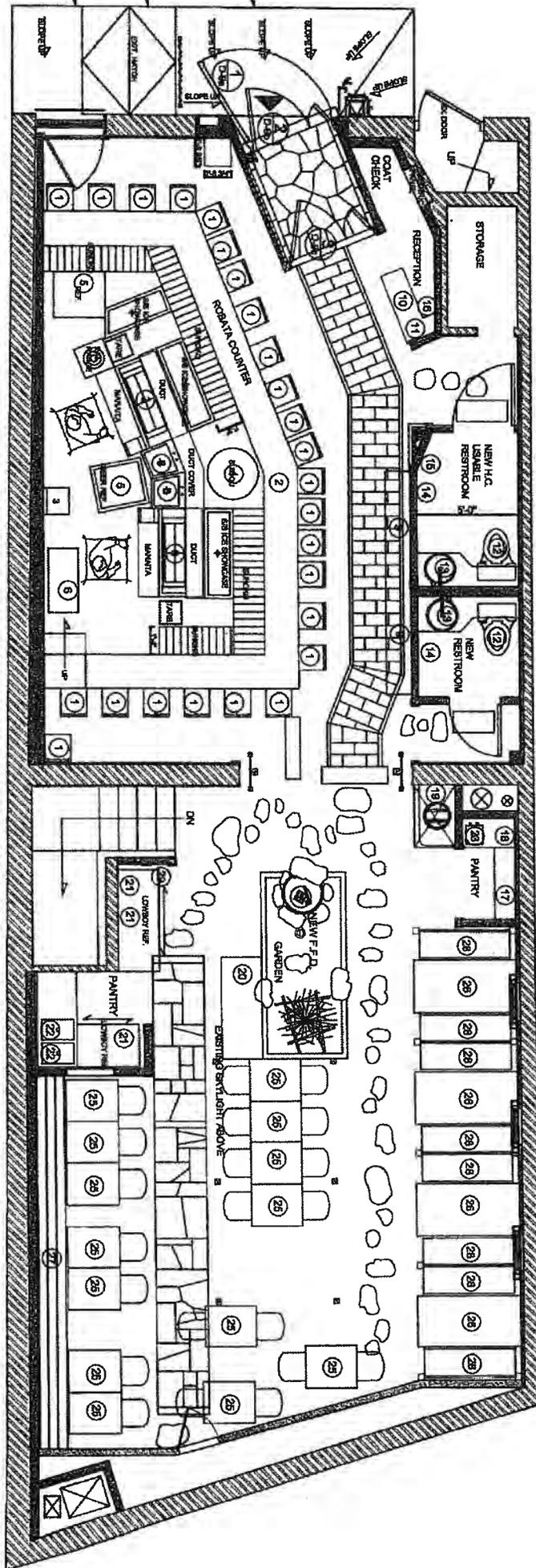
**Monday, January 13, 2014 at 6:30pm
Community Board 3 Office
59 East 4th Street (btwn 2nd Ave & Bowery)**

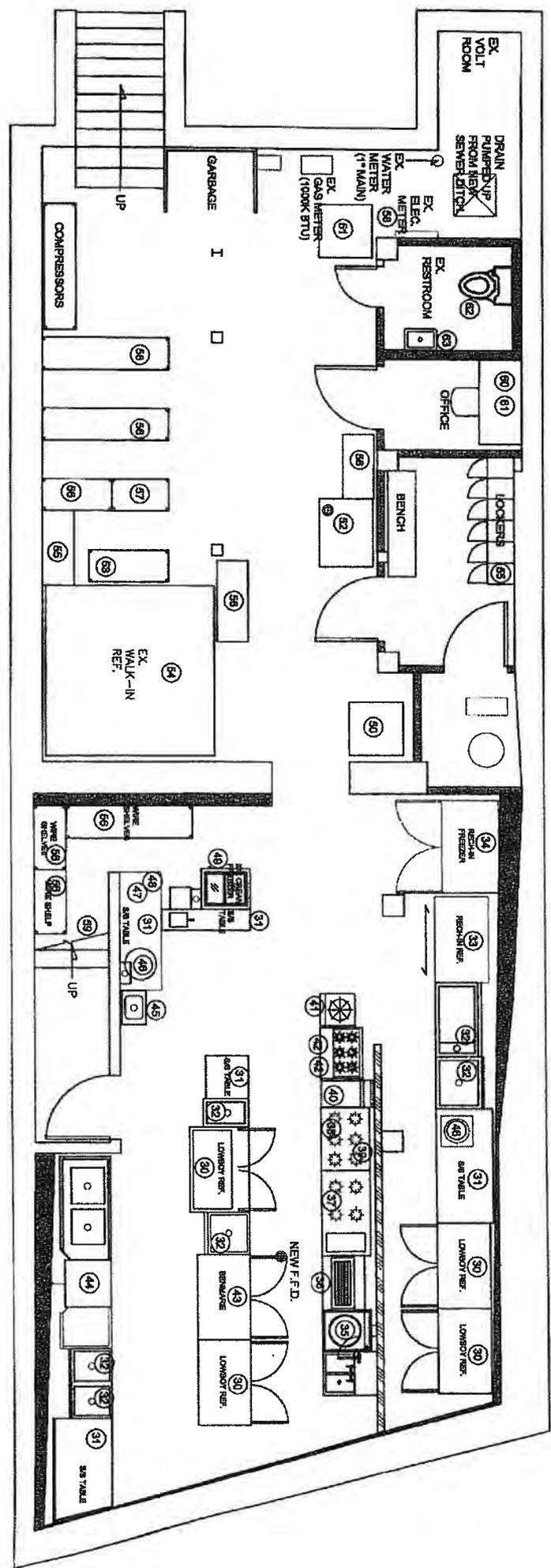
**FRED A. DECICCO, ESQ.
POLLACK POLLACK ISAAC & DECICCO LLP
225 BROADWAY AVENUE, SUITE 307, NEW YORK, NEW YORK 10007
TEL: (212) 233-8100**

Applicant Contact Information

**At COMMUNITY BOARD 3
SLA & DCA Licensing Committee Meeting
info@cb3manhattan.org - www.cb3manhattan.org**

AMERICA OUTPOST INC.
D/B/A ROBATAYA
231 EAST 9 STREET
NEW YORK, NY 10003
-GROUND FLOOR-





4TH AVENUE

9TH STREET

3RD AVENUE

STUYVESANT STREET

*SHARAKU (OP)
14-16 STUYVESANT ST.

*HASAKI (OP)
210 EAST 9 STREET

*TSAMPA (OP)
212 EAST 9 STREET

*YAKINIKU WEST (OP)
218 EAST 9 STREET

*CHA AN (RW)
230 EAST 9 STREET
*SOLAS (OP)
232 EAST 9 STREET

*CLOISTER CAFE (OP)
238 EAST 9 STREET

*SAKE BARDECIBEL (OP)
240 EAST 9 STREET

2ND AVENUE

*VESELKA (RW)
144 2ND AVENUE

9TH STREET

1ST AVENUE

4TH AVENUE

*THE CENTRAL BAR (OP)
109 EAST 9 STREET

3RD AVENUE

9TH STREET

*SOBAYA (RW)
229 EAST 9 STREET

*ROBATAYA (OP)
231 EAST 9 STREET

*THE 13TH STEP (OP)
149 2ND AVENUE

*THE THIRSTY
SCHOLAR (OP)
155 2ND AVENUE

2ND AVENUE

*MUDSPOT (RW)
307 EAST 9 STREET

*THE IMMIGRANT TAP ROOM (TW)
341 EAST 9TH STREET

1ST AVENUE