

575 Pub on Second Inc.

Licensee is seeking to update and expand the filed Method of Operation and current entertainment offerings at the premises to include any and all manner of legally allowable live entertainment including but not limited to the entire gamut of offerings available in the greatest city in the world: Gay Chorus, karaoke, live stage performance, Variety Shows, world class DJ's, drag bingo, jazz trio's, cabaret, barber shop quartets, burlesque, dance performance, drag performance, spoken word, comedy, theater, drag performance, performance art, acoustic and live music, Gong Shows, a cappella singing, harmonica bands, piano concerts, contortionists, puppeteers etc etc. There is an absolute need for any and all variations on the theme given the current state of affairs. Applicant feels humbly that it is obligated civically and culturally to do everything within it's power to avail opportunity to all members of the performance arts community.

<https://www.nytimes.com/2020/12/26/arts/unemployed-performer-theatre-arts.html>

We plan to focus on providing as wide a range of creative offerings once we reopen to primarily bolster the Performing Arts community and enable us to survive given what we realistically assume will be diminished overall business prospects..

This Application is done in anticipation of lower than expected revenues due to the Covid-19 crisis and its' resultant consequences. Licensee will need to create additional different sources of revenue in order to meet the financial obligations of the premises including maintaining employees, paying all state and local taxes as well as the underlying financial commitments of the enterprise. The wider the range of entertainment offerings availed to the Applicant, the more likely the event the Applicant will survive the current economic catastrophe. Licensee does not have any legal ability to operate outside either on the sidewalk or for Open Streets given that the location is directly behind a bus stop. Licensee has not been able to open in any manner since closing March 12, 2020.

There is currently a legally filed, built, and approved stage which has been in active use in the space for more than 16 years and was used for live rock and roll performances for over 11 years prior to current licensee and until closing hosted world class DJ performances, dance performances, comedy, theater, drag performance, spoken word, cabaret, poetry slam. The performance area and seating is in full compliance with all local requirements and is on the approved Public Assembly Approved Plans. The unique layout, location and high level soundproofing of the premises provides complete soundproofing. Applicant is able to provide professional crowd control given that the performance stage and flex-seating is located in the cellar level with multiple exits and entrances to insure proper crowd control and exterior noise mitigation.

This application is also done specifically given the current SLA guidance, with the requirement that all Licensees have the Method of Operation on the actual License. Not only is this proper by law, it is also necessary to be in full and complete compliance with all SLA rules, given the current heightened scrutiny and enforcement.

Please see information from an SLA email below. All entertainment offerings have to be specified on the License.

From: abc.sm.no-reply <no-reply@sla.ny.gov>

Date: Tuesday, August 18, 2020

Subject: Entertainment Guidance

“To all licensees with on premises service privileges,

We would like to take a moment to remind licensees (that may have the privilege of providing entertainment) of what has currently been deemed safe in terms of live entertainment.

If you would like to provide music, please also take a moment to note whether your license allows for such. An on premises license may provide ___ music so long as the type of music is explicitly permissible on the license certificate. “



THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003
Phone (212) 533-5300
www.cb3manhattan.org - mn03@cb.nyc.gov

Alysha Lewis-Coleman, 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)~~
- 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/communitygroups/community_group_listings.shtml
- Proof of conspicuous posting of notices at the site for 7 days prior to the meeting (please include newspaper with date in photo or a timestamped photo).

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 27, 2021

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: OP 1288774

If alteration, describe nature of alteration: _____

Previous or current use of the location: _____

Corporation and trade name of current license: 575 Pub on Second Inc dba The Cock

APPLICANT:

Premise address: 93 Second Avenue

Cross streets: 5th/6th

Name of applicant and all principals: Allan Mannarelli , Mannarelli Family Trust

Trade name (DBA): The Cock

PREMISE:

Type of building and number of floors: brick 4 story

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? 324

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): C2-5

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) 7 days 4pm-4am

Number of tables? varies according to event Total number of seats? varies according to event

How many stand-up bars/ bar seats are located on the premise? 2

(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): C shape 25' gd flr / I shape 20' basement

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
light snack fare

What are the hours kitchen will be open? open hours

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

How many employees will there be? 2-8 depending on night and event

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

Will there be TVs/monitors? Yes No (If Yes, how many?) 6

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 all manner legally allowed entertainment

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

Please describe your sound system: PA + Mixing Board Stage, DJ performance level both floors

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? As per above
No outside party promoters used, only promotion of Entertainment Performances

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) Full security detail
At all times security at door, in front outside, at all exits. Valid ID only.

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

Do you have sound proofing installed? Yes No

If not, do you plan to install sound-proofing? Yes No

APPLICANT HISTORY: NA -- current licensee -- method of operation change application

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

If yes, please indicate name of establishment: _____

Address: _____ Community Board # _____

Dates of operation: _____

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 _____

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. My license type is: beer & cider wine, beer & cider liquor, wine, beer & cider

2. I will operate a full-service restaurant, specifically a (type of restaurant)

_____ restaurant, or

I will operate a bar performance venue

with a kitchen open and serving food during all hours of operation OR with less than a full-service kitchen but serving food during all hours of operation OR Other

3. My hours of operation will be:

Mon 4pm-4am ALL DAYS ; Tue _____ ; Wed _____ ;

Thu _____ ; Fri _____ ; Sat _____ ;

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

4. I will not use outdoor space for commercial use OR

My sidewalk café hours will be _____

5. I will employ a doorman/security personnel: _____

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, or during unamplified live performances or televised sports.

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, or during unamplified live performances or televised sports.

8. I will not have DJs, live music, promoted events, any event at which a cover fee is charged, scheduled performances, more than _____ DJs 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-premises 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 restrictions OR I will have happy hour and it will end by 8pm.
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.