

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

CORPORATION NAME Legacy Records NYC LLC		DOING BUSINESS AS (DBA) TBD	
STREET ADDRESS 517 West 38th Street		CROSS STREETS 10th Avenue	ZIP CODE 10018
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: Ryan Hardy	ATTORNEY/ REPRESENTATIVE	NAME: Robert S Bookman, Esq.
	PHONE: 505-603-0439		PHONE: 212-513-1988
	EMAIL: ryan@charliebirdnyc.com		EMAIL: rbookman@pandblegal.com
MANAGER	NAME: Peter Anderer	LANDLORD	NAME: HY 38 Owner LLC
	PHONE: 917-848-4454		PHONE: 212-894-7090
	EMAIL: peter@charliebirdnyc.com		EMAIL: abender@imperialcos.com
APPLICATION TYPE (Check One)			
<input checked="" type="checkbox"/> New	Has applicant owned or managed a similar business?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?	Kennedy Organics -5 King St: 2013-Present	
	What were the dates applicant was involved with this former premise?	Elmer Kennedy - 86 Kenmare St: 2015-Present	
<input type="checkbox"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input type="checkbox"/> Alteration	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans:		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="checkbox"/> Liquor/Wine/Beer <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer		
ESTABLISHMENT TYPE	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)

HOURS*		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11:30a-12a	11:30a-12a	11:30a-12a	11:30a-12a	11:30a-12a	11:30a-12a	11:30a-11:30pm
	<i>(Indoor Only)</i> Kitchen	SAA	SAA	SAA	SAA	SAA	SAA	SAA
	Music	SAA	SAA	SAA	SAA	SAA	SAA	SAA

If you plan to have music, what type(s)? (Circle all that apply)

<input checked="" type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ	<input type="checkbox"/> JUKE BOX	<input type="checkbox"/> KARAOKE
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OCCUPANCY

	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar
INSIDE		200	48	157	0	2	34
OUTSIDE <i>(Other than sidewalk café)</i>	NA	NA	7	25	0	0	0
SIDEWALK CAFÉ	NA	NA					

JAR

How many floors are there? What is the capacity for each floor? 1st and 2nd Floors

How frequently will the owner(s) be at the establishment? Very Frequent

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing? YES NO

Will applicant have bottle or table service for beverage alcohol? YES NO

Will you be hosting private, promotional or corporate events? YES NO

Will outside promoters be used on a regular basis? If yes please describe. YES NO

Will you have a security plan? If, yes please attach. YES NO

Will security plan be implemented? YES NO

Will State certified security personnel be used? YES NO

Will New York Nightlife Association and NYPD Best Practices be followed? YES NO

Will applicant be using delivery bicycles? If yes, how many? YES NO

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law? YES NO NA

Where will delivery bicycles be stored during the day when not in use? NA

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Hudson Yards
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	
Is a Public Assembly permit required?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	
Are your plans filed with DOB?	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	

Community Notification/Relations			
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	A mass email was sent to all the contacts on the list	
	# 2	provided by the community board	
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.		NA	
Who was your contact person at each group you met with?		NA	
When did applicant post the notice that was provided?		June 16th	
Where did applicant post the notice that was provided?		In front of the premise	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	New High Rise Building		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	<input checked="" type="checkbox"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="checkbox"/> NO	
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="checkbox"/> NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="checkbox"/> NO	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	<input checked="" type="checkbox"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="checkbox"/> YES	NO	
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS	GARAGE DOORS	WINDOWS THAT CAN BE OPENED <input checked="" type="checkbox"/>
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="checkbox"/> YES	NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	YES <input checked="" type="checkbox"/>	NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input checked="" type="checkbox"/> YES	NO	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	<input checked="" type="checkbox"/> YES	NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="checkbox"/> YES	NO	
Will the establishment have an illuminated sign?	YES	<input checked="" type="checkbox"/> NO	
Will the establishment have a canopy extending over the sidewalk?	YES	<input checked="" type="checkbox"/> NO	
Where will the air conditioner be located? What type is it?	Central A/C		
When was the air conditioner installed?	2017		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CARE			NA
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	NA
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	NO	NA
Are the floorplans for the outdoor space(s) included?	YES	NO	NA
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	NA
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	

OUTDOOR ITEMS – SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	NA
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	NA
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	NA
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	NA
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	NA
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	NA
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	YES	NO	NA
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	NA
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	NA
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	NA
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	NA
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	NA
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	NA
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	YES	NO	NA
Will applicant use umbrellas?	YES	NO	NA
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?	YES	NO	NA

ADDITIONAL STIPULATIONS: (Office Use Only)

- Applicant agrees all doors, windows, french doors, walls, etc. that separate interior pf space from outside will be closed whenever any music or amplified sound (inlcuding televisions) is played inside the establishment and will be closed by 11 p.m. on Friday & Saturday and 10 p.m. on all other days even if no music or amplified sound is played inside the establishment

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

ADDITIONAL STIPULATIONS: (Office Use Only), *Continued*

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Manhattan Community Board 4 (MCB4) recommends:

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation

Denial Approval

CB4 REPRESENTATIVES

Nelly Gonzalez
CB4 Assistant District Manager

Frank Holozubiec
CB4 BLP Committee Co-Chair

Burt Lazarin
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

SIGN HERE →

Ryan Hardy

PRINT NAME OF APPLICANT

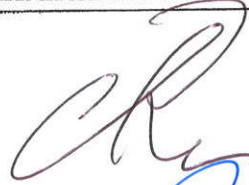


SIGNATURE OF APPLICANT

06/26/17

DATE

Jon Arvid Rosengren



07/11/17



05/08/17

Proximity Report for Location:

June 26, 2017

517 W 38th St, New York, NY, 10018

* This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

Closest Liquor Stores

Name	Address	Approx. Distance
ODYSSEY WINE & SPIRITS INC	490 10TH AVE	260 ft
42 & 10TH SPIRITS LTD	507 W 42ND STREET	1050 ft
460 WINE MARKET INC	460 W 42ND ST	1115 ft
SHILORI INC	486 9TH AVENUE	1145 ft
MEENA SAMANI CORPORATION	460 W 34TH ST	1160 ft
474 9TH AVE INC	474 9TH AVENUE	1200 ft
GRAND CRU WINE & SPIRITS INC	560 11TH AVE	1305 ft

Churches within 500 Feet

Name	Approx. Distance
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Schools within 500 Feet

Name	Address	Approx. Distance
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On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
CLYDE ARK LLC	505 W 37TH ST	285 ft
CAFE GRIND LLC, THE	477 10TH AVE	435 ft
SILK CORP	552 W 38TH STREET	490 ft
MANHATTAN FARE CORP	431 W 37TH ST	690 ft

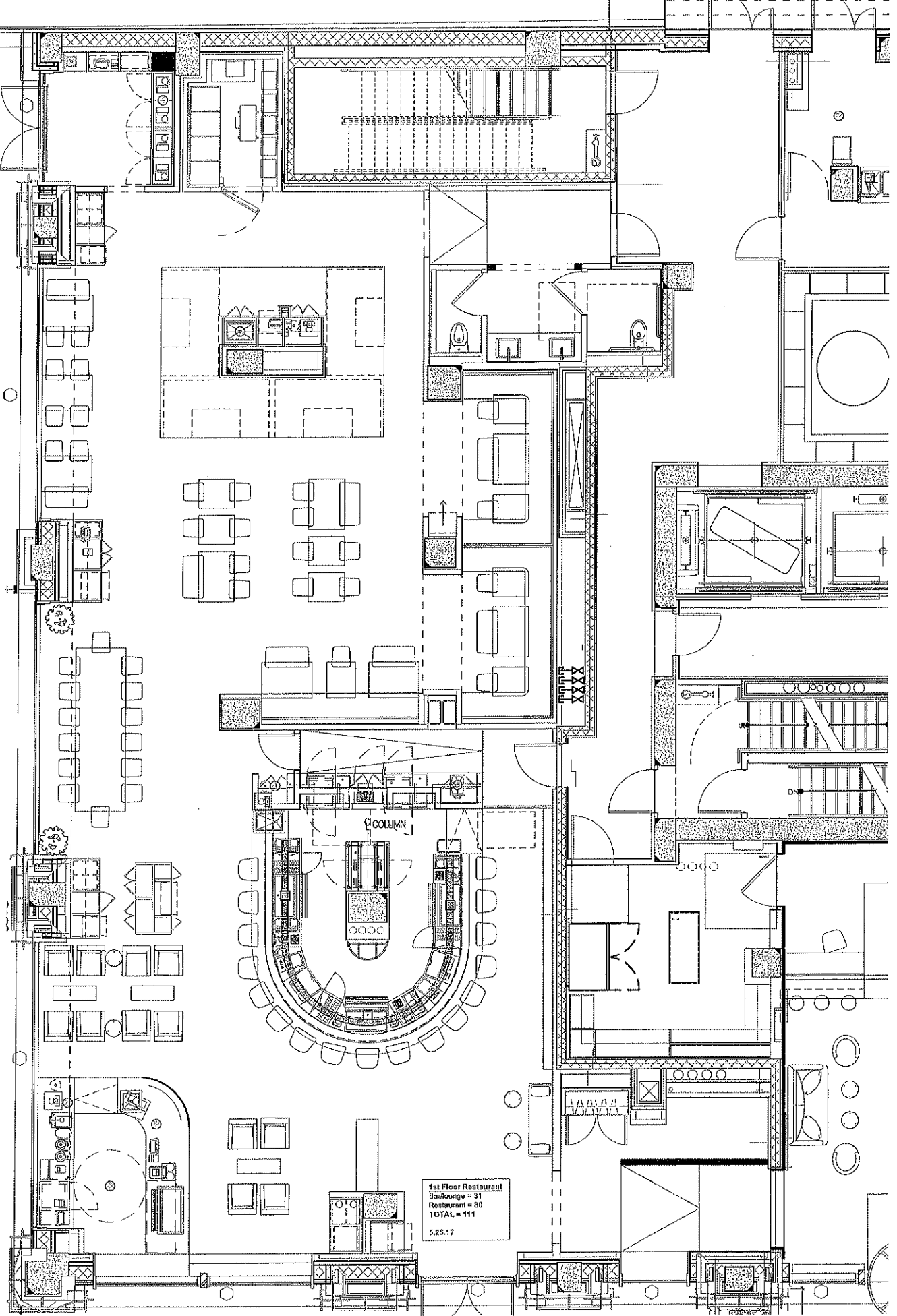
Pending Licenses within 750 Feet

Name	Address	Approx. Distance
KSS WINE LLC	509 W 38TH ST	80 ft

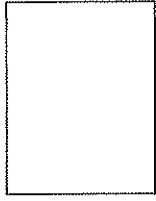
Unmapped licenses within zipcode of report location

Name	Address
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1st Floor



1st Floor Restaurant
Bar/Lounge = 31
Restaurant = 80
TOTAL = 111
5.25.17



KEN FULK

ARCHITECT
111 W. WASHINGTON ST., SUITE 1000
CHICAGO, ILL. 60601
TEL: 312.427.1000
WWW.KENFULK.COM

NOT FOR CONSTRUCTION
PROGRESS SET

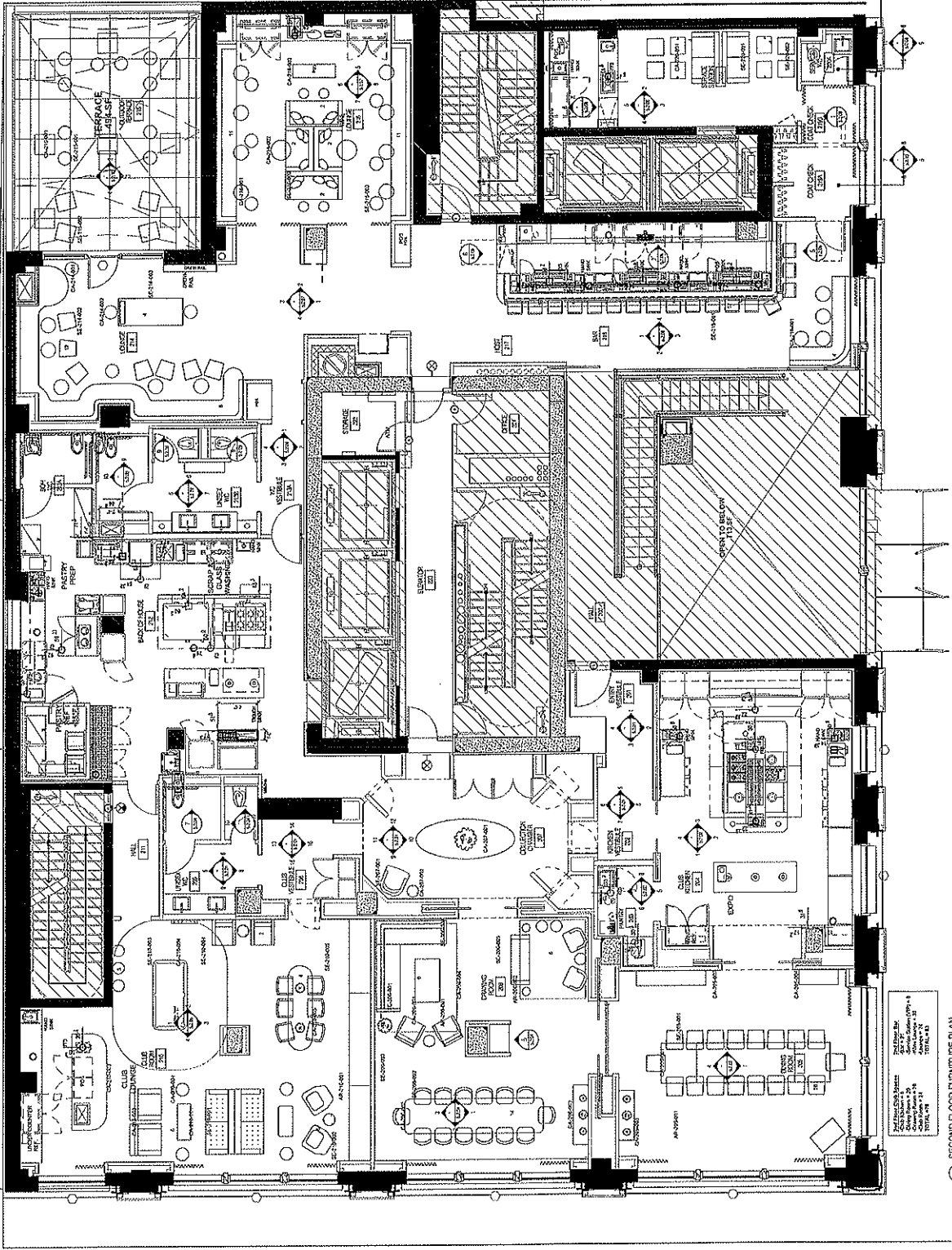
- 1. 20' x 30' x 8" SLAB
- 2. 2" x 8" x 8" JOIST
- 3. 2" x 8" x 8" JOIST
- 4. 2" x 8" x 8" JOIST

SECOND FLOOR FURNITURE PLAN

Project No. 02-0000000000000000
 Date 02/02/02
 Drawn By DD
 Checked By DD
 Scale 1/8" = 1'-0"

IA2.2.01

Second Floor



1 SECOND FLOOR FURNITURE PLAN
 1/8" = 1'-0"
 0 2 4 6 8 10 12 14 16 18 20 22 24 26 28 30 32 34 36 38 40 42 44 46 48 50 52 54 56 58 60 62 64 66 68 70 72 74 76 78 80 82 84 86 88 90 92 94 96 98 100

LRS

Raw

Oysters, spring onion vinegar
Montauk fluke, olives & hot pepper
Live diver scallop, garlic chive & brown butter
Razor clams, fennel & pickled chiles

Small

Burrata, charred broccoli raab
White asparagus, farm egg, parmigiano fonduta
Warm escarole salad, Lemon & Anchovy
Charred octopus, chickpeas & calabrian sausage
Chicken liver, pickled cherries, ciabatta
Farro, sweet peas, pecorino & pistachio
Wood roasted pigeon, spring onions, morels, balsamico

Pasta

Tagliatelle, pork shin bolognese
Agnolotti, spring peas, ricotta, mint
Spaghetti ricci di mare, urchin, lemon & hot pepper
Caramelle, summer beets, poppy seeds
Risotto, zucchini, saffron & parmigiano

Vegetables

Roasted new potatoes, oregano salmoriglio
Asparagus, fresh sheep milk ricotta
Crispy squash blossoms, salsa verde
French fried potatoes, rosemary & sea salt

Large

Crispy suckling pig shoulder, spring onions
Roasted heritage chicken, porcini & little gems
Whole grilled sea bream, green tomato, basil & olive oil
Skate wing, heirloom tomato, zucchini, clams
Veal chop, escarole, capers & lemon
Charcoal grilled ribeye, broccoli raab & hot pepper



RYAN HARDY

EXECUTIVE CHEF / PARTNER, THE DELICIOUS HOSPITALITY GROUP (NYC)
CHARLIE BIRD, PASQUALE JONES, **LRS**

Ryan began his career in professional kitchens in 1999 at the famed Rubicon Restaurant in San Francisco, owned and operated by Drew Nieporent of Myriad Restaurant Group. He quickly climbed the ranks in the kitchen, and in 2001 Ryan took the reins of his first restaurant, Rustique Bistro, in Aspen. In less than a year, Rustique was named among *Esquire Magazine's* Best New Restaurants. Ryan left to assume the head chef role for James Beard Award Winner Chef Mark Miller at the Coyote Café in Santa Fe.

In 2003, Ryan returned to work for the Myriad Group on Martha's Vineyard where he earned himself a Rising Star James Beard Nomination. And, as the founder of New England's second Slow Food Chapter promoting the island's farmers and fishermen, Ryan was named alongside Alice Waters as one of the 'Most Sustainable Chefs in America.'

Ryan returned to Aspen in 2005, to The Little Nell Hotel. Furthering his sustainability record, he founded Rendezvous Organic Farm, spawning a market for locally grown pork, lamb, chicken, cheese, charcuterie and heirloom Italian produce previously unavailable in the U.S. Armed with these ingredients and intel gained from annual trips to Italy to master the art of pasta, Ryan developed the style in the kitchen that he exhibits today – handmade, soulful cuisine. Ryan was nominated four times from 2008-2011 as 'Best Chef, Southwest' by the James Beard Foundation for his work at The Little Nell.

When Ryan moved to NYC, he put his creative entrepreneurship and ambition to work and opened his first restaurant - Charlie Bird - in June 2013, with Sommelier Robert Bohr. Ryan and Robert built their careers in fine-dining establishments and combined their passion for the highest quality food, wine, and service into a more approachable environment, creating a new type of dining experience and appealing to a new generation of diners. Charlie Bird's Italian-inspired menu showcases Ryan's inventive culinary style balancing flavors and textures; it became an instant classic receiving wide acclaim including Two Stars and Critics Pick by *NY Magazine*, Restaurant of the Year by *Eater* and *The Infatuation*, and one of the Best Restaurants in NYC by *Conde Nast Traveler*.

In February 2016, Ryan opened Pasquale Jones, with partners Robert Bohr and Wine Director Grant Reynolds; together they launched The Delicious Hospitality Group. The Pasquale Jones experience features wood-fired food in a beautiful, comfortable space while maintaining the team's high level of hospitality standards. Pasquale Jones rounded out its opening year as a media favorite, winning accolades from *The New York Times'* Pete Wells, who named the Clam Pizza one of the "Top 10 Dishes of

2016"; *Eater* awarded the restaurant one of its coveted "Best New Restaurant" titles; and *The Infatuation* placed Pasquale Jones at the top of its "Best New NYC Restaurants of 2016" list.

The Delicious Hospitality Group continues to expand with their next ventures opening in Hudson Yards in Fall 2017.

