

1 **Business License & Permits Committee**

Item #: 4

2

3 August 29, 2013

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9th Floor

9 Albany, New York 12210

10

11 Re: PBQ LLC

12 d/b/a BarBacon

13 832-836 9th Avenue (54/55)

14

15 Dear Chairman Rosen:

16

17 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for PBQ
18 LLC d/b/a BarBacon – 832-836 9th Avenue (54/55) unless the following stipulations, agreed to by the
19 applicant, are part of the method of operation for this establishment with a capacity of 125 people, with
20 20 tables with 55 seats, 1 service bar and 1 stand up bar with 23 seats.

21

22

23 A signed copy of the questionnaire and stipulations are enclosed.

24

25 Sincerely,

26

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

27

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT PBQ LLC.		DOING BUSINESS AS (DBA) BarBacon			
STREET ADDRESS 832-836 9th Avenue		CROSS STREETS 47th St & 31st Street 54th & 55th			
OWNER	NAME: Peter Sherman	REPRESENTATIVE	NAME: Keven Danow		
	PHONE: 914-629-6233		PHONE: 212-370-4996		
	FAX:		FAX:		
MANAGER	NAME: Pending	LANDLORD	NAME: 360 West 55th Street LP		
	PHONE: Pending		PHONE: 212-764-0700		
	FAX:		FAX:		
DESCRIPTION OF BUSINESS					
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization -- Members Only) <input type="radio"/> Other (Explain):				
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain):				
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer				
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		YES	<input checked="" type="checkbox"/> NO
		What is/was the name of establishment?			
		What is/was the address of the establishment?			
		What were the dates the applicant was involved with this former premise?			
	<input type="radio"/> Transfer	What is the prior license #?			
		What is the expiration date on the prior license?			
		Are you making any alterations or operational changes?		YES	NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>			
	<input type="radio"/> Alteration	What is the current license #?			
		What is the expiration date on the current license?			
Please describe the nature of the alterations and attach the plans					

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	11 a.m. - 2 a.m.	11 a.m. - 2 a.m.	11 a.m. - 2 a.m.	11 a.m. - 4 a.m.	11 a.m. - 4 a.m.	11 a.m. - 4 a.m.	11 a.m. - 2 a.m.	11 a.m. - 2 a.m.	
	Music	Recorded	Recorded	Recorded	Recorded	Recorded	Recorded	Recorded	Recorded	
	Kitchen	11 a.m. - 12 a.m.	11 a.m. - 12 a.m.	11 a.m. - 12 a.m.	11 a.m. - 2 a.m.	11 a.m. - 2 a.m.	11 a.m. - 2 a.m.	11 a.m. - 12 a.m.	11 a.m. - 12 a.m.	
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	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 Bars	Number of Seats	Number of Tables	
	125	125	20	55	1	1	23			
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	Ground and Basement		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="checkbox"/> NO	N/A			
Will applicant have bottle service?					YES	<input checked="" type="checkbox"/> NO	N/A	*There will be Wine available by the bottle		
Will you be hosting private parties and promotional events?					<input checked="" type="checkbox"/> YES	NO	N/A	*However, if a company wants to hold a private meeting or a Holiday Party we would like to be able to provide those types of services. (No dancing, No loud music.)		
Will outside promoters be used?					YES	NO	<input checked="" type="checkbox"/> N/A			
Will the security plan submitted be implemented?					<input checked="" type="checkbox"/> YES	NO	N/A			
Will State certified security personnel be used?					<input checked="" type="checkbox"/> YES	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					<input checked="" type="checkbox"/> YES	NO	N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	<input checked="" type="checkbox"/> NO	N/A	*There will be delivery service for local establishments on foot. <i>visitors</i>		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input checked="" type="checkbox"/> NO	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	<input checked="" type="checkbox"/> N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="checkbox"/> YES	NO	N/A			
If you plan to have music, what type(s)?				<input checked="" type="checkbox"/> BACKGROUND	LIVE MUSIC	DJ				
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="checkbox"/> YES	NO	N/A			
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	N/A			

Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	<input checked="" type="checkbox"/> YES	NO	N/A	
OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="checkbox"/> NO	N/A	
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	<input checked="" type="checkbox"/> NO	N/A	
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	<input checked="" type="checkbox"/> NO	N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	<input checked="" type="checkbox"/> NO	N/A	
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	<input checked="" type="checkbox"/> N/A	
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input checked="" type="checkbox"/> N/A	
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="checkbox"/> N/A	

LOCATION & ZONING				
Primary Zoning District:	C1-5/R8CL		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="checkbox"/> YES	NO	N/A	
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="checkbox"/> YES	NO	N/A	500 Ft. Rule
Is a Public Assembly permit required?	YES	NO	N/A	
Are your plans filed with DOB?	YES	NO	N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
NOTIFICATION:	# 1			
What organizations / community groups have you notified regarding	# 2			

your application?

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ADDITIONAL INFORMATION: (Applicant Use)

PBQ LLC, will be a full service restaurant and bar, offering high quality American fare at the prices comparable to the competition. Our Chef Owner Peter Sherman will utilize his considerable experience at some of the top restaurants in NYC (David Bouley's, Danube, The Four Seasons Hotel, Joel Robuchon's L'Atelier, and Veritas) to construct menus that will reflect his talent as well as the customer's budget concerns. Chef Sherman has spent his entire cooking career learning to cook the best of what New York has to offer. He now aims to share his talent and passion with more diverse audience. The PBQ LLC, concept is intent on celebrating comfort food with menus that have been developed and prepared with the same level of care and focus as seen in the best restaurants, with the best ingredients. Chef Sherman hopes to bring a high value amenity to his neighborhood, Hell's Kitchen, with menus that are focused on creating affordable dishes prepared in the best possible way.

In today's economic environment, people are now more than ever looking for a more affordable option that doesn't compromise their current standards for food. People want to spend less without sacrificing quality. The prices for the appetizers and main course that will be served will not exceed the prices of similar dishes in the cafes and restaurants in the surrounding area. Overall we estimate the average check per guest to be \$35 before taxes and gratuity. Value is integral to the PBQ LLC, concept -- the restaurant must be comparable to the competition's prices and therefore affordable to a broad range of clientele.

It will always be the goal of PBQ LLC, to create community spirit. Our Chef's attitude towards food and how it should be used as a catalyst for conversation will be similarly reflected in the décor and ambiance of PBQ LLC. We will purposefully design the front of the house to encourage people to interact with our wait staff and with each other with long communal tables and ample bar seating. The rustic, warm ambiance will resonate among our customers a sense of comfort that will as well encourage them to create conversation and have fun.

ADDITIONAL NOTES: (Office Use Only)

1 **Business License & Permits Committee**

Item #: 5

2

3 September 3, 2013

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9th Floor

9 Albany, New York 12210

10

11 Re: Calle 26 LLC.

12 d/b/a Cuban Star

13 150 W 26th Street (6/7)

14

15 Dear Chairman Rosen:

16

17 Manhattan Community Board 4 recommends denial of the application of Cuban Café for a new On
18 Premises liquor license. The applicant had not met the objections raised to its proposed operation by
19 block residents, particularly the owners of the condominium apartments located above its site. West 26th
20 has a number of adjacent licensed establishments which would fall within the range of 500 feet of the
21 applicant. The applicant proved no overwhelming community need for another. When asked by the
22 committee co-chair to temporarily withdraw its application and consult with its neighbors and then
23 return at another time with their support and agreement, the applicant refused.

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25

26 Sincerely,

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Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

30

1 **Business License & Permits Committee**

Item #: 6

2

3 August 29, 2013

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9th Floor

9 Albany, New York 12210

10

11 Re: 736 10th Ave Café Inc.

12 736 10th Avenue (50/51)

13

14 Dear Chairman Rosen:

15

16 Manhattan Community Board 4 (MCB4) recommends denial of an On-Premise Liquor License for 736
17 10th Ave Café Inc. – 736 10th Avenue (50/51) unless the following stipulations, agreed to by the
18 applicant, are part of the method of operation for this establishment with a capacity of 74 people, with 9
19 tables with 28 seats, and 1 stand up bar with 16 seats and 12 outdoor tables with 27 seats within building
20 property line.

21

22

23 A signed copy of the questionnaire and stipulations are enclosed.

24

25 Sincerely,

26

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

27

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT 736 10 TH AVE CAFE INC		DOING BUSINESS AS (DBA) TBD		
STREET ADDRESS 736 10 TH AVE		CROSS STREETS 50 TH - 51 ST		
OWNER	NAME: SEAN BURGER	ATTORNEY	NAME: TERRY FLYNN ESQ.	
	PHONE: (646) 284-1827		PHONE: (718) 945-1000	
	FAX:		FAX: (718) 318-6162	
MANAGER	NAME: JOE MCGUINNESS	LANDLORD	NAME: EDGAR VARGAS	
	PHONE: (718) 506-5495		PHONE: (646) 820-7759	
	FAX:		FAX:	
DESCRIPTION OF BUSINESS				
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____		
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pub/Bar <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____		
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES <input type="radio"/> NO	
		What was the name of establishment?	HIBERNIA	
		What was the address of the establishment?	401 W. 50 TH	
		What were the dates the applicant was involved with this former premise?	STILL ACTIVE	
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES <input type="radio"/> NO	
		If alterations or operational changes are being made, please attach the plans to this form.		
<input type="radio"/> Alteration	What is the current license #?			
	What is the expiration date on the current license?			
	Please describe the nature of the alterations and attach the plans			

SSM

October 7th
7:00p

OPERATIONAL ISSUES		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
HOURS	Operation	NOON-4AM	NOON-4AM	NOON-4AM	NOON-4AM	NOON-4AM	NOON-4AM	NOON-4AM	
	Music	BACK GROUND							
	Kitchen	NOON-2AM	NOON 2AM	NOON 2AM	NOON 2AM	NOON 2AM	NOON 2AM	NOON 2AM	
OCCUPANCY	INDOOR				OUTSIDE				
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Server-Only Bars	Number of Stand-Up Bars	Number of Seating Pairs	Number of Seats	Number of Tables
	N/A	74	9	28	0	1	16	27	12
How many floors are there? What is the capacity for each floor? (please respond in space provided)									
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)									
Will applicant have bottle service?									
Will you be hosting private parties and promotional events?									
Will outside promoters be used?									
Will the security plan submitted be implemented?									
Will State certified security personnel be used?									
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?									
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)									
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)									
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)									
Will applicant provide contact information to neighbors and respond to complaints that arise?									
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?									
If you plan to have music, what types? BACKGROUND LIVE MUSIC DJ									
BUILDING DESIGN									
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.									
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?									
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.									

FIRST FLOOR
BASEMENT STORAGE

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Is a Public Assembly permit required?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
Are your plans filed with DOB?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="checkbox"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="checkbox"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	50/51ST BLOCK ASSOCIATION	
	# 2	COMM BOARD 4	
	# 3		

1 **Business License & Permits Committee**

Item #: 7

2

3 August 29, 2013

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9th Floor

9 Albany, New York 12210

10

11 Re: Midtown Comedy Club Inc.

12 d/b/a HA! Comedy Cafe

13 358 W. 46th Street (8/9)

14

15 Dear Chairman Rosen:

16

17 Manhattan Community Board 4 (MCB4) recommends denial of an alteration of a Wine and Beer
18 License for Midtown Comedy Club Inc. d/b/a HA! Comedy Café – 358 W. 46th Street (8/9) unless the
19 following stipulations, agreed to by the applicant, are part of the method of operation for this
20 establishment with a capacity of 55 people, with 20 tables with 44 seats, and 1 stand up bar with 6 seats.

21

22

23 A signed copy of the questionnaire and stipulations are enclosed.

24

25 Sincerely,

26

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

27

Manhattan Community Board 4

(All Fields Must Be Completed)

APPLICANT		DOING BUSINESS AS (DBA)		
Midtown Comedy Club Inc		HA! Comedy Cafe		
STREET ADDRESS		CROSS STREETS		
358 West 46th Street, New York, NY 10036		Between 8th and 9th Avenues on West 46th Street		
OWNER	NAME:	Edwin Velazquez	ATTORNEY	
	PHONE:	(914) 346-8207		
	FAX:	None		
MANAGER	NAME:	Edwin Velazquez	LANDLORD	
	PHONE:	(914) 346-8207		
	FAX:	None		
OWNER	NAME:	Gen Ceballos (Representative)	ATTORNEY	
	PHONE:	(347) 642-5077		
	FAX:	(888) 502-5620		
MANAGER	NAME:	Rebbai Loffi	LANDLORD	
	PHONE:	(917) 443-1531		
	FAX:	None		
DESCRIPTION OF BUSINESS				
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input checked="" type="radio"/> Other (Explain): <u>Comedy Club Serving Beer & Wine + Minimal Amounts of Food (Tavern Set-Up)</u>		
Method of Operation:		<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): <u>Comedy Club Serving Beer & Wine + Minimal Amounts of Food (Tavern Set-Up)</u>		
License Type:		<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer		
APPLICATION TYPE <i>(check one)</i>	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?	N/A	
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> Transfer	What is the prior license #?	N/A	
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	YES	NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input checked="" type="radio"/> Alteration	What is the current license #?	1263984	
		What is the expiration date on the current license?	10/31/2013	
<i>Please describe the nature of the alterations and attach the plans</i> Moving to new a location.				

OPERATIONAL ISSUES

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS	Operation	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am
	Music	N/A - No Music						
	Kitchen	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	55 Persons	55 Persons	20	44	0	1	6	N/A	N/A

How many floors are there? What is the capacity for each floor? (please respond in space provided)	1-2	3-4	5+	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will applicant have bottle service?	YES	<input checked="" type="radio"/> NO	N/A	
Will you be hosting private parties and promotional events?	YES	<input checked="" type="radio"/> NO	N/A	
Will outside promoters be used?	<input checked="" type="radio"/> YES	NO	N/A	
Will the security plan submitted be implemented?	<input checked="" type="radio"/> YES	NO	N/A	
Will State certified security personnel be used?	<input checked="" type="radio"/> YES	NO	N/A	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	NO	N/A	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	NO	N/A	
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	<input checked="" type="radio"/> YES	NO	N/A	

If you plan to have music, what type(s)?	<input type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ
--	-------------------------------------	-------------------------------------	-----------------------------

BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	NO	N/A
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="radio"/> YES	NO	N/A
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	<input checked="" type="radio"/> YES	NO	N/A

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	NO	N/A

LOCATION & ZONING			
Primary Zoning District:	GEN FILL OUT		Overlay (If Applicable):
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO <input checked="" type="radio"/>	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES <input checked="" type="radio"/>	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO <input checked="" type="radio"/>	N/A
Is a Public Assembly permit required?	YES	NO <input checked="" type="radio"/>	N/A
Are your plans filed with DOB?	YES <input checked="" type="radio"/>	NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	46th Street Block Association	
	# 2	47th Street Block Association	
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

Note that this applicant already has an ACTIVE liquor license at 232 West 43rd Street New York, NY 10036. We are moving to the new location due to financial hardship. The rent at our NEW location is significantly LOWER than the current rent.

ADDITIONAL NOTES: (Office Use Only)

→ Need a security Plan
→ Letter outreach and proof from Black Association
of Outreach
~~Attorney~~
Exec to review Application w/ these notes

1 **Business License & Permits Committee**

Item #: 8

2

3 August 29, 2013

4

5 Dennis Rosen

6 Chairman

7 New York State Liquor Authority

8 80 S. Swan Street, 9th Floor

9 Albany, New York 12210

10

11 Re: Rim Nam Corp

12 d/b/a Siri Thai

13 641 10th Avenue (45/46)

14

15 Dear Chairman Rosen:

16

17 Manhattan Community Board 4 (MCB4) recommends denial of a Restaurant Wine and Beer License for
18 Rim Nam Corp d/b/a Siri Thai – 641 10th Avenue (45/46) unless the following stipulations, agreed to by
19 the applicant, are part of the method of operation for this establishment with a capacity of 73 people,
20 with 12 tables with 24 seats.

21

22

23 A signed copy of the questionnaire and stipulations are enclosed.

24

25 Sincerely,

26

Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

27

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT Rim Nam Corp.		DOING BUSINESS AS (DBA) Siri Thai		
STREET ADDRESS 641 10th Avenue, New York, NY 10036		CROSS STREETS West 45th street and West 46th Street		
OWNER	NAME: Phawadee Ektheerachaisakul	Rep. ATTORNEY	NAME: Anthony L. Caraballo	
	PHONE: (917) 371-0526		PHONE: (718) 875-2929	
	FAX:		FAX: (718) 875-3737	
co-owner MANAGER	NAME: Praphai Siriwatanakul	LANDLORD	NAME: 641 10th Avenue LLC	
	PHONE: (646) 244-7664		PHONE: (212) 757-8888	
	FAX:		FAX:	
DESCRIPTION OF BUSINESS				
Establishment Type:		<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____		
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____		
License Type:		<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer		
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES <input type="radio"/> NO	
		What is/was the name of establishment?	Real Thai	
		What is/was the address of the establishment?	1069 1st Ave. NYC	
		What were the dates the applicant was involved with this former premise?	2008-Present	
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES <input type="radio"/> NO	
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

OPERATIONAL ISSUES

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS	Operation	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am	11am-12am
	Music	All open hours (background only)						
	Kitchen	11am-11:45pm	11am-11:45pm	11am-11:45pm	11am-11:45pm	11am-11:45pm	11am-11:45pm	11am-11:45pm

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	Letter of no objection under 24	49	12	24	None	None	N/A	N/A	N/A

How many floors are there? What is the capacity for each floor? (please respond in space provided)	1-2	3-4	5+	One, 49		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A			
Will applicant have bottle service?	YES	<input checked="" type="radio"/> NO	N/A			
Will you be hosting private parties and promotional events?	YES	<input checked="" type="radio"/> NO	N/A			
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A			
Will the security plan submitted be implemented?	YES	<input checked="" type="radio"/> NO	N/A			
Will State certified security personnel be used?	YES	<input checked="" type="radio"/> NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	NO	N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	<input checked="" type="radio"/> YES	NO	N/A	Applicant has requested DOT bicycle rack.		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	<input checked="" type="radio"/> NO	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	<input checked="" type="radio"/> N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	YES	NO	<input checked="" type="radio"/> N/A			

If you plan to have music, what type(s)? BACKGROUND LIVE MUSIC DJ

BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	NO	N/A			
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="radio"/> YES	NO	N/A			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	<input checked="" type="radio"/> YES	NO	N/A			

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	<input type="radio"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input type="radio"/> N/A

LOCATION & ZONING

Primary Zoning District:	C 6-3	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input type="radio"/> NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input type="radio"/> YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	<input type="radio"/> NO	N/A (This is for Beer & Wine only)
Is a Public Assembly permit required?	YES	<input type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	<input type="radio"/> NO	N/A

Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____

NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Block Association West 45th Street between 9-11 Avenues
	# 2	Block Association West 46th Street
	# 3	

ADDITIONAL INFORMATION: (Applicant Use)

Please find attached the email to the West 45th Street Block Association about this application.
Please also be advised that we attempted to contact the West 46th Block Association on 3 occasions and the emails were returned.
Pursuant to our dialog with Erica Baptiste we are awaiting an email from a member of the Block Association in regard to this application.

ADDITIONAL NOTES: (Office Use Only)

1 **Business License & Permits Committee**

Item #: 9

2
3 August 29, 2013

4
5 Dennis Rosen
6 Chairman
7 New York State Liquor Authority
8 80 S. Swan Street, 9th Floor
9 Albany, New York 12210

10
11 Re: 300 West 22 Realty LLC
12 d/b/a The Gem Hotel
13 300 W. 22nd Street (8/9)

14
15 Dear Chairman Rosen:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of a Hotel Wine and Beer License for 300
18 West 22 Realty LLC d/b/a The Gem Hotel – 300 W. 22nd Street (8/9) unless the following stipulations,
19 agreed to by the applicant, are part of the method of operation for this establishment with a capacity of
20 471 people including 52 on roof, 1 stand up bar with no seats and 5 tables with 41 seats outdoors within
21 building property line.

22
23
24 A signed copy of the questionnaire and stipulations are enclosed.

25
26 Sincerely,

27
Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

28

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT 300 West 22 Realty LLC		DOING BUSINESS AS (DBA) The Gem Hotel			
STREET ADDRESS 300 West 22nd Street		CROSS STREETS Between 8th and 9th Avenues			
OWNER	NAME: 300 West 22 Realty LLC	ATTORNEY	NAME: Donald Bernstein / Alexander Victor, Victor & Bernstein, P.C.		
	PHONE: (212) 675-7100		PHONE: (212) 486-6000		
	FAX:		FAX: (212) 486-8668		
MANAGER	NAME: Gemini Property Management, LLC; Sean Ames (GM)	LANDLORD	NAME: c/o Icon Realty		
	PHONE: (212) 675-1911		PHONE: (212) 675-7100		
	FAX:		FAX:		
DESCRIPTION OF BUSINESS					
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input checked="" type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): _____				
Method of Operation:	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): <u>Hotel</u>				
License Type:	<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer				
APPLICATION TYPE <i>(check one)</i>	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES**	NO	
		What is/was the name of establishment?	See rider attached.		
		What is/was the address of the establishment?	See rider attached.		
		What were the dates the applicant was involved with this former premise?			
	<input type="radio"/> Transfer	What is the prior license #?			
		What is the expiration date on the prior license?			
		Are you making any alterations or operational changes?	YES	NO	
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>			
	<input type="radio"/> Alteration	What is the current license #?			
		What is the expiration date on the current license?			
<i>Please describe the nature of the alterations and attach the plans</i>					

Business Licenses & Permits Committee ****Gemini Property Management, LLC, which manages the property manages other hotel properties.**

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	Hotel: 24/7 (the rooftop will close by 9pm Sunday through Thursday, and 10pm on Friday and Saturday)								
	Music	No amplified music on rooftop, music inside will be background levels only								
	Kitchen	The restaurant within the hotel is Foragers Table, open from 10am - 9pm.								
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	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 Bars	Number of Seats	Number of Tables	
	471 (incl. 52 on roof)	471	0	0	0	1	0	41	5	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	5 story hotel, including roof		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A			
Will applicant have bottle service?					YES	NO	N/A			
Will you be hosting private parties and promotional events?					YES	NO	N/A			
Will outside promoters be used?					YES	NO	N/A			
Will the security plan submitted be implemented?					YES	NO	N/A			
Will State certified security personnel be used?					YES	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	N/A	Premises is a hotel.		
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	NO	N/A			
If you plan to have music, what type(s)?					BACKGROUND	LIVE MUSIC	DJ	<i>Following Original Steps</i>		
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					YES	NO	N/A	There are no openings to the street and the rooftop will be vacated and closed by 9pm Sun.-Thurs., 10pm Fri. and Sat.		
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?					YES	NO	N/A			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	N/A			

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be primarily via sealed food service.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where reasonable, provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:	C1-6A (Commercial / Office Building)	Overlay (If Applicable):	None
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
Are your plans filed with DOB?	<input type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input checked="" type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Dalton Management (building manager of adjacent residential building)	
	# 2	Chelsea Chamber of Commerce	
	# 3	300 West 23, 22, and 21st Block Associations	
*Prior to the CB meeting, the Applicant will also notify Eleanor Horowitz and Zazel Loven, as instructed by Janine Pretente.			

1 **BUSINESS LICNESE & PERMITS COMMITTEE**

Item # 10

2
3 August 29, 2013

4
5 Ms. Beverly Gotay
6 Assistant Director of Licensing
7 NYC Department of Consumer Affairs
8 42 Broadway, 8th floor
9 New York, New York 10004

10
11 **Re: De Armas Enterprises Corp**
12 **d/b/a Coppelia**
13 *207 W. 14th Street (7/8)*

14
15 Dear Ms. Gotay:

16
17 Manhattan Community Board 4 (MCB4) recommends **denial** of a new unenclosed sidewalk café license
18 to **De Armas Enterprises Corp d/b/a Coppelia - 207 W. 14th Street (7/8)** **unless** the following
19 stipulations, agreed to by the applicant, are part of the method of operation for this establishment with 2
20 tables and 8 seats.

21
22 A signed copy of the questionnaire, stipulations and community agreements are enclosed.

23
24 Sincerely,

25
26
27
28
Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

Unenclosed Sidewalk Café Stipulations Application

APPLICANT De Armas Enterprises Corp		ADDRESS 207 W 14TH ST					
DOING BUSINESS AS (DBA) Coppelia		CROSS STREETS 7TH & 8TH AVE'S				OWNER: Luis Skibar	
DESCRIPTION OF APPLICATION 2 Tables + 8 seats		LAWYER: Michael Kelly					
		DCA LICENSE NUMBER: 1468273					
		SLA LICENSE NUMBER: 1257497					
		ON SITE CONTACT: (Name, position & phone number): Louis Skibar (212) 858 5001					
Side-walk café hours of Operation	MONDAY 8am - 10pm	TUESDAY 8am - 10pm	WEDNESDAY 8am - 10pm	THURSDAY 8am - 10pm	FRIDAY 8am - 11pm	SATURDAY 8am - 11pm	SUNDAY 10am - 10pm
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12
SEATING & TABLES	DESCRIPTION		NOTES				
	SEATS 8	TABLES 2					
OPERATIONAL ISSUES							
Will you follow the rule prohibiting speakers for music in the outdoor space?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A				
Will you close all French doors and sliding windows when any interior amplified music is played (per law)?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A				
The sidewalk café will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A				
Will you be serving alcohol on the sidewalk? If so, will you have waiter service as required by DCA?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A				
The service and consumption of alcohol on the sidewalk café will be only via seated food service.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A				
The sidewalk café will not provide standing space for drinking or smoking.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A				
Will the outdoor furniture be removed when not in use?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A				
Will the applicant be using delivery bicycles? If so, explain where you will store them since you'll have a sidewalk café.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A				
Do you intend to use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A				
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A				

SOUND ISSUES

Will applicant do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Will applicant enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	

CAFE DESIGN

Is the sidewalk a minimum of 12 feet? Subtracting the width of the proposed sidewalk café from the width of the entire sidewalk, do you at least leave 8 feet of clearance?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Is there a minimum clearance of 8 feet between the sidewalk café and all sidewalk obstructions including parking meters, traffic signs and installed City-sanctioned street furniture (current DCA regs exempt those items)?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Is there a minimum clearance of 8 feet between the sidewalk café and the tree trunk of a tree with a flush grate (regs exempt trees with flush grates)?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Is there a minimum clearance of 4 feet between the sidewalk café and subway grating to be consistent with ADA standards (regs require 3 ft)	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Is there a minimum clearance of 3 feet between a sidewalk café and a residential building entrance (regs do not apply to residences)?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A	Commercial Establishment
Is there a minimum 3 feet wait service aisle to ensure no public space is used by the café to service its clientele?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	
Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?	<input type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A	
If applicant decides to apply for alterations, as defined by SLA or DCA (as applicable), he/she will reappear before CB4 to describe these alterations.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	

ADDITIONAL INFORMATION: (Applicant Use)

1 **Business License & Permits Committee**

Item #: 11

2
3 August 29, 2013

4
5 Ms. Beverly Gotay
6 Assistant Director of Licensing
7 NYC Department of Consumer Affairs
8 42 Broadway, 8th floor
9 New York, New York 10004

10
11 Re: Manon, LLC
12 d/b/a Manon
13 407 W. 14th Street (9/10)

14
15 Dear Ms. Gotay:

16
17 Manhattan Community Board 4 (MCB4) recommends denial of a Cabaret License for Manon, LLC
18 d/b/a Manon – 407 W. 14th Street (9/10) unless the following stipulations, agreed to by the applicant, are
19 part of the method of operation for this establishment with a capacity of 299 people with 47 tables and
20 217 seats, and 2 stand up bars with 16 seats.

21
22
23 A signed copy of the questionnaire and stipulations are enclosed.

24
25 Sincerely,

26
Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

27

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT Manon, LLC		DOING BUSINESS AS (DBA) Manon		
STREET ADDRESS 407 W 14th St, NY, NY		CROSS STREETS 9th & 10 th Avenues		
OWNER	NAME: Andrei Dellos	ATTORNEY	NAME: Frank Palitto	
	PHONE: (718) 223-3495		PHONE: (212) 227-1640	
	FAX: (212) 587-1924		FAX: (212) 349-1724	
MANAGER	NAME: Frederic Sorol	LANDLORD	NAME: 405 W 14th St, LLC	
	PHONE: (317) 988-4931		PHONE: (212) 984-8299	
	FAX:		FAX:	
DESCRIPTION OF BUSINESS				
Establishment Type:	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): _____			
Method of Operation:	<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): _____			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES <input type="radio"/> NO	
		What is/was the name of establishment?	Cafe Pushkin / Manon	
		What is/was the address of the establishment?	41 W 57th St / 407 W 14th St NY NY NY NY	
		What were the dates the applicant was involved with this former premise?	2012 - 2012	
	<input type="radio"/> Transfer	What is the prior license #?	P. Pushkin	
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input checked="" type="radio"/> YES <input type="radio"/> NO	
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

OPERATIONAL ISSUES

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	Noon - 4 am							>
	Music	Noon - 4 am							>
	Kitchen	Noon - 4 am							>

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	299	250	47	217	0	2	16	0	0

How many floors are there? What is the capacity for each floor? (please respond in space provided)

1-2 3-4 5+ 1st - 89; 2nd - 63; 3rd - 147

Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)

YES NO N/A

Will applicant have bottle service?

YES NO N/A

Will you be hosting private parties and promotional events?

YES NO N/A

Will outside promoters be used?

YES NO N/A

Will the security plan submitted be implemented?

YES NO N/A

Will State certified security personnel be used?

YES NO N/A

Will New York Nightlife Association recommendations and NYPD Best Practices be followed?

YES NO N/A

Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)

YES NO N/A

Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)

YES NO N/A

If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)

YES NO N/A

Will applicant provide contact information to neighbors and respond to complaints that arise?

YES NO N/A

Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?

YES NO N/A

If you plan to have music, what type(s)?

BACKGROUND LIVE MUSIC DJ

BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.

YES NO N/A

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?

YES NO N/A

Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.

YES NO N/A

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="radio"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="radio"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="radio"/> YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="radio"/> YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	NO	N/A

LOCATION & ZONING			
Primary Zoning District:	MI-5	Overlay (If Applicable):	N/A
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO	<input checked="" type="radio"/> N/A
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	NO	N/A
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	N/A
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Community board #4	
	# 2		
	# 3		