

(All Fields Must Be Completed)

APPLICANT		DOING BUSINESS AS (DBA)		
42nd Kava LLC		Kava Cafe		
STREET ADDRESS		CROSS STREETS		
470 West 42nd Street / New York, NY 10036		Dyer Avenue and 10th Avenue		
OWNER	NAME:	John Saric	ATTORNEY	
	PHONE:	917 207 1110		
	FAX:	N/A		
MANAGER	NAME:	Lara Brumgnach	LANDLORD	
	PHONE:	347 408 9290		
	FAX:	N/A		
		NAME:	Donald M. Bernstein, Esq.	
		PHONE:	212 486 6000	
		FAX:	212 486 8668	
		NAME:	42nd and 10th Associates LLC	
		PHONE:	212 801 3763	
		FAX:	N/A	
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>Cafe</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 checked="" 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 type="checkbox"/> NO <input checked="" type="checkbox"/>	
		What is/was the name of establishment?	803 Kava LLC dba Kava Cafe	
		What is/was the address of the establishment?	803 Washington Avenue New York, NY 10014	
		What were the dates the applicant was involved with this former premise?	April 2011 to 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?	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>	
		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	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	NOON*	
	Music	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	
	Kitchen	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	6AM-2AM	
OCCUPANCY	INDOOR					SIDE				
	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	
	74	65	11	36	None	One	9	18	9	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Ground floor is 74		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					<input checked="" type="checkbox"/>	NO	<input checked="" type="checkbox"/>	No		
Will applicant have bottle service?					<input checked="" type="checkbox"/>	NO	<input checked="" type="checkbox"/>	No		
Will you be hosting private parties and promotional events?					YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes - only private parties.		
Will outside promoters be used?					<input checked="" type="checkbox"/>	NO	<input checked="" type="checkbox"/>	No		
Will the security plan submitted be implemented?					<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	N/A	N/A		
Will State certified security personnel be used?					<input checked="" type="checkbox"/>	NO	<input checked="" type="checkbox"/>	No		
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					<input checked="" type="checkbox"/>	NO	<input checked="" type="checkbox"/>	No		
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="checkbox"/>	NO	<input checked="" type="checkbox"/>	No		
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes -the applicant is applying to DCA for a sidewalk cafe license.		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					*** YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	***The DCA plans will be presented at the meeting.		
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes		
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes		
If you plan to have music, what type(s)?			BACKGROUND	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Background			
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes - (there are windows that are not operable).		
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes - the building already has sound proofing - additional soundproofing to be installed in the Cafe ceiling		
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"/>	<input checked="" type="checkbox"/>	NA	N/A		

*The cafe will commence service of alcohol at Noon on Sunday.

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes
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"/>	<input checked="" type="checkbox"/>	Yes
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"/>	<input checked="" type="checkbox"/>	Yes
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"/>	<input checked="" type="checkbox"/>	Yes
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes
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	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes

LOCATION & ZONING				
Primary Zoning District:	C6-4 / R8 - see attached zoning map	Overlay (If Applicable):	*Special Purpose District - see attached zoning map	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="checkbox"/>	NO*	<input checked="" type="checkbox"/>	see attached DOB building information page stating "Unknown"
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES*	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes *Applicant is applying to the DOB to update CO for the commercial space for Kava Cafe.
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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes
Is a Public Assembly permit required?	<input checked="" type="checkbox"/>	NO	<input checked="" type="checkbox"/>	No
Are your plans filed with DOB?	YES	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Yes
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	Marisa Redanty from Manhattan Plaza		
	# 2			
	# 3			

ADDITIONAL INFORMATION: (Applicant Use)

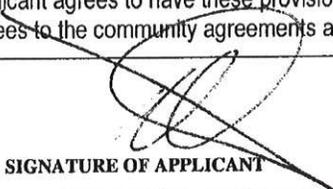
ADDITIONAL INFORMATION: (Applicant Use)

- Does not include sidewalk cafe
- Will provide consistent address documentation.



ADDITIONAL SITUATIONS: (Office Use Only)

[Empty box for additional situations]

Manhattan Community Board 4 (MCB4) recommends:	<input type="radio"/> Approval <input checked="" type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial	
CB4 REPRESENTATIVES		
 Nelly Gonzalez CB4 Community Associate	 Lisa Daglian CB4 BLP Committee Co-Chair	 Paul Sores CB4 BLP Committee Co-Chair
APPLICANT AGREEMENT WITH THE COMMUNITY		
Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.		
SIGN HERE →	 SIGNATURE OF APPLICANT	1-29-13 DATE



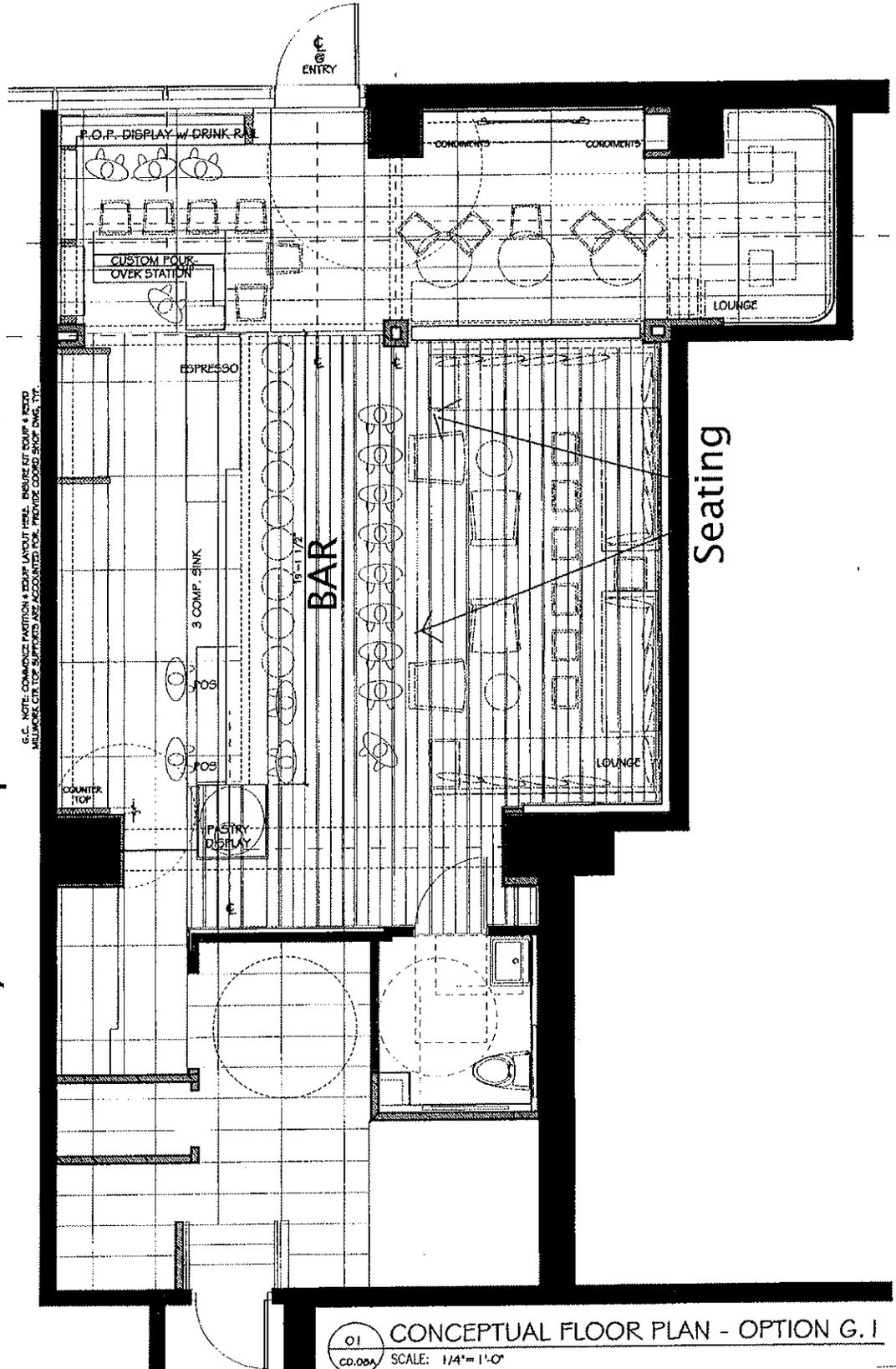
2-12-13

Zoning Map

Floor Plans

13.01.08 - ISSUED FOR CONCEPT DESIGN REVIEW
 42nd Kava LLC / Blow-Up of Ground Floor

G.C. NOTE: COMMOIZE PARTITION & TRUMP LAYOUT HERE. ENSURE ST. SLOPE & R200
 NETWORK CTR. TOP SUPPORTS ARE ACCOUNTED FOR. PROVIDE COORD. SHOT DWG. TTY.



01 CONCEPTUAL FLOOR PLAN - OPTION G.1
 CD.09A SCALE: 1/4" = 1'-0"

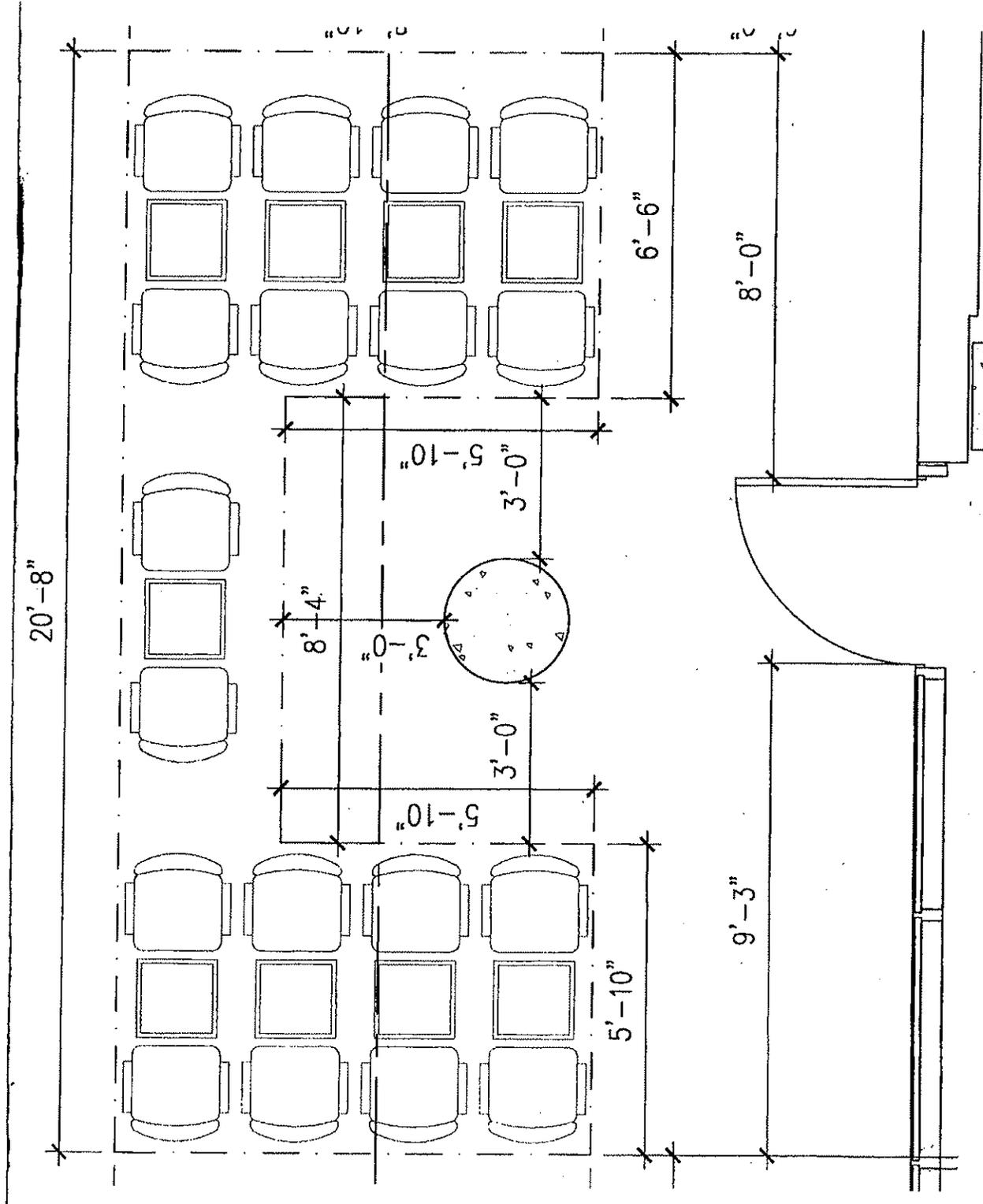
PROJECT NAME:
 KAVA cafe' @ MiMa RESIDENTIAL TOWER . 42nd STREET . NEW YORK
 DWG #:
 CD.09A 1 of 5
 DATE:
 08Jan13

ARCHITECTURE
 INTERIOR+PRODUCT+IDENTITY DESIGN



42nd Kava LLC - Proposed Sidewalk Cafe Diagram

9 tables and 18 seats



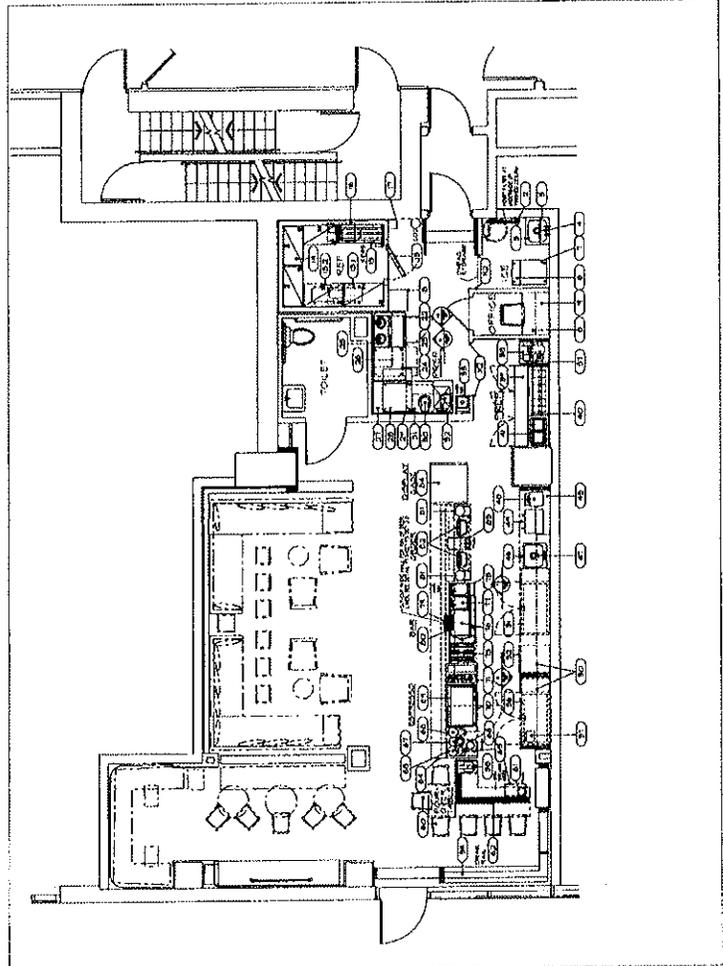
NO. 1	PROJECT	450 W. 42ND STREET
NO. 2	DATE	11/11/03
NO. 3	SCALE	AS SHOWN
NO. 4	DESIGNER	RUSS PIZZUTO
NO. 5	CLIENT	RUSS PIZZUTO
NO. 6	ARCHITECT	RUSS PIZZUTO
NO. 7	ENGINEER	RUSS PIZZUTO
NO. 8	PLUMBER	RUSS PIZZUTO
NO. 9	ELECTRICIAN	RUSS PIZZUTO
NO. 10	Mechanical	RUSS PIZZUTO
NO. 11	Structural	RUSS PIZZUTO
NO. 12	Interior	RUSS PIZZUTO
NO. 13	Exterior	RUSS PIZZUTO
NO. 14	Site	RUSS PIZZUTO
NO. 15	Other	RUSS PIZZUTO

RUSS PIZZUTO KITCHEN DESIGN
 Food Service Consultants & Planners
 70 Local Road, Lindhurst, New York 11757
 T: 631-226-1328 or pizzuto@pizzuto.net

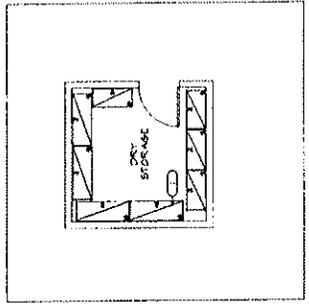
KAVA CAFE
 450 W. 42ND STREET
 NEW YORK, NY 10036

PROJECT: KAVA CAFE
 FOOD SERVICE EQUIPMENT PLANS
 DRAWING NUMBER: FS 1.0
 SCALE: 1/8" = 1'-0"
 DRAWN BY: [Name]

Kitchen diagram



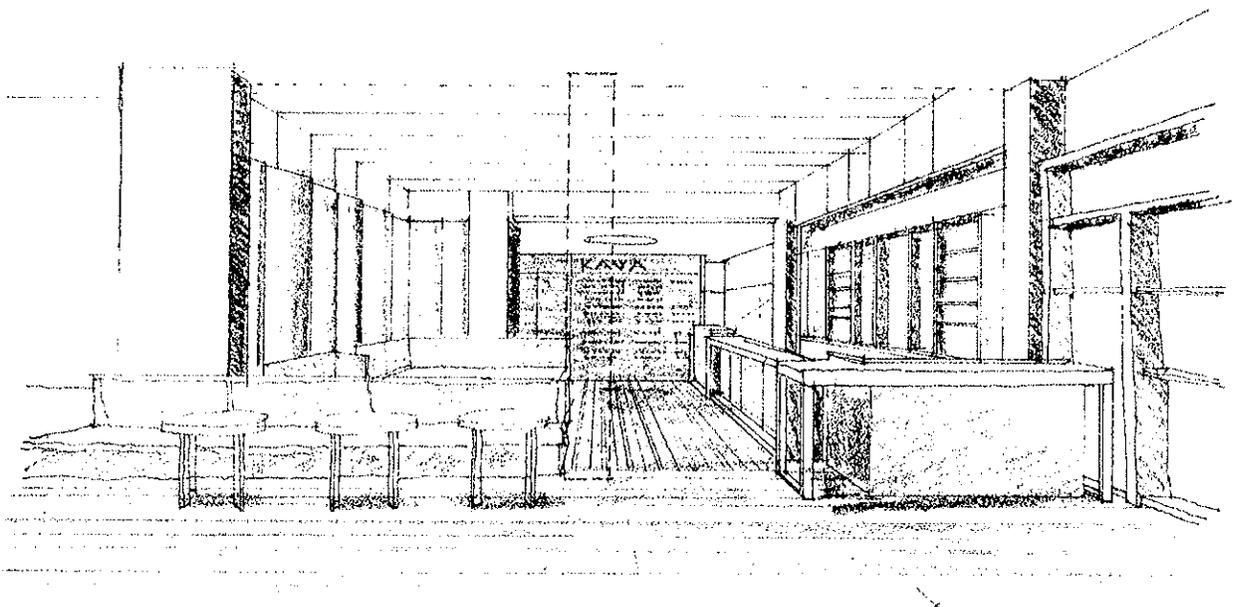
GROUND FLOOR PLAN



CELLAR FLOOR PLAN
 ROOM # FOR DUCT STORAGE

NO. 1	PROJECT	450 W. 42ND STREET
NO. 2	DATE	11/11/03
NO. 3	SCALE	AS SHOWN
NO. 4	DESIGNER	RUSS PIZZUTO
NO. 5	CLIENT	RUSS PIZZUTO
NO. 6	ARCHITECT	RUSS PIZZUTO
NO. 7	ENGINEER	RUSS PIZZUTO
NO. 8	PLUMBER	RUSS PIZZUTO
NO. 9	ELECTRICIAN	RUSS PIZZUTO
NO. 10	Mechanical	RUSS PIZZUTO
NO. 11	Structural	RUSS PIZZUTO
NO. 12	Interior	RUSS PIZZUTO
NO. 13	Exterior	RUSS PIZZUTO
NO. 14	Site	RUSS PIZZUTO
NO. 15	Other	RUSS PIZZUTO

Renderings



PROJECT NAME: KAVA cafe @ MAMA RESIDENTIAL TOWER, 42nd STREET, NEW YORK

DATE: 08/08/13

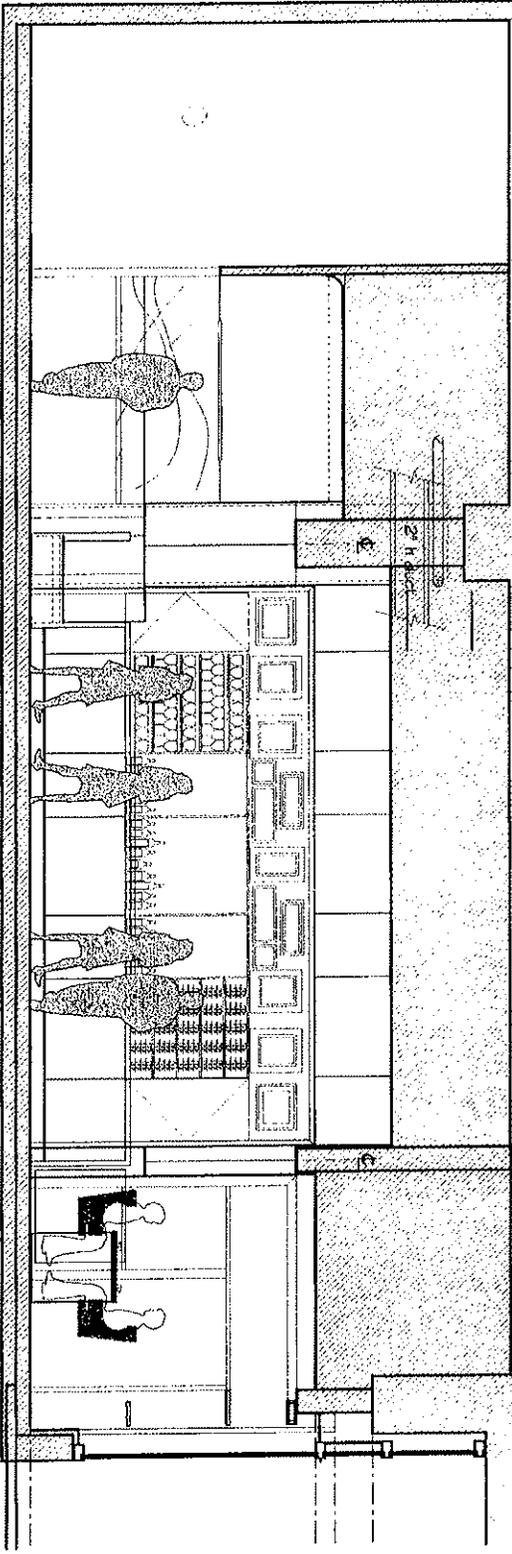
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ARCHITECT: INTERIOR ARCHITECTURE



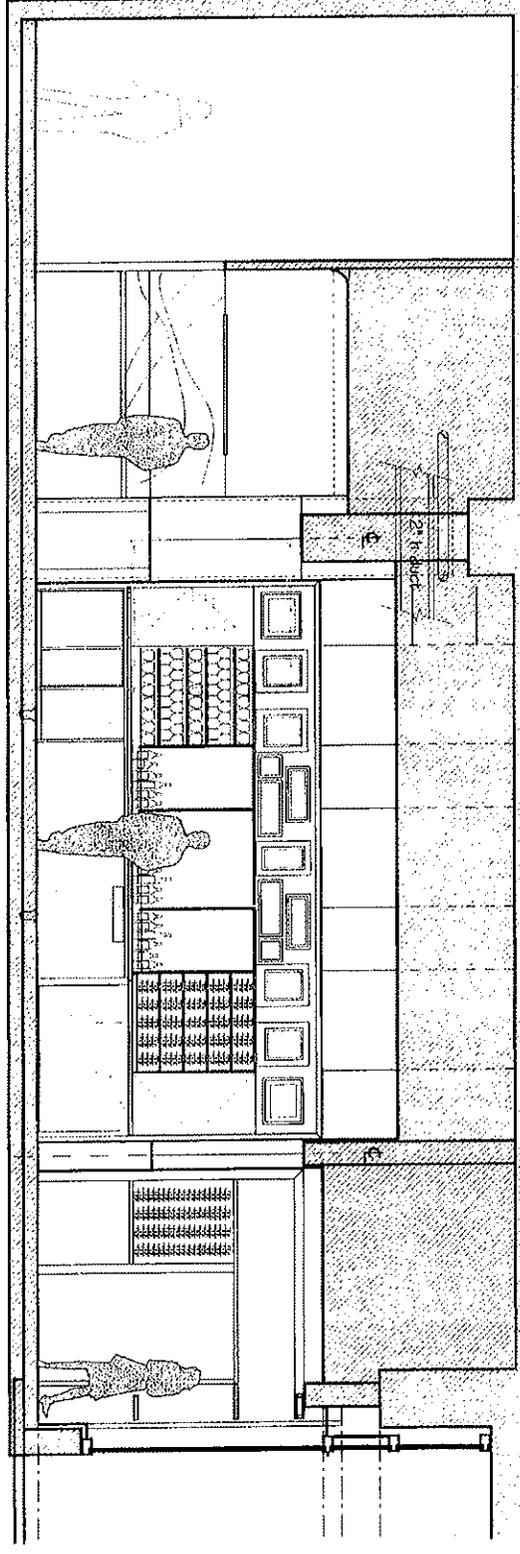
02
CD.09C

CONCEPTUAL INTERIOR ELEVATION looking WEST
SCALE: 1/4" = 1'-0"



01
CD.09C

CONCEPTUAL INTERIOR ELEVATION looking WEST
SCALE: 1/4" = 1'-0"



13_01.08 - ISSUED for CONCEPT DESIGN REVIEW

PROJECT NAME:
KAVA cafe' @ MIMa RESIDENTIAL TOWER . 42nd STREET . NEW YORK
DWG # : CD.09C_3of5
REVISION # :
DATE: 08Jan13
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ARCHITECTURE
INTERIOR+PRODUCT+IDENTITY DESIGN



Exterior Photographs



RELATED



CONNECTION



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ED

A

KAVA KAVA
CAFE

COMING SOON...

C CUPPING COFFEE WINE GELATO
PASTA CREAM CHEESE SALADS



Menu

KAVA

C A F E

MENU - WE DELIVER

PASTRIES

Croissant	\$3.50
Almond Croissant	\$4.00
Pain Au Chocolat	\$4.00
Cannele	\$3.75
Muffins	\$3.00
Banana Walnut • Blueberry	
Mocha (+\$0.50)	
Biscuits	\$3.50
Maple Bacon, Windsor Cherry	
Cookies	\$2.50 / 3.00
Downtown Cookies	\$2.75

BREAKFAST ANYTIME

Yogurt Parfait	\$5.50
Ham and Cheese Croissant	\$6.00
Breakfast Brioche	\$6.00
Ham, Egg and Cheese	
Frittata	\$7.00

SANDWICHES

served with side salad

Prosciutto & Sopressata	\$12.00
La Quercia Prosciutto, Pra Mani	
Soppressata, Mozzarella, Pickled	
Peppers, Lettuces	
Smoked Chicken	\$12.00
Provolone, Broccoli Rabe Pesto	
Roast Beef	\$11.00
Garlic & Herb Mushrooms, Crescenza	
Smoked Turkey	\$11.00
Avocado, Cucumber, Formaggio	
Mediterranean Veg	\$10.00
Roasted Zucchini, Bell Pepper, Onion,	
Mushroom, Hummus, Mozzarella	
Tuna	\$10.00
Roasted Red Pepper, Caper, Celery,	
Green Olive, Lettuce, Tomato	
Mozzarella	\$11.00
Tomato, Roasted Squash, Basil Pesto	
Any half sandwich	\$6.00

SOUP

served with a side of bread

Cup or Bowl	\$6.00 / 8.00
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BEVERAGES

Drip Coffee	\$2.50
Cafe Au Lait	\$3.25
Iced Coffee	\$4.00
Pour Over (Market Price)	
Espresso	\$3.00
Americano	\$3.00
Macchiato	\$3.75
Cortado	\$3.75
Cappuccino	\$4.00
Latte	\$4.50
Mocha	\$5.00
Extra Shot	\$2.50
Soy	\$0.50
Hot Chocolate	\$4.00
Chai Latte	\$4.50
Hot Apple Cider	\$3.75
Rishi Tea	\$3.50
Chinese Breakfast • Earl Grey •	
Jasmine Green • Chamomile • Mint	
Chai • Sencha (+\$1.25)	
Iced Tea	\$3.50
Fentimans Curiosity Cola	\$5.00
Coca-Cola	\$3.00
Diet Coke	\$3.00
Jana Spring Water	\$3.00
Pellegrino Sparkling Water	\$3.00

ORGANIC JUICES

made daily

Green Refresher	\$9.00
Kale, Cucumber, Pear, Citrus	
ZingOrange	\$9.00
Carrot, Grapefruit, Ginger	
PineAppleMint	\$9.00
Pineapple, Apple, Mint	
Orange Juice	\$4.00
Fresh Squeezed	

SALADS

Kale Salad	\$10.00
Roasted Squash, Bacon, Pumpkin	
Seeds, Whole Grain Croutons	
Greek Salad	\$10.00
Romaine, Feta, Olive, Cucumber,	
Red Onion, Bell Pepper, Tomato	
Arugula Salad	\$10.00
Grana, Roasted Onion, Boiled Egg	

803 Washington St., Manhattan, NY, 10014 • 212-255-7495

www.kavanyc.com

Hours of operation M-F 7a.m. - 9p.m. Weekends 8a.m. - 10p.m.

KAVA

C A F E

WINE

Sparkling		
Terre Gaie, Prosecco NV, Veneto, IT		\$10.00 / 40.00
White		
Scarpetta, Pinot Grigio 2010, Friuli, IT		\$12.00 / 48.00
Cantina Bolzano, Pinot Grigio 2011, Alto Adige, IT		\$11.00 / 46.00
Talomer, Riesling, "Vandenberg" 2009, Santa Barbara, CA		\$14.00 / 56.00
Red		
Gilbert Cellars, Allobroges 2009, Yakima, WA		\$13.00 / 52.00
Syncline, Subduction Red 2010, Columbia Valley, WA		\$13.00 / 56.00
Cultivar, Cabernet Sauvignon 2010, Napa Valley, CA		\$14.00 / 56.00

BEER

Bottle		
2XIPA, Southern Tier, Lakewood, NY		\$7.00
Heinneweisse, Farmhouse Ale, Butternuts Be-A, Garratsville, NY		\$7.00
Session Premium, Full Sail Brewing Co., Hood River, OR		\$6.00
Little Sumpin' Ale, Lagunitas, Petaluma, CA		\$8.00
Mama's Little Yella Pils, Longmont, CO		\$7.00
Hard Apple Cider, Original Sin, New York, NY		\$7.00
Draught		
Brownstone Ale, Sixpoint Brewery, Brooklyn, NY		\$8.00
Hennepin Saison Ale, Ommegang Brewery, Cooperstown, NY		\$8.00

VERMOUTH

Carpano Anitica Formula	\$8.00
Punt e Mes	\$8.00
Cinzano Rosso	\$8.00

ANTIPASTI

Antipasto Salad	\$5.00
Roasted Squash	\$5.00
Pickled Peppers stuffed with Tuna	\$5.00
Olives	\$5.00
Any Three	\$13.00
Crostini choice of 6	\$5.00
Fig, Black Olive, Green Olive	

CHEESE

Bucheron, Manchego, Robiola Bosina, Valdeon	\$12.00
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SALUMI

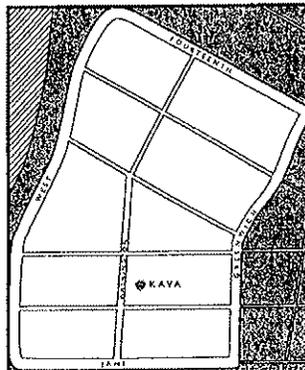
La Quercia Prosciutto, Fra Mani Soppresata, Milano Sweet Dry Sausage	
Combination Platter	\$15.00
La Quercia Prosciutto Platter	\$20.00

DELIVERY ZONE

For delivery orders call 212-255-7495
Minimum order \$10.00

For our catering menu please see
our website at www.kavanyc.com

For event inquiries please contact us
at events@kavanyc.com



Public Interest Statement

PUBLIC INTEREST STATEMENT / 500' RULE STATEMENT

42nd Kava LLC
dba Kava Cafe
470 West 42nd Street
New York, NY 10036

The subject premises will be a European style espresso bar and cafe located on the far West Side of Manhattan at 470 West 42nd Street between Dyer Avenue and 10th Avenue. The business plan of Kava Café is to be a neighborhood destination offering patrons an early morning breakfast, a light lunch and dinner menu together with an international selection of coffee in a stylish modern atmosphere seven days a week.

The projected opening date for the cafe is early spring. The applicant is the first commercial tenant in the newly constructed MiMA Residential Tower. The 63 story residential building opened in May of 2011 with 814 luxury rental units where a one-bedroom apartment rents for about \$3,600 a month. MiMA is an acronym for *The Middle of Manhattan*.

Kava Café intends to attract customers from MiMA residential tenants as well as commuters traveling to and from the Port Authority which is one block south of the applicant. Further, Kava Cafe will attract customers who patronize the theaters on the block if they want to stop by for a light meal or a cocktail before or after the show.

The premises will have 1,400 square feet with three small seating areas with a total of 11 tables and 36 seats. There will be one 19'-1 ½" straight stand-up bar with 9 bar stools. The total seating for the interior is 45 seats.

There will be an outdoor café with 9 tables and 18 seats.

The premises will be open daily from 6AM to 2AM Monday to Sunday. There will be recorded music played at a low volume level.

John Saric who is the individual applicant for 42nd Kava LLC owns a Kava Café at 803 Washington Street in the heart of the Meatpacking District in Manhattan. The Kava Café menu for 803 Washington will be the model for the menu at the new 42nd Street Kava Café. The 803 Washington Street Kava Café holds a restaurant wine license since April of 2011.

The following sub-sections of section 64 of the ABC Law specifically address the statutory requirements for the public convenience and advantage when there are three or more establishments with full liquor licenses within 500 feet of the applicant:

(a) The number, classes and character of licenses in proximity to the location and in particular municipality or subdivision thereof.

There are 8 locations within 500 feet of the applicant that hold full liquor licenses. There are two restaurant style taverns - Mr. Bigg's and MacMenamin's which are 460' and 405' from the applicant, respectively. The two restaurants are a Chinese restaurant, Ollie's 465' from the applicant and a French restaurant, Chez Josephine 358' from the applicant. There are three theatres within 500' of the applicant. The hotel - *Yotel* is 270' from the applicant and has two restaurants and a roof top lounge.

42nd Kava Café intends to be an alternative destination to the taverns and restaurants in the area offering patrons an uber-sleek café style coffee cafe serving serious espresso together with a selection of European pastries and mouthwatering sandwiches. Kava Café plans to be an establishment where individuals can stop by for a cocktail before having a full dinner at one of the nearby restaurants or to stop by after dinner for an exceptional cappuccino.

Kava Café will be a unique addition to this far west side neighborhood. Anyone from a MiMA resident to a Port Authority commuter can stop by the cafe to pick up breakfast to bring to the office early in the morning. Kava Café will be a place where local theatre employees and actors as well as Hunter college students and professors can meet for lunch or a light dinner. The café will be a great place to meet a first date for a cocktail before going out to a nightclub or lounge.

Kava Café will be designed by FLDG with architecture by MLG. The café will have similar features as the 803 Washington Street location such as white oak, terrazzo and brass. On display will be the café's signature Strada espresso machine built by La Marzocco - a rare sighting in New York City.

(b) Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies

A copy of the current Certificate of Occupancy is enclosed. The applicant will apply for all necessary licenses, permits and certifications including but not limited to a Department of Health and Mental Hygiene permit, a Fire Department inspection and a Certificate of Authority to Collect Sales Taxes together with Workers Compensation Insurance and Disability Insurance. A sidewalk café license will be obtained from the Department of Consumer Affairs.

(c) Effect of the grant of the license on vehicular traffic and parking in proximity to the location

Since the area already has been established as a destination for the theater and since the area has become more residential approval of the application and issuance of a full liquor license will not negatively impact traffic patterns in and around the premises. 42nd Street is a major thoroughfare in mid-town. There is a large multi-story indoor parking garage across the street.

As the premises are in walking distance of most residences and business there will not be a great number of cars vying to park in and around the premises. The cafe is accessible by taxis, buses and west side subways. There are two parking lots around the corner on West 41st Street.

(d) The existing noise level at the location and any increase in noise level that would be generated by the proposed premises

The residential building has sound proofing and the applicant will place sound proofing material in the ceiling of the café. The café does not intend to attract a boisterous crowd and approval of the application and issuance of a full liquor license will not cause an unusual increase in noise levels in this area. The cafe will have an intimate atmosphere in a chic setting that complements this far west side neighborhood which continues to modernize and evolve.

(e) The history of liquor violations and reported criminal activity at the proposed premises

As the premises will be situated in a brand new space there would be no known SLA violations for this location. Further, there is no known history of criminal activity at the premises.

Issuance of the instant license will promote the public interest in that it will be a positive contribution to the economy by way of the jobs maintained, continued wages paid, income, sales and other taxes collected, state and local license revenues, and maintenance of the local real estate tax base.

Accordingly, we believe approval of this application and issuance of an on-premises liquor license will promote the public interest and convenience and we request that the Community Board should so find. We therefore request that the Authority approve the application.

Area Survey

Re: 470 West 42nd Street

1. Mr. Bigg's - 596 10th Avenue - (460')
2. Ollie's - 411 West 42nd Street - (465')
3. Theatre Row - 410 West 42nd Street - (435')
4. Chez Josephine - 414 West 42nd Street - (358')
5. Theatre Row Diner - 424 West 42nd Street - (230')
6. Signature Theatre - 480 West 42nd Street - (140')
7. Yotel - 570 10th Avenue - (270')
- B. MacMenamin's - 500 West 43rd Street - (405')

Schools & Churches

1. City of New York: PS 51 - 520 West 45th Street - (≈ 1,028')
2. Croatian Church of Saints Cyril & Methodius - 520 West 41st St. - (≈ 572')

Certificate of Occupancy for the building / 42nd Kava LLC is applying for a update to the Certificate of Occupancy for the ground floor space.



[CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

NYC Department of Buildings
Property Profile Overview

470 WEST 42 STREET
10 AVENUE
WEST 42 STREET

562 - 574
432 - 492

MANHATTAN 10036
Health Area : 4500
Census Tract : 115
Community Board : 104
Buildings on Lot : 1

BIN# 1088437
Tax Block : 1051
Tax Lot : 7502
Condo : YES
Vacant : NO

[View DCP Addresses...](#) [Browse Block](#)

[View Zoning Documents](#)

[View Challenge Results](#)

[View Certificates of Occupancy](#)

Cross Street(s): DYER AVENUE, 10 AVENUE
DOB Special Place Name:
DOB Building Remarks:
Landmark Status: **Special Status:** N/A
Local Law: NO **Loft Law:** NO
SRO Restricted: NO **TA Restricted:** NO
UB Restricted: NO
Little 'E' Restricted: N/A **Grandfathered Sign:** NO
Legal Adult Use: NO **City Owned:** NO
Additional BINs for Building: [1026337](#)

Special District: UNKNOWN

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, or Coastal Erosion Hazard Area. [Click here for more information](#)

Department of Finance Building Classification: R0-CONDOMINIUMS

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

	Total	Open
Complaints	76	3
Violations-DOB	151	13
Violations-ECB (DOB)	78	4
Jobs/Filings	171	
ARA / LAA Jobs	5	
Total Jobs	176	
Actions	389	

- [Elevator Records](#)
- [Electrical Applications](#)
- [Permits In-Process / Issued](#)
- [Illuminated Signs Annual Permits](#)
- [Plumbing Inspections](#)
- [Open Plumbing Jobs / Work Types](#)
- [Facades](#)
- [Marquee Annual Permits](#)
- [Boiler Records](#)
- [DEP Boiler Information](#)
- [Crane Information](#)
- [After Hours Variance Permits](#)

OR Enter Action Type:
OR Select from List:
Select...
AND Show Actions

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.



Certificate of Occupancy

CO Number: 104844581T015

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: Manhattan	Block Number: 01051	Certificate Type: Temporary
	Address: 440 WEST 42 STREET	Lot Number(s): 53	Effective Date: 11/08/2012
	Building Identification Number (BIN): 1088437		Expiration Date: 02/06/2013
	Building Type: New		
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B.	Construction classification: 1-A	(1968 Code)	
	Building Occupancy Group classification: J2	(1968 Code)	
	Multiple Dwelling Law Classification: HAEA		
	No. of stories: 57	Height in feet: 627	No. of dwelling units: 814
C.	Fire Protection Equipment: Standpipe system, Fire alarm system, Sprinkler system		
D.	Type and number of open spaces: None associated with this filing.		
E.	This Certificate is issued with the following legal limitations: Easement(s) - Recording Info: MTA EASEMENT		
Outstanding requirements for obtaining Final Certificate of Occupancy:			
There are 22 outstanding requirements. Please refer to BISWeb for further detail.			
Borough Comments: None			

Borough Commissioner

Commissioner

DOCUMENT CONTINUES ON NEXT PAGE



Certificate of Occupancy

CO Number: 104844581T015

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL		100	B-2		2, 5	ACCESSORY OFF STREET PARKING GARAGE (158 SPACES), STORAGE
CEL	1	75	E		2	PARKING ATTENDANTS OFFICE
CEL		75	D-2		2	FIRE PUMP ROOM, UTILITY ROOMS, ELECTRIC ROOMS, TELECOM ROOMS, COMPACTOR ROOM, ELEVATOR MACHINE ROOMS
SUB		OG	B-1		2	FUEL OIL STORAGE RM.
SUB		OG	B-2		2, 5	ACCESSORY OFF STREET PARKING GARAGE (188 SPACES), STORAGE, LOCKER ROOMS
SUB	1	OG	E		2	SUPER'S OFFICE & WORKSHOP, BREAKROOM, TEMPORARY AMENITIES, BASKETBALL COURT & RESTROOMS.
SUB		OG	D-2		2	UTILITY & MECH EQUIP. ROOMS, ELEVATOR MACHINE ROOM
001		100	J-1 D-2		5	MECH, EQUIP. ROOMS, LAUNDRY, HOUSEKEEPING
001		100	D-1		5	THREE (3) LOADING_BERTHS
001		100	F-1A B-2 D-2		8A	THEATRE LOBBY, BOX OFFICE, STORAGE AND MECHANICAL EQUIPMENT ROOMS
001		100	D-2		2	CON-ED VAULTS, MECHANICAL EQUIPMENT ROOMS
001		100	J-2 D-2		2	MECH.EQUIP.ROOMS,STORAGE

Borough Commissioner

Commissioner



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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
001		100	J-1 D-2		5	HOTEL LOBBY
001		100	J-2 D-2		2	RESIDENTIAL LOBBY- RENTAL-RESIDENTIAL LOBBY-CONDO
002	50	100	F-3		8A	REHEARSAL STUDIO #1
002	269	100	F-1A		8A	THEATRE #2
002	50	100	E D-2		8A	MECH.EQUIP.RMS,DRESSING ROOMS
002	299	100	F-1A		8A	THEATRE #1
002	199	100	F-1A		8A	THEATRE #3
002	120	100	F1-A		8A	REHERSAL STUDIO #2
003		75	D-2		2	MECHANICAL EQUIPMENT ROOMS
003		100	B-2		2	LOCKER ROOMS
003	23	50	F-3 E		2	ACCESSORY OFFICES, DOG PLAY ROOM
003	105	100	F-4		2	PARTY ROOM 1 & PARTY ROOM 2 (BANQUET ROOM), ACCESSORY OUTDOOR RECREATION (OUTDOOR RECREATION NON SIMULTANEOUS WITH INDOOR OCCUPANCY, 105 INDOOR & 24 OUTDOOR)

Borough Commissioner

Commissioner



Certificate of Occupancy

CO Number: 104844581T015

Permissible Use and Occupancy						
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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
003	85	50	E D-2		5	HOTEL OFFICES, HOTEL STAFF CREW ROOM, MECH. EQUIP. ROOMS
003	489	100	F-3		2	ACCESSORY GYM, POOL, LOUNGE, PANTRY, GAME ROOM, BUSINESS CENTER, ACCESSORY OUTDOOR RECREATION (NORTH & SOUTH TERRACES) (OUTDOOR RECREATION (NORTH & SOUTH TERRACES) NON SIMULTANEOUS WITH INDOOR OCCUPANCY, 296 INDOOR & 489 OUTDOOR) (EXCEPT TERRACES)
004	10	100	B-2 E		5	ACCESSORY OFFICES & STORAGE
004		75	D-2		5	MECHANICAL EQUIPMENT_ROOMS
004	316	100	F-4 D-2		5	EATING & DRINKING ESTABLISHMENT, CLUB ROOM, ACCESSORY HOTEL GYM, KITCHEN
004		40	J-2	6	2	SIX (6) APARTMENTS
004	7	75	D-2		2	MECH. EQUIP. ROOMS
004	10		E			ACCESSORY OFFICES
004	142	100	F-4		5	ASSEMBLY OUTDOOR RECREATION (EATING & DRINKING)
005		40	J-2	8	2	EIGHT (8) APARTMENTS
005		75	D-2		2	TELECOM & ELECTRIC ROOMS,

Borough Commissioner

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Certificate of Occupancy

CO Number: 104844581T015

Permissible Use and Occupancy						
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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
005	40	40	J-1		5	SEVENTEEN (17) HOTEL ROOMS
005		75	D-2		5	BUTLERS ROOM, HOUSEKEEPING & TELECOM ROOMS
006 009		40	J-2	17	2	SEVENTEEN (17) APARTMENTS PER FLOOR
006 019 74		40	J-1		5	THIRTY SEVEN (37) HOTEL ROOMS (EA.FL)
006 019			D-2		2	TELECOM & ELECTRICAL ROOMS
006 019			D-2		5	HOUSEKEEPING, TELECOM ROOMS
010 019		40	J-2	17	2	SEVENTEEN (17) APARTMENTS PER FLOOR
020		40	J-2	16	2	SIXTEEN (16) APARTMENTS
020			D-2		2	TELECOM & ELEC. ROOMS
020	64	40	J-1		5	THIRTY SEVEN (37) HOTEL ROOMS
020			D-2		5	HOUSEKEEPING & TELECOM ROOMS
021			D-2		5	HOUSEKEEPING & TELECOM ROOMS
021			J-2 D-2	16	2	SIXTEEN (16) APARTMENTS (TELECOM AND ELECTRIC ROOMS

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Certificate of Occupancy

CO Number: **104844581T015**

Permissible Use and Occupancy						
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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
021		40	J-1		5	THIRTY-FIVE(35) HOTEL ROOMS
022			J-2 D-2	16	2	SIXTEEN (16) APARTMENTS, TELECOM & ELEC. ROOMS
022		40	J-1		5	THIRTY (31) ONE HOTEL ROOMS
022			D-2		5	HOUSEKEEPING & TELECOM ROOMS
023		40	J-2	16	2	SIXTEEN (16) APARTMENT
023			D-2		2	TELECOM & ELECTRIC ROOMS
023	64	40	J-1		5	THIRTY-ONE (31) HOTEL ROOMS
023			D-2		5	HOUSEKEEPING AND TELECOM ROOMS
024			D-2		2	TELECOM & ELEC ROOMS.
024			D-2		5, 2	BOILER ROOM & MECHANICAL ROOM
024		40	J-2	16	2	SIXTEEN (16) APARTMENTS
025		40	J-2	14	2	FOURTEEN (14) APARTMENT
025			D-2		2	MECHANICAL EQUIPMENT ROOMS

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Commissioner



Certificate of Occupancy

CO Number: 104844581T015

Permissible Use and Occupancy						
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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
025			D-2		5	HOTEL ELEV. MACH. ROOM
026	40		J-2	15	2	FIFTEEN (15) APARTMENTS
026			D-2		2	ELECTRIC & TELECOM ROOM
027 028	40		J-2	16	2	SIXTEEN (16) APARTMENTS PER FLOOR
027 033			D-2		2	ELECTRIC & TELECOM ROOMS
029 033	40		J-2		2	SIXTEEN APARTMENTS PER FLOOR
034			D-2		2	ELECTRIC AND TELECOM ROOMS
034	40		J-2	16		SIXTEEN (16) APARTMENTS
035 036	40		J-2	15	2	FIFTEEN (15) APARTMENTS PER FLOOR
035 042	75		D-2		2	ELECTRIC & TELECOM ROOMS
037 043	40		J-2	15	2	FIFTEEN (15) APARTMENTS PER FLOOR
044	40		J-2 D-2	14	2	FOURTEEN (14) APARTMENTS) ELEC. & TELECOM ROOMS.
045	40		J-2	12	2	TWELVE (12) APARTMENTS

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Certificate of Occupancy

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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
045		75	D-2		2	ELECTRIC & TELECOM & MECHANICAL EQUIPMENT ROOMS
046		40	J-2	13	2	THIRTEEN (13) APARTMENTS
046		75	D-2		2	TELECOM ROOMS/ELEC.ROOM.
047 048		40	J-2	12	2	TWELVE (12) APARTMENTS PER FLOOR
047 048		75	D-2		2	ELECTRIC & TELECOM ROOMS EACH FLOOR
049		75	D-2		2	ELECTRIC & TELECOM ROOMS, ELEVATOR MACHINE ROOM
049		40	J-2	11	2	ELEVEN (11) APARTMENTS
050 055		40	J-2	12	2	TWELVE (12) APARTMENTS PER FLOOR
050 055		75	D-2		2	ELEC. AND TELECOM ROOMS EACH FLOOR
056 059		40	J-2	11	2	ELEVEN (11) APARTMENTS PER FLOOR
056 059		75	D-2		2	ELEC. TELECOM. ROOM EACH FLOOR
RO F		75	D-2		2	ELEVATOR MACHINE ROOM
PEN		75	D-2		2	MECHANICAL EQUIPMENT ROOMS/ELEVATOR RUN-BY

Borough Commissioner

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Certificate of Occupancy

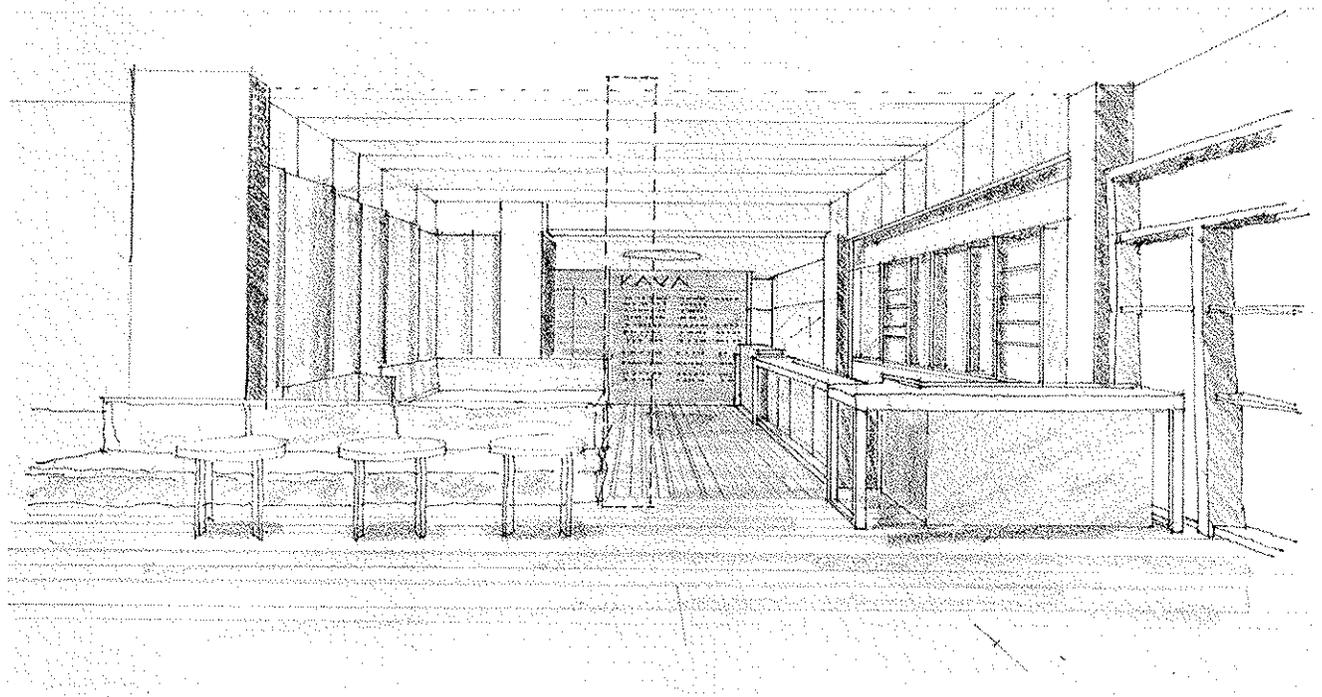
CO Number: 104844581T015

Permissible Use and Occupancy						
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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
PEN	75		D-2		2	MECH. EQUIP. ROOMS, ELEV. MACH. ROOM (RESIDENTIAL)
<p>NOTE: USES LOCATED ON THE GROUND FL LEVEL OR WITHIN FIVE FEET OF CURB LEVEL SHALL BE LIMITED TO RETAIL, PERSONAL SERVICE OR AMUSEMENT USES PERMITTED BY THE UNDERLYING ZONING DISTRICT REGULATIONS BUT NOT INCLUDING USES IN USE GROUP 6B, 6F, 7C, 8C, 9B, 10B, 11 & 12D OR AUTOMATIC SHOWROOMS EASEMENT GRANTED FOR SUBWAY MECHANICAL EASEMENTS AND SUBWAY STATION IMPROVEMENTS. APPLICATION N90156ZCM, PURSUANT TO SEC 96-25 OF THE NYC RESOLUTION, FOR THE INCLUSION OF AN ADDITIONAL 3.0 FAR AS A F AREA BONUS FOR A NEW LEGITIMATE THEATRE USE HAS BEEN CERTIFIED BY THE CPC. THE BONUS REQUIRE THAT 63,933SF MUST BE USED AS LEGITIMATE THEATRE SPACE. INCLUSIONARY HOUSING BONUS RECEIVED FOR BOTH ON SITE NEW CONSTRUCTION & OFF-SITE INCLUSIONARY HOUSING. ON-SITE LOWER INCOME HOUSING 25,008SF PROVIDED THAT GENERATES BONUS AT A RATE OF 3.7SF. OFF SITE INCLUSIONARY HOUSING OF 11,335SF PROVIDED THAT GENERATES A BONUS OF 45,430SF AT A RATE OF 4.0SF</p>						
END OF SECTION						

Borough Commissioner

Commissioner

END OF DOCUMENT



1/13_01.08 - ISSUED for CONCEPT DESIGN REVIEW

PROJECT NAME

KAVA cafe @ M5M RESIDENTIAL TOWER, 42nd STREET, NEW YORK

ARCHITECTURE

1800000-000000-000000

DATE

REVISION #

CD.08E_1/13

08/13

