

1 **BUSINESS LICNESE & PERMITS COMMITTEE**

Item # 9

2
3 July 25, 2012

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

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11 **Re: Westside Steakhouse LLC d/b/a West Side Steakhouse**
12 *597 Tenth Avenue (43/44)*
13 *License # 1240741*

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16 Dear Chairman Rosen:

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18 Manhattan Community Board 4 (MCB4) recommends approval of an alteration for **Westside Steakhouse LLC**
19 **d/b/a West Side Steakhouse**, to include the unenclosed sidewalk café their liquor license.

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

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25 Sincerely,

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Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)					
West Side Steakhouse LLC.		West Side Steakhouse					
STREET ADDRESS		CROSS STREETS					
597 Tenth Avenue		43/44					
OWNER	NAME:	Nicholas Zippilli	REPRESENTATIVE				
	PHONE:	212-564-4803	NAME:				
	FAX:	N/A	PHONE:				
MANAGER	NAME:		LANDLORD				
	PHONE:		NAME:				
	FAX:		PHONE:				
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 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 type="radio"/> New					
		Has applicant owned or managed a similar business?		YES	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
				If alterations or operational changes are being made, please attach the plans to this form.			
				<input checked="" type="radio"/> Alteration		What is the current license #?	
		What is the expiration date on the current license?		August 31, 2012			
		Please describe the nature of the alterations and attach the plans: Adding sidewalk café to liquor license					

OPERATIONAL ISSUES

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
HOURS	Operation	1130 a.m. – 12 a.m.	1130 a.m. – 12 a.m.	1130 a.m. – 12 a.m.	1130 a.m. – 12 a.m.	1130 a.m. – 12 a.m.	1130 a.m. – 12 a.m.	1130 a.m. – 12 a.m.	
	Music								
	Kitchen								
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
	60		22	44	0	1		4	12
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	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		
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	
Will applicant use a storm enclosure (freeze box)? If yes, you must follow DOB regulations; no more than 18 inches deep?	YES	NO	N/A	No storm enclosure, Inside vestibule

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	YES	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	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	N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	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	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	N/A	
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	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?	YES	NO	N/A	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	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	N/A	
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 type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1			
	# 2			
	# 3			

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

- No other changes to the method of operation except will comply with DCA regulations for sidewalk café
- This application is to include the sidewalk café to the license