

1 **BUSINESS LICNESE & PERMITS COMMITTEE**

Item # 16

2
3 May 2, 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

10
11 **Re: 362 Pub Inc. d/b/a The Chelsea Pub**
12 *362 West 23rd Street (8/9)*

13
14 Dear Chairman Rosen:

15
16 Manhattan Community Board 4 (MCB4) recommends **denial** of a new bar/tavern on-premise liquor
17 license to **362 Pub Inc. d/b/a The Chelsea Pub – 362 West 23rd St. (8/9)**, **unless** the following
18 stipulations, agreed to by the applicant, is part of the method of operation for this establishment with a
19 capacity of 50, with 15 tables and 45 seats with one stand-up bar seating 14.

20
21 A signed copy of the questionnaire, stipulations and community agreements are enclosed.

22
23
24 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)	
362 Pub Inc.		The Chelsea Pub	
STREET ADDRESS		CROSS STREETS	
362 West 23 rd Street		8 th and 9 th Avenue	
OWNER	NAME: Kevin McKenna	ATTORNEY	NAME: Alan Gardner
	PHONE: 212-852-4826		PHONE: 212-227-1700
	FAX: 212-852-4815		FAX: 212-766-2628
MANAGER	NAME: Nicholas Cohen	LANDLORD	NAME: Family of Fanny Lou LLC c/o Sidney Rubell Co. Attn: Elaine Girleich
	PHONE: 212-852-4826		PHONE: 212-243-2370
	FAX: 212-852-4815		FAX: 212-633-6910

DESCRIPTION OF BUSINESS

Establishment Type: **Bar/Tavern** Bed & Breakfast Eating Place Beer Cabaret Night Club Hotel Restaurant
 Catering Establishment Club (Fraternal Organization – Members Only)
 Other (Explain): _____

Method of Operation: **Restaurant** Dance Club Sports Bar Adult Entertainment Wine Bar Pizzeria Cafe
 Other (Explain): Hotel

License Type: **On-Premise** Wine Beer Wine & Beer

APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?	See additional Notes	
		What is/was the address of the establishment?	See additional Notes	
		What were the dates the applicant was involved with this former premise?	May 1998 - 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	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>				

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. – 2 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 2 a.m.	
	Music								
	Kitchen	11 a.m. – 2 a.m.	11 a.m. – 2 a.m.	11 a.m. – 2 a.m.	11 a.m. – 2 a.m.	11 a.m. – 2 a.m.	11 a.m. – 2 a.m.	11 a.m. – 2 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
	50	74	15	45	0	1	14	0	0
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	1 st Floor	
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		
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	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 checked="" 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 checked="" 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)

- **Names of establishments applicant had owned or managed: Westside Tavern 360 W 23rd St; Stitch Bar & Lounge 247 W 37th St; The Houndstooth Pub 520 8th Ave.**

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

Manhattan Community Board 4 (MCB4) recommends:

Approval Denial unless all agreed to by applicant is part of the

method of operation

Denial

CB4 REPRESENTATIVES


Nelly Gonzalez
CB4 Community Associate

Lisa Daglian
CB4 BLP Committee Co-Chair

Paul Seres
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 →

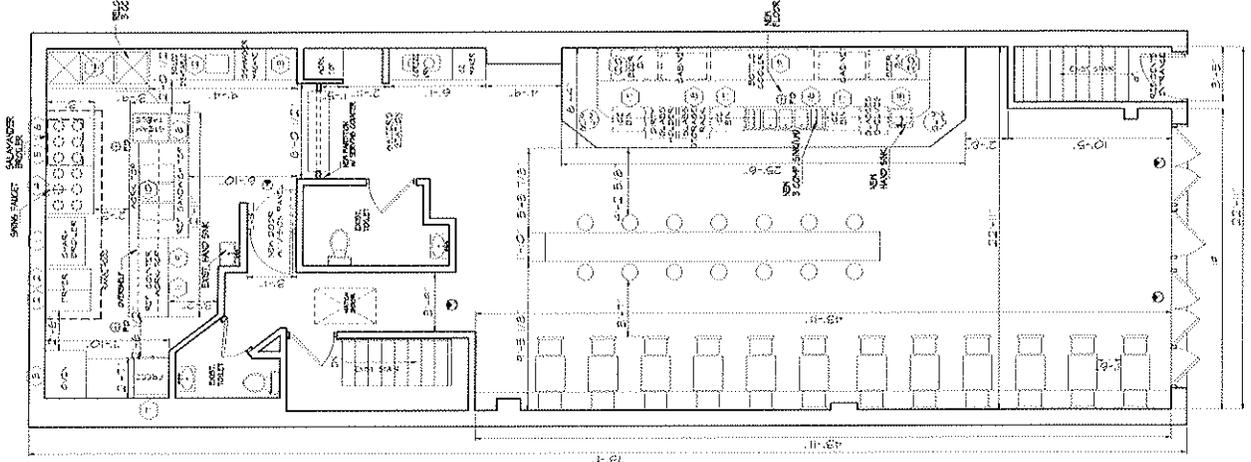

SIGNATURE OF APPLICANT

4/10/12
DATE

REVISIONS	DATE	ISSUES

KITCHEN EQUIPMENT LIST

NO.	ITEM DESCRIPTION	MANUFACTURER	MODEL NO.	DIMENSION			QTY
				W	D	H	
1	CHARBROILER	AMERICAN EAGLE	AERB-26	30"	24"	45.000	1
2	FRYER	AMERICAN EAGLE	AF-9930	33"	30.5"	46"	1
3	CONVECTION OVEN	AMERICAN EAGLE	MSD-2	42"	34.5"	34"	1
4	GAS RANGE	AMERICAN EAGLE	AR-6	30"	23.5"	36"	1
5	GAS RANGE	AMERICAN EAGLE	AR-6	30"	23.5"	36"	1
6	BALMANGER BROILER	AMERICAN EAGLE	ARSM-26	30"	30"	36.000	1
7	FREEZER	SEVERAGE AIR	KF714AS	27"	31"	62"	1
8	SERVING COUNTER	DAKE MANU.	MS303	44.5"	22.44"	34"	1
9	OVERSHELF	TUREO AIR	TSO5-AR	40"	15"		1
10	REF. COUNTER	SEVERAGE AIR	SFE12-30M	12"	30"	30"	1
11	REF. COUNTER TOP	CUSTOM	N/A	46"	24.25"	36.5"	1
12	BOILED DISHTABLE	UNIVERSAL STAINLESS	XCPH-24	64"	34"		1
13	CLEAN DISHTABLE	AERGO	XCPH-24	20"	34"		1
14	3 COMP SINK	TUREO AIR	TS5-3-N	19"	34"	44.5"	1
15	HAND SINK	TUREO AIR	TS5-H	17"	14"		1
16	3 COMP SINK	KRONHE METAL	B-SEC	60"	30.5"	30"	1
17	ICE BK	KRONHE METAL	B-2AMP	24"	24"	24.5"	1
18	GLASS STORAGE RACK	KRONHE METAL	B-65E1	24"	23.5"	30"	1
19	BOTTLE COOLER	CUSTOM	N/A	10"	20"	30"	1
20	BEER BIN	CUSTOM	N/A	30"	20"	30"	1



FIRST PLAN
 SCALE: NTS

OWNER INFORMATION
 Elaine Gontchev
 362 W. 23 ST.
 New York, NY 10011

PROJECT ADDRESS
 362 W. 23 ST.
 New York, NY 10011

BLOCK: 746 LOT: 75
 ZONE: C1-6A MAP: S6
 CONSTRUCTION CLASS: II-B

DRAWING CONTENT

Propose Floor Plans
 Equipment list
 Energy diagram

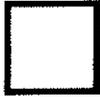
DATE	05-10-2012
SCALE	AS NOTED
DRAWN BY	EC
CHECKED BY	J.Cheng
FILES DIRECTORY	2012 URBAN

Project No.	05-12
Drawing No.	A - 002.00
Page:	02 / 02

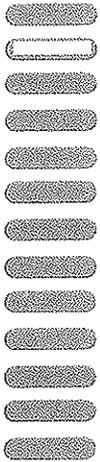
JOB #:



Proximity Report for Location:



Latitude: -73.9999077342223, Longitude: 40.7458740106346
 362 West 23rd Street, New York, NY 10011



This report is for informational purposes only in aid of identifying subject to 500 and 200 foot rules. Distances are approximated using techniques and do not reflect actual distances between points of Authority makes no representation as to the accuracy of the information for errors.

LILLY COOGANS INC	360 WEST 23RD ST
TEQUILA CHITO'S MEXICAN GRILL	358 W 23RD ST
23RD & 9TH RESTAURANT CORP	368 W 23RD STREET
23RD & 8TH LLC	261 8TH AVENUE
GOLDEN BEACH INC	300 W 23RD ST
TUAM NEW YORK INC	202 9TH AVENUE
FORAGERS HOLDINGS LLC	300 302 W 22ND ST
CHELSEA REST INC	250 252 8TH AVENUE
400 WEST 23RD STREET REST	400 W 23RD STREET
WORKSHOP RESTAURANT GROUP	200 9TH AVENUE
SPICE CORNER 236 INC	236 8TH AVE
THAINY RESTAURANT LLC	232 8TH AVENUE
THE FIFTH PINE INC	401 W 24TH STREET
PLAN 1 2 3 INC	233 9TH AVE
BOMBAY TALKIE LLC	189 9TH AVE
TXOKO INC	240 9TH AVENUE
ZENITH CORPORATION	271 WEST 23RD STREET
BARRACUDA LOUNGE INC	275 W 22ND STREET
J & D REST INC	212 8TH AVENUE