

HELBRAUN || LEVEY

Nixtamal at Market Line LLC  
115 Delancey Street  
New York NY

MANHATTAN COMMUNITY BOARD 3

helbraunlevey.com  
110 William Street, Suite 1410  
New York, NY 10038  
212-219-1193



THE CITY OF NEW YORK  
 MANHATTAN COMMUNITY BOARD 3  
 59 East 4th Street - New York, NY 10003  
 Phone (212) 533-5300  
 www.cb3manhattan.org - info@cb3manhattan.org

Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

**Community Board 3 Liquor License Application Questionnaire**

Please bring the following items to the meeting:

**NOTE: ALL ITEMS MUST BE SUBMITTED FOR APPLICATION TO BE CONSIDERED.**

- Photographs of the inside and outside of the premise.
- Schematics, floor plans or architectural drawings of the inside of the premise.
- A proposed food and or drink menu.
- Petition in support of proposed business or change in business with signatures from residential tenants at location and in buildings adjacent to, across the street from and behind proposed location. Petition must give proposed hours and method of operation. For example: restaurant, sports bar, combination restaurant/bar. (petition provided)
- Notice of proposed business to block or tenant association if one exists. You can find community groups and contact information on the CB 3 website:  
[http://www.nyc.gov/html/mancb3/html/communitygroups/community\\_group\\_listings.shtml](http://www.nyc.gov/html/mancb3/html/communitygroups/community_group_listings.shtml)
- Photographs of proof of conspicuous posting of meeting with newspaper showing date.
- If applicant has been or is licensed anywhere in City, letter from applicable community board indicating history of complaints and other comments.

Check which you are applying for:

- new liquor license
- alteration of an existing liquor license
- corporate change

Check if either of these apply:

- sale of assets
- upgrade (change of class) of an existing liquor license

Today's Date: 6/20/2018

If applying for sale of assets, you must bring letter from current owner confirming that you are buying business or have the seller come with you to the meeting.

Is location currently licensed?  Yes  No Type of license: N/A

If alteration, describe nature of alteration: N/A

Previous or current use of the location: N/A

Corporation and trade name of current license: N/A

**APPLICANT:**

Premise address: 115 DELANCEY STREET

Cross streets: ESSEX STREET, NORFOLK STREET

Name of applicant and all principals: Nixtamal at Market Line LLC

Fernando Ruiz and Shauna Page

Trade name (DBA): Tortilleria Nixtamal

**PREMISE:**

Type of building and number of floors: MIXED USE

Will any outside area or sidewalk cafe be used for the sale or consumption of alcoholic beverages? (includes roof & yard)  Yes  No If Yes, describe and show on diagram: N/A  
N/A

Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any back or side yard use?  Yes  No What is maximum NUMBER of people permitted? # PENDING

Do you plan to apply for Public Assembly permit?  Yes  No

What is the zoning designation (check zoning using map: <http://gis.nyc.gov/doitt/nycitymap/> - please give specific zoning designation, such as R8 or C2):  
C6-1 (COMMISSARRY)

**PROPOSED METHOD OF OPERATION:**

Will any other business besides food or alcohol service be conducted at premise?  Yes  No

If yes, please describe what type: n/a  
N/A

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) SEVEN DAYS PER WEEK, UNTIL 2AM  
N/A

Number of tables? 2 Total number of seats? 16

How many stand-up bars/ bar seats are located on the premise? 4  
(A **stand up bar** is any bar or counter (whether with seating or not) over which a patron can order, pay for and receive an alcoholic beverage)

Describe all bars (length, shape and location): main counter 6-8ft, 4 seats

Does premise have a full kitchen  Yes  No?

Does it have a food preparation area?  Yes  No (If any, show on diagram)

Is food available for sale?  Yes  No If yes, describe type of food and submit a menu  
Mexican Traditional - Tacos

What are the hours kitchen will be open? (open during all hours of operation)

Will a manager or principal always be on site?  Yes  No If yes, which? One or the other

How many employees will there be? 10-15

Do you have or plan to install  French doors  accordion doors or  windows?

Will there be TVs/monitors?  Yes  No (If Yes, how many?) 1 TV

Will premise have music?  Yes  No

If Yes, what type of music?  Live musician  DJ  Juke box  Tapes/CDs/iPod

If other type, please describe N/A

What will be the music volume?  Background (quiet)  Entertainment level

Please describe your sound system: Sono speakers

Will you host any promoted events, scheduled performances or any event at which a cover fee is charged? If Yes, what type of events or performances are proposed and how often? No

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans. (Please do not answer "we do not anticipate congestion.")

Will there be security personnel?  Yes  No (If Yes, how many and when) Essex crossing security personnel

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans.

Do you have sound proofing installed?  Yes  No N/A

If not, do you plan to install sound-proofing?  Yes  No N/A

**APPLICANT HISTORY:**

Has this corporation or any principal been licensed previously?  Yes  No

If yes, please indicate name of establishment: \_\_\_\_\_

Address: \_\_\_\_\_ Community Board # \_\_\_\_\_

Dates of operation: \_\_\_\_\_

**If you answered "Yes" to the above question, please provide a letter from the community board indicating history of complaints or other comments.**

Has any principal had work experience similar to the proposed business?  Yes  No If Yes, please attach explanation of experience or resume.

Does any principal have other businesses in this area?  Yes  No If Yes, please give trade name and describe type of business \_\_\_\_\_

Has any principal had SLA reports or action within the past 3 years?  Yes  No If Yes, attach list of violations and dates of violations and outcomes, if any.

Attach a separate diagram that indicates the location (**name and address**) and total number of establishments selling/serving beer, wine (B/W) or liquor (OP) for 2 blocks in each direction. Please indicate whether establishments have On-Premise (OP) licenses. Please label streets and avenues and identify your location. Use letters to indicate **Bar, Restaurant**, etc. The diagram must be submitted with the questionnaire to the Community Board before the meeting.

**LOCATION:**

How many licensed establishments are within 1 block? SEE ATTACHED

How many On-Premise (OP) liquor licenses are within 500 feet? SEE ATTACHED

Is premise within 200 feet of any school or place of worship?  Yes  No

**COMMUNITY OUTREACH:**

Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups. Also use provided petitions, which clearly state the name, address, license for which you are applying, and the hours and method of operation of your establishment at the top of each page. (Attach additional sheets of paper as necessary).

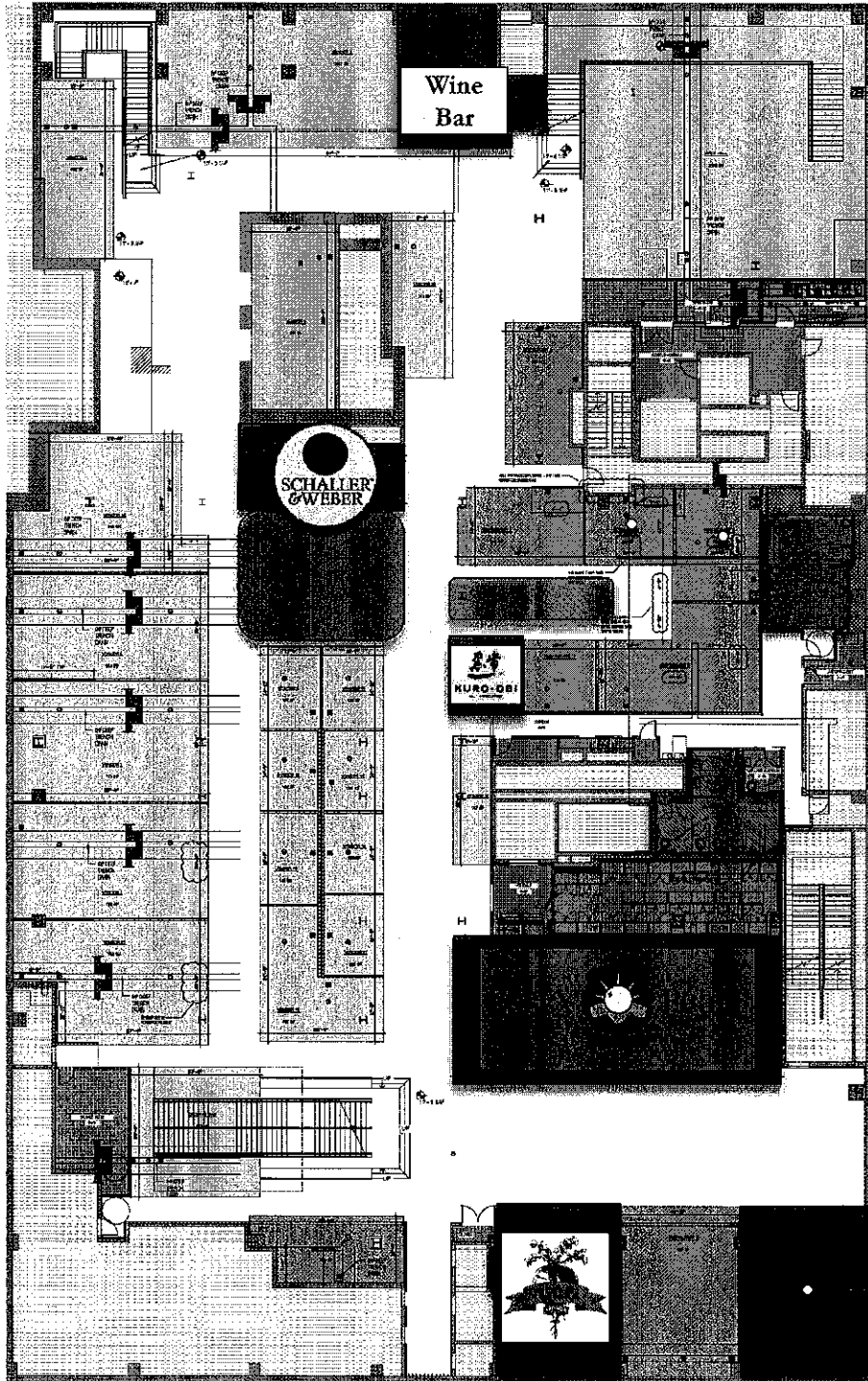
***We are including the following questions to be able to prepare stipulations and have the meeting be faster and more efficient. Please answer per your business plan; do not plan to negotiate at the meeting.***


1.  I will operate a full-service restaurant, specifically a (type of restaurant) Mexican Fast Casual Mexican Fast Casual, with a kitchen open and serving food during all hours of operation OR  I have less than full-service kitchen but will serve food all hours of operation.
2.  I will close any front or rear façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances.
3.  I will not have  DJs,  live music,  promoted events,  any event at which a cover fee is charged,  scheduled performances,  more than \_\_\_ DJs / promoted events per \_\_\_,  more than \_\_\_ private parties per \_\_\_\_\_.
4.  I will play ambient recorded background music only.
5.  I will not apply for an alteration to the method of operation or for any physical alterations of any nature without first coming before CB 3.
6.  I will not seek a change in class to a full on-premise liquor license without first obtaining approval from CB 3.
7.  I will not participate in pub crawls or have party buses come to my establishment.
8.  I will not have a happy hour or drink specials with or without time restrictions OR  I will have happy hour and it will end by 7pm.
9.  I will not have wait lines outside.  I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
10.  Residents may contact the manager/owner at the number below. Any complaints will be addressed immediately. I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

# Market Line Site 2 – Beer & Wine Licenses

## Legend

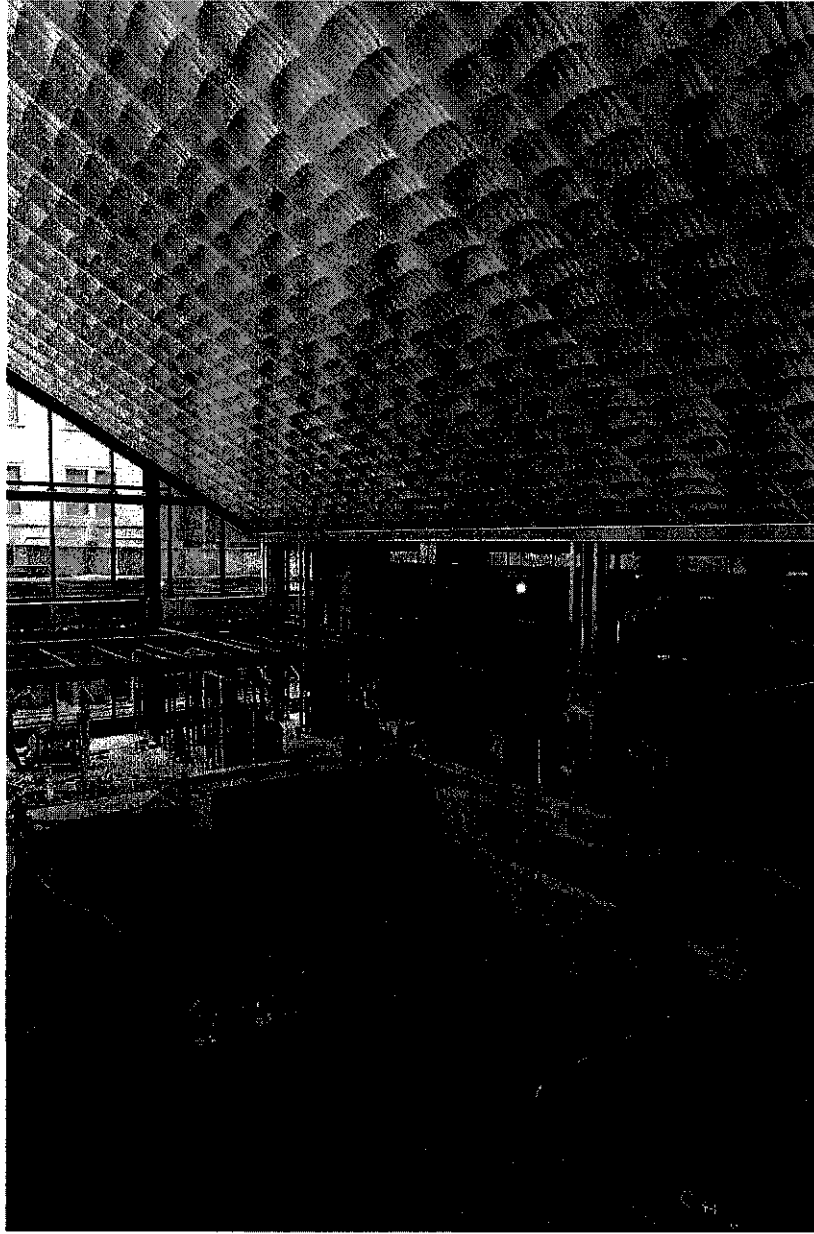
-  = Beer & Wine License
-  = Common Area Seating
-  = Public Restrooms



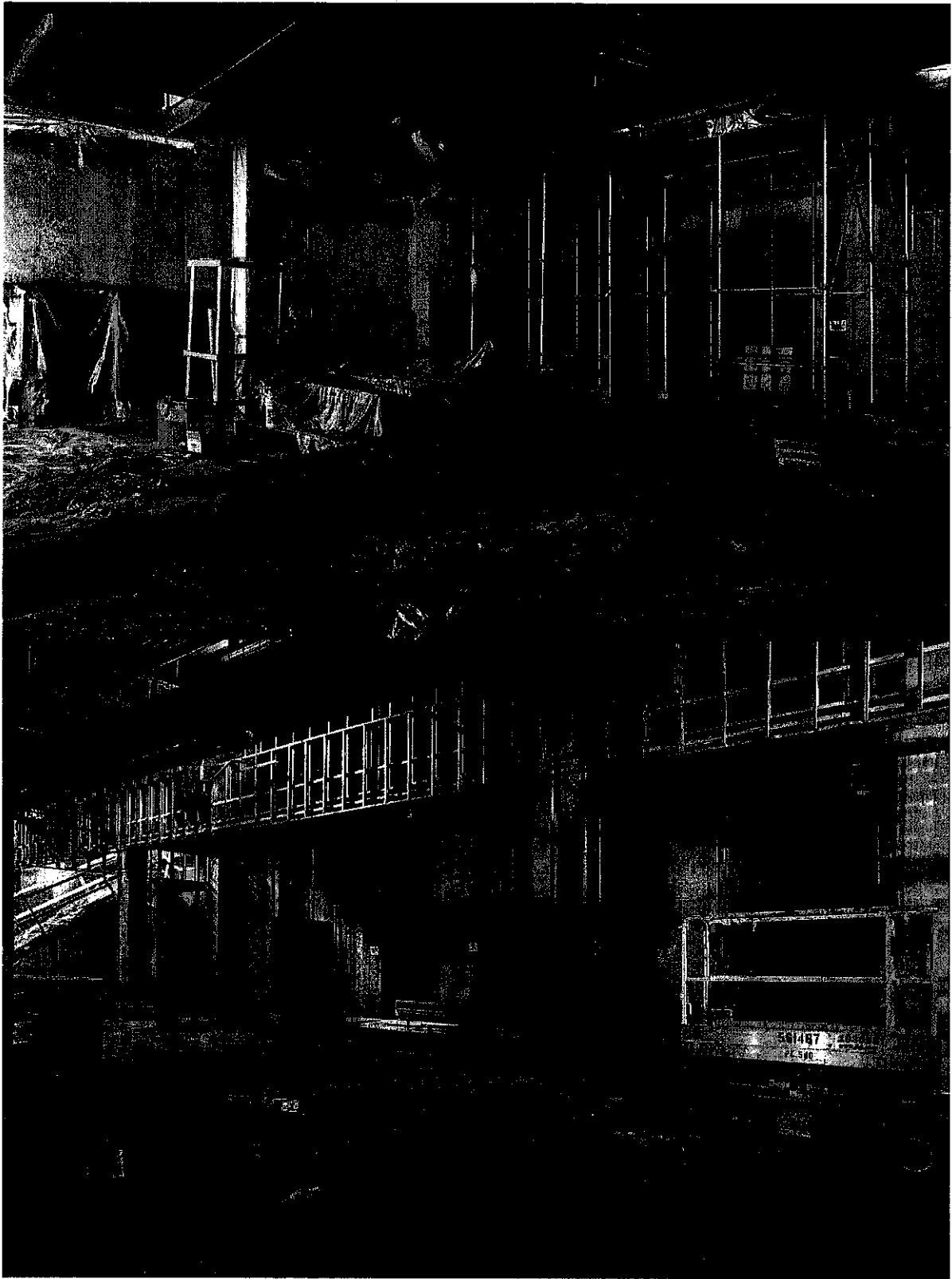


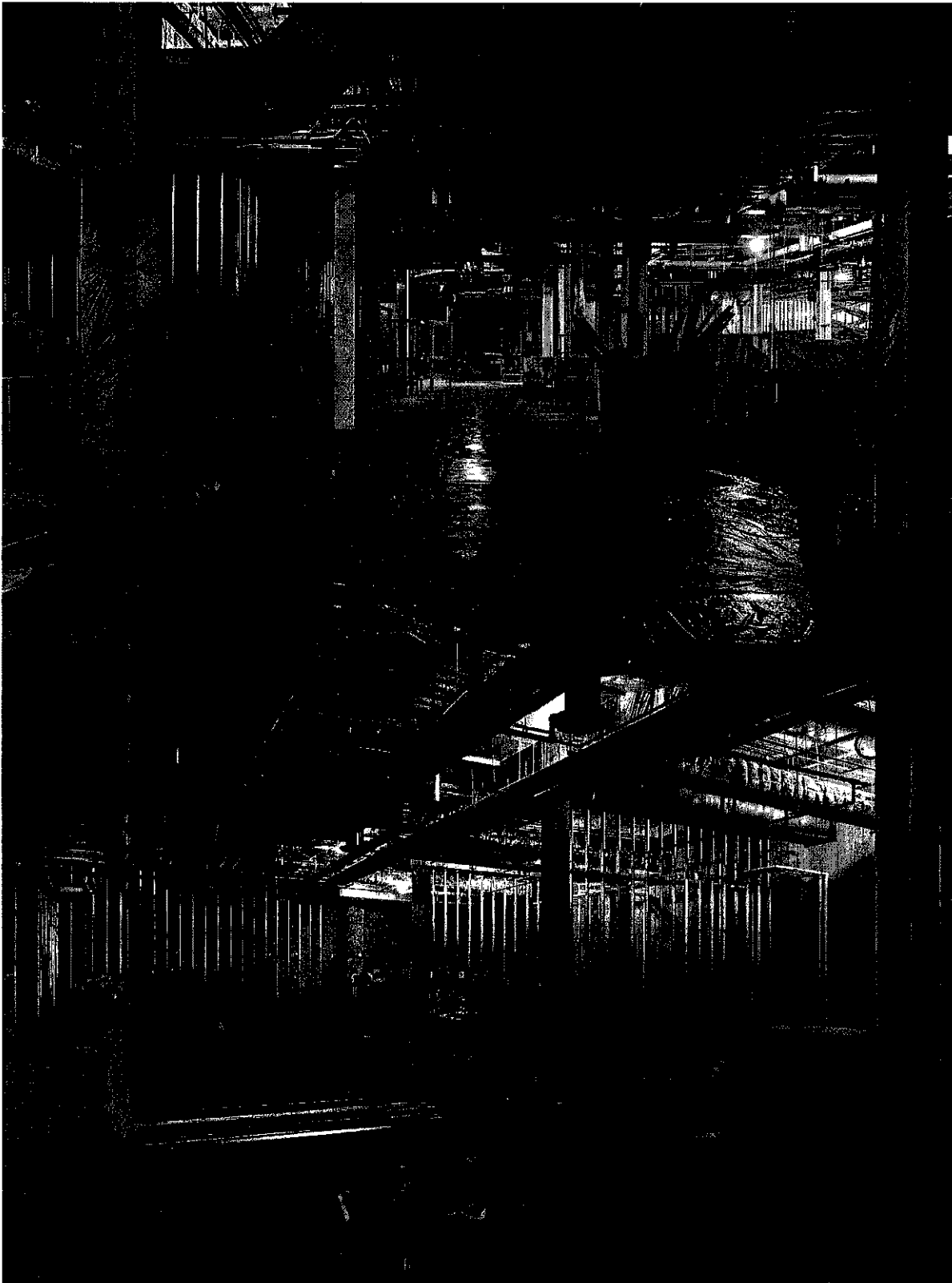
# TORTILLERIA NIXTAMAL

Guacamole w/ homemade chips				\$9
Mexican Nachos melted cheese, beans, pico de gallo, avocado				\$12
	add meat topping			\$15
Soup Posole or Tortilla				\$7
Tamales 2-3 different flavors				\$5
Rotisserie Chicken w/ tortillas & salsas	full chicken			\$15
	1/2 chicken			\$8
Tacos	Per 2 Tacos	1/2 lb	1 lb	
Chicken	\$5	—	—	
al Pastor	\$5	\$20	\$35	
Carnitas	\$5	\$18	\$30	
Steak	\$5	\$20	\$35	
Shrimp	\$6	\$28	\$48	
Nopales	\$5	\$18	\$30	
Huitlacoche	\$6	\$28	\$48	
Machettas / Mexican Quesadillas filled w/ chihuahua and oaxaca cheese, beans, meat or veggie filling, lettuce, pico de gallo, crema, salsa				\$15
Chilaquilles (brunch special)				\$14
<u>Dessert: Churros</u>				
For 1 - 3 churros + 1 dip cups				\$9
For 2 - 6 churros + 2 dip cups + 1 scoop ice cream				\$15
Fiesta - 18 churros + 4 dip cups + 2 scoop ice cream				\$35
<u>Beverages</u>				
Agua Fresca - Horchata				\$5
Pulque Margaritas				\$12
Micheladas - mexican spicy beer				\$12



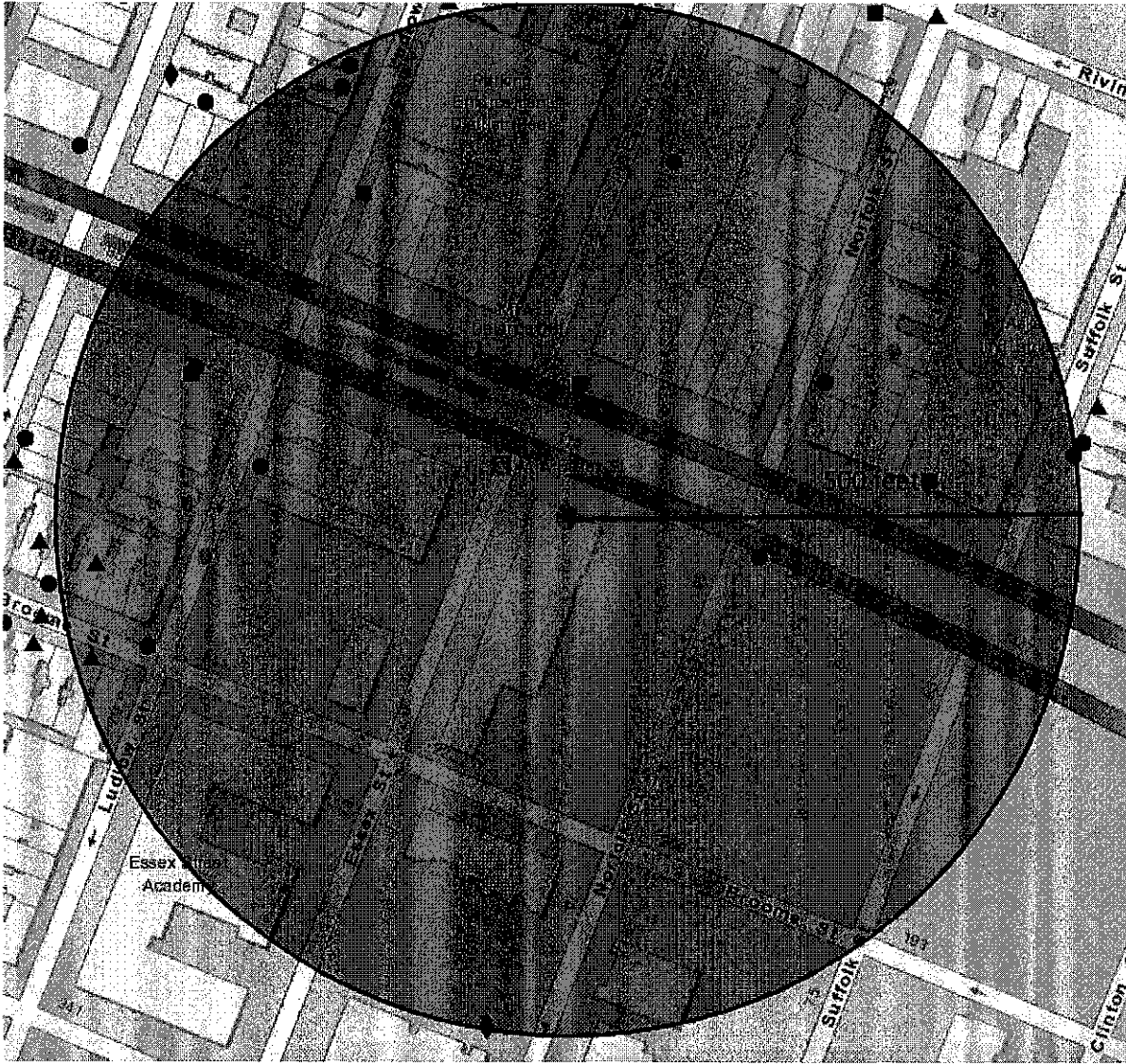








500 Foot Map:



## Proximity Report for Location:

June 26, 2018

115 Delancey St, New York, NY, 10002

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

### Closest Liquor Stores

Name	Address	Approx. Distance
E L PARTNERS LLC	101 ALLEN ST	795 ft
SALGIRAH CORP	141 ESSEX ST	810 ft
EAST VILLAGE WINE & LIQUORS INC	80-82 CLINTON ST	840 ft
SEWARD PARK LIQUORS INC	393 GRAND STREET	915 ft
DELANCEY WINE INC	35 ESSEX ST	915 ft
FLYNN MCCLURE INC	100 STANTON ST	1135 ft
TURTLE DOVE LLC	28 30 CLINTON ST	1290 ft

### Churches within 500 Feet

Name	Approx. Distance
Congregation Beth Hamedrash Hagadol Synagogue	490 ft
Norfolk Street Baptist Church	490 ft

### Schools within 500 Feet

Name	Address	Approx. Distance
------	---------	------------------

### On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
PROLETARIAT V, INC	98 102 NORFOLK	190 ft
106 NORFOLK RESTAURANT, INC.	106 NORFOLK ST - SOUTH STORE	285 ft
106 NORFOLK STREET LLC	106 NORFOLK ST - NORTH STORE	285 ft
AMBER AVALON CORP, THE	92 LUDLOW STREET	300 ft
120 ESSEX MARKET LLC	120 ESSEX STREET	360 ft
93 LUDLOW ST INC	95 DELANCEY ST	385 ft
L E S RESTAURANT CORP	81 LUDLOW ST AKA 246 BROOME ST	425 ft
MPDRAW LLC	109 LUDLOW STREET	465 ft
BG BAR INC	113 LUDLOW ST	480 ft
HI DELANCEY RESTAURANT LLC	148-150 DELANCEY ST	495 ft
SWOON CORP	121 ESSEX ST	505 ft
MAY BEE BOHEMIAN LLC	252 BROOME ST	505 ft
SC DELANCEY LLC	148 DELANCEY ST	505 ft
JOHANNPRO LLC	96 ORCHARD ST	530 ft
ULLI BAR CORP	120 ORCHARD ST	530 ft
BARRIO CHINO LLC	253 BROOME STREET	555 ft