

THE CITY OF NEW YORK
 MANHATTAN COMMUNITY BOARD 3
 59 East 4th Street - New York, NY 10003
 Phone (212) 533-5300
 www.cb3manhattan.org - mn03@cb.nyc.gov

Paul Rangel, Board Chair

AMENDED

Susan Stetzer, District Manager

Community Board 3 Liquor License Application Questionnaire

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

The following items and questionnaire package are due by date listed in email invite:

- Schematics, floor plans or architectural drawings of the inside of the premise.
- A proposed food and or drink menu.

The following items are due by noon Friday before the meeting:

- 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:
<https://www1.nyc.gov/site/manhattancb3/resources/community-groups.page>
 (this is not required but strongly suggested if a relevant group exists)
- Proof of conspicuous posting of notices at the site for 7 days prior to the meeting (please include newspaper with date in photo or a timestamped photo).

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: 01/03/2023

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: Bar/Tavern

Corporation and trade name of current license: n/a

APPLICANT:

Premise address: 40 Avenue C, New York NY 10009

Cross streets: East 3rd and East 4th Streets

Name of applicant and all principals: Francis Kite LLC
John McEnerney

Trade name (DBA): Francis Kite

PREMISE:

Type of building and number of floors: Mixed; 3 Floors

Does premise have a valid Certificate of Occupancy, including for any back/side yard or roof use?

Yes No What is maximum NUMBER of people permitted Pending

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): R7A; C2-5

PROPOSED METHOD OF OPERATION:

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space, if applicable) Sunday: 5pm to 12am; Tuesday-Thursday: 5pm to 12am
Friday-Saturday: 5pm to 2am

Will any other business besides food or alcohol service be conducted at premise, i.e., retail? Yes No

If yes, please describe what type: The premises will host art events such as lectures, exhibitions and performances.

Number of indoor tables? 10 Total number of indoor seats? 37

How many stand-up bars/bar seats are located on the premise (number, length, and location) One bar; 15' x 2'.5" with 20 bar stools

(A **stand-up bar** is any bar or counter -with seating or not- where you can order, pay for, and receive alcohol)

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 _____

What are the hours the kitchen will be open? Sunday; Tuesday-Thursday: 5pm-12am; Fri-Sat: 5pm-2am

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

How many employees will there be? 6

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

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

Will premise have music? Yes No

If Yes, what type of music? Live musician DJs Streaming services/playlists

If other type, please describe _____

What will be the music volume? Background (conversational) Entertainment (live music venue level) Please describe your sound system: PA with two speakers & mixer that controls different elements of sound.

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? Yes. We will host artist lectures, film screenings, performances, and occasional live music approx: 6-8 times a month.

If promoted events, please explain the nature in which you plan to promote? Social media / online ads / outside promoters? We will promote via social media, mailing lists & word of mouth.

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.") We will have a dedicated staff member to prevent crowd congestion in front of the premises sidewalk and street

Will there be security personnel? Yes No (If Yes, how many and when) We will have a dedicated staff member checking IDs & tickets at the door.

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans. The performance area has a sound proof ceiling installed to minimize noise. We will have signage reminding patrons to keep sound to a minimum and will have staff reinforce this request.

Is sound proofing installed? Yes No

If not, do you plan to install sound proofing? Yes No

Are there current plans to use the Open Restaurants program for the sale or consumption of alcoholic beverages outdoors? (includes roof & yard) Yes No If Yes, describe and show on diagram:

APPLICANT HISTORY:

Has this corporation or any principal been licensed for sale of alcohol previously? Yes No

If yes, please indicate name of establishment: n/a

Address: n/a Community Board # n/a

Dates of operation: n/a

Has any principal had work experience similar to the proposed business? Yes No If Yes, please attach explanation of experience or resume. Note: failure to disclose previous experience or information hampers the ability to evaluate this application.

Does any principal have other businesses in this area? Yes No If Yes, please give trade name, address and describe the business n/a

Has any principal had SLA reports or action within the past 5 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? 0

How many On-Premise (OP) liquor licenses are within 500 feet? 1

Is the premise within 200 feet on the same street 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, but it is not required. 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. My license type is: beer & cider wine, beer & cider liquor, wine, beer & cider

2. I will operate a full-service restaurant, specifically a (type of restaurant)

_____ restaurant, or

I will operate a Art Venue Center featuring Art, Theater, Discussion/Presentation

with a kitchen open and serving food during all hours of operation OR with less than a full-service kitchen but serving food during all hours of operation OR Other

3. My hours of operation will be:

Mon Closed; Tue 5pm-12am; Wed 5pm-12am;

Thu 5pm-12am; Fri 5pm-2am; Sat 5pm-2am;

Sun 5pm-12am. (I understand opening is "no later than" specified opening hour, and all patrons are to be cleared from business at specified closing hour.)

4. I will not use outdoor space for commercial use (including Open Restaurants) OR

My sidewalk café hours or other outside hours (including Open Restaurants) will be

5. I will employ a doorman/security personnel: A doorman will be employed for events/Fridays & Saturdaynights

6. I will install soundproofing, Preexisting Sound Proofing

7. 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, or during unamplified performances or televised sports. I will have a closed fixed façade with no open doors or windows except my entrance door, which will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified performances or televised sports.
8. I will not have DJs, live music, third-party promoted events, any event at which a cover fee is charged, scheduled performances, more than _____ DJs per _____, more than _____ private parties per _____
9. I will play ambient recorded background music only.
10. I will not participate in pub crawls or have party buses come to my establishment.
11. I will not have unlimited drink specials, including boozy brunches, with food.
12. 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 _____.
13. I will not have wait lines outside. I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
14. I will conspicuously post this stipulation form beside my liquor license inside of my business.
15. 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.

Name: John McEnerney

Phone Number: 917-674-1147

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.

Proximity Report For:	
Location	40 Avenue C, New York, New York, 10009
Geocode	Latitude: 40.72184 longitude: -73.98032
Report Generated On	1/3/2023

8 Closest Liquor Stores		
Name	Address	Distance
SFDW INC Ser #: 1339790	24 AVENUE C NEW YORK, NY 10009	218 ft
EAST VILLAGE WINE CORP Ser #: 1260885	100 AVENUE C NEW YORK, NY 10009	843 ft
DISCOVERY WINES LLC Ser #: 1254572	16 AVE B NEW YORK, NY 10009	887 ft
TURTLE DOVE LLC Ser #: 1271455	28 30 CLINTON ST STORE B NEW YORK, NY 10002	1,243 ft
EAST HOUSTON STREET WINE & LIQUOR INC Ser #: 1266928	250 E HOUSTON ST STORE #13 NEW YORK, NY 10002	1,422 ft
NIZGA CORP Ser #: 1023551	58 AVENUE A NEW YORK, NY 10009	1,510 ft
MARTYS LIQUORS INC Ser #: 1023549	133 AVENUE D NEW YORK, NY 10009	1,611 ft
10TH STREET & AVENUE C LIQUOR & WINE INC Ser #: 1236216	159 AVENUE C CORNER OF E 10TH STREET NEW YORK, NY 10009	1,624 ft

Schools within 500 feet		
Name	Address	Distance
PS 15 ROBERTO CLEMENTE	333 E 4TH ST NEW YORK, NY 10009	446 ft

Churches within 500 feet

Name	Distance
Diciples of Christ Monte Hermo N	203 ft
Iglesia Pentecostal El Divino Maestro	253 ft
East Side Tabernacle	358 ft
Jehovah's Witnesses	364 ft

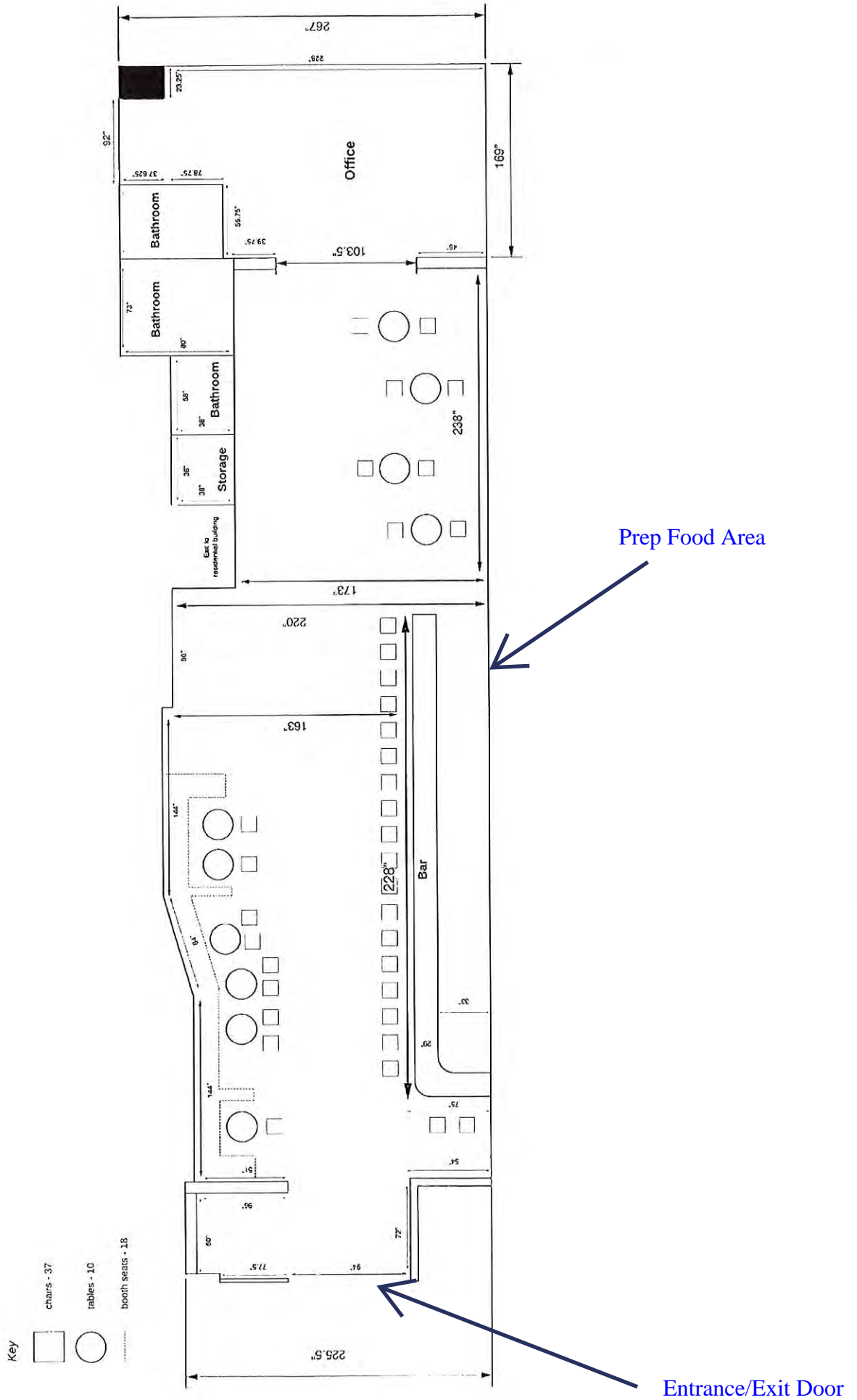
Pending On Premises Liquor Licenses within 750 feet

Name	Address	Distance
No Active On Premises Liquor Licenses within 750 feet		

Active On Premises Liquor Licenses within 750 feet

Name	Address	Distance
N Y OXYGEN RESTAURANT & BAR LOUNGE CORP Ser #: 1137577	24A AVENUE C EAST 2ND & 3RD STREETS NEW YORK, NY 10009	201 ft
B M POST LLC Ser #: 1329963	217 E 3RD ST NEW YORK, NY 10009	583 ft

Francis Kite LLC
 40 Avenue C
 Ground Floor Diagram



Francis Kite Menu

Ham, Cornichon & Butter on a Baguette

Camembert, Apple, Honey, & Dijon on a Baguette

Endive, Bleu Cheese, Nuts, & Honey

Cheese Plate: 2 seasonal cheeses, dried fruit, nuts, crackers

Tinned Mackerel or Smoked Oysters with caperberries, butter, & crackers

Seasoned Mixed Nuts

Olives, Rosemary, Lemon















