

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

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 ☒ *change in method of operation*

Today's Date: January 25, 2023

Is location currently licensed? ☒ Yes ☐ No Type of license: Restaurant Wine

If alteration, describe nature of alteration: _____

Previous or current use of the location: Restaurant

Corporation and trade name of current license: Viva Natural Pizza Inc dba Viva Cucina

APPLICANT:

Premise address: 248 East 5th Street

Cross streets: Corner of Second Avenue

Name of applicant and all principals: Viva Natural Pizza Inc - Justin Iracani

Trade name (DBA): Viva Cucina

PREMISE:

Type of building and number of floors: 5 story brick

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 144

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) 11:00 am - 12:00 am; Sunday-Thursday 11AM-1AM Fri/Sat

Outdoor 11:00 am - 10:00 pm; All Days

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

If yes, please describe what type: _____

Number of indoor tables? 46 Total number of indoor seats? 113

How many stand-up bars/bar seats are located on the premise (number, length, and location) 2
1 customer bar with 5 seats - approx 17', L shape, ground floor; 1 service bar - approx 12', straight, 2nd floor

(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 _____
Italian Cuisine

What are the hours the kitchen will be open? All hours of operation

Will a manager or principal always be on site? ☒ Yes ☐ No If yes, which? Justin Iracani

How many employees will there be? 10-12

Do you have or plan to install ☐ French doors ☐ accordion doors or ☐ windows? No facade change

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: Small speakers computer generated

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

If promoted events, please explain the nature in which you plan to promote? Social media / online ads / outside promoters? _____

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.") _____

One employee is designated to insure that crowds do not congregate on the sidewalk _____

Will there be security personnel? ☐ Yes ☒ No (If Yes, how many and when) _____

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

Please attach plans. Interior - noise is carefully monitored by management and only true background noise music, that does not interfere with conversation

Is sound proofing installed? ☒ Yes ☐ No Exterior - One employee is designated to insure that the front of these premises do not become noisy.

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:

Sidewalk seating with 8 tables/16 seats _____

APPLICANT HISTORY:

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

If yes, please indicate name of establishment: Viva Natural Pizza Inc

Address: 248 East 5th Street aka 85 Second Avenue Community Board # 3

Dates of operation: 04/2022 - Present

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. Theses premises

Does any principal have other businesses in this area? ☐ Yes ☒ No If Yes, please give trade name, address and describe the business _____

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? See attached

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

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)
Italian restaurant, or
☐ I will operate a _____,
☒ 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

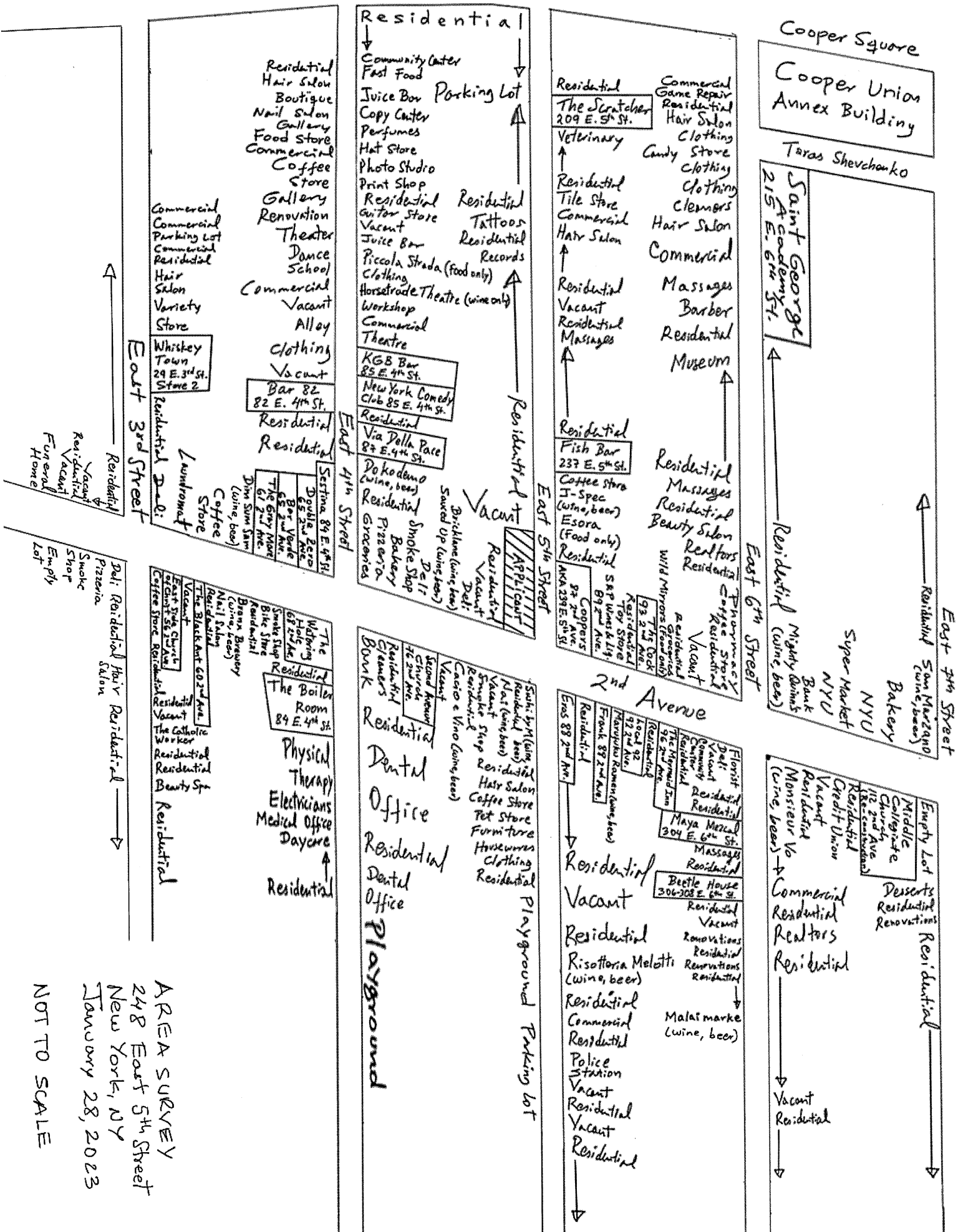
3. My hours of operation will be:
Mon 11:00 am - 12:00 am ; Tue 11:00 am - 12:00 am ; Wed 11:00 am - 12:00 am ;
Thu 11:00 am - 12:00 am ; Fri 11:00 am - 1:00 am ; Sat 11:00 am - 1:00 am ;
Sun 11:00 am - 12:00 am . (I understand opening is "no later than" specified opening hour,
and all patrons are to 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
11:00 am - 10:00 pm All days
5. ☐ I will employ a doorman/security personnel: _____
6. ☐ I will install soundproofing, _____

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 7:00 pm.
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: Justin Iracani

Phone Number: (917) 226-6972

Bowery



AREA SURVEY
248 East 5th Street
New York, NY
January 28, 2023

Landess-Simon, Inc.

Legal & Commercial Photography

45 Lawlins Park
Wyckoff, NJ 07481
Phone: (201) 848-5652
E-mail: landess@att.net
landessphotographers.com

Re: 248 East 5th Street

1. Beetle House - 306-308 East 6th Street - (383')
2. Maya Mezcal - 304 East 6th Street - (352')
3. The Mermaid Inn - 96 2nd Avenue - (233')
4. Local 92 - 92 2nd Avenue - (212')
5. Frank - 88 2nd Avenue - (185')
6. Eros - 88 2nd Avenue - (172')
7. The Cock - 93 2nd Avenue - (153')
8. Coopers - 87 2nd Avenue AKA 239 East 5th Street - (103')
9. Fish Bar - 237 East 5th Street - (60')
10. The Scratcher - 209 East 5th Street - (419')
11. KGB Bar - 85 East 4th Street - (209')
12. New York Comedy Club - 85 East 4th Street - (206')
13. Via Della Pace - 87 East 4th Street - (201')
14. Bar 82 - 82 East 4th Street - (257')
15. Sestina - 84 East 4th Street - (260')
16. The Black Ant - 60 2nd Avenue - (393')
17. The Gray Mare - 61 2nd Avenue - (339')
18. Bar Verde - 65 2nd Avenue - (318')
19. Double Zero - 65 2nd Avenue - (296')
20. Whiskey Town - 29 East 3rd Street Store 2 - (446')
21. The Watering Hole - 68 2nd Avenue - (315')
22. The Boiler Room - 84 East 4th Street - (326')

Schools & Churches

1. Second Avenue Church - 76 2nd Avenue - (202')
2. Middle Collegiate Church - 112 2nd Avenue - (488') (Re-construction)
3. Saint George Academy - 215 East 6th Street - (454')
4. East Side Church of Christ - 56 2nd Avenue - (441')

Bowery

| | |
|--|------------------------|
| <p>BLOCK PLOT 248 East 5th Street New York, NY January 28, 2023 NOT TO SCALE</p> | Residential |
| | ↓ |
| | Parking Lot |
| | ↑ |
| | Residential |
| | Tattoos |
| | Residential |
| | Records |
| | ↑ |
| | Residential |
| | Vacant |
| | APPLICANT |
| | Residential |
| | Vacant |
| | Deli |
| | Bricklane (wine, beer) |
| | Sauces Up (wine, beer) |
| | Deli |
| | Smoke Shop |
| | Bakery |
| | Pizzeria |
| | Groceries |

East 5th Street

East 4th Street

Cooper Square

| |
|--|
| Back of Hotel |
| Residential |
| The Scratcher 209 E. 5th St. |
| Veterinary |
| ↑ |
| Residential |
| Tile store |
| Commercial |
| Hair Salon |
| ↑ |
| Residential |
| Vacant |
| Residential |
| Massages |
| ↑ |
| Residential |
| Fish Bar 237 E. 5th St. |
| Coffee Store |
| J-Spec (wine, beer) |
| Esora (Food only) |
| Residential |
| Coopers 87 2nd Ave. AKA 239 E. 5th St. |

2nd Avenue

| |
|--|
| |
|--|

| |
|------------------------------|
| Sushi by M (wine, beer) |
| Residential |
| Nori (wine, beer) |
| Vacant |
| Smoke Shop |
| Residential |
| Cacio e Vino (wine, beer) |
| Vacant |
| Second Avenue Church |
| 72 2nd Ave. |
| Residential |
| Cleaners |
| Bank |

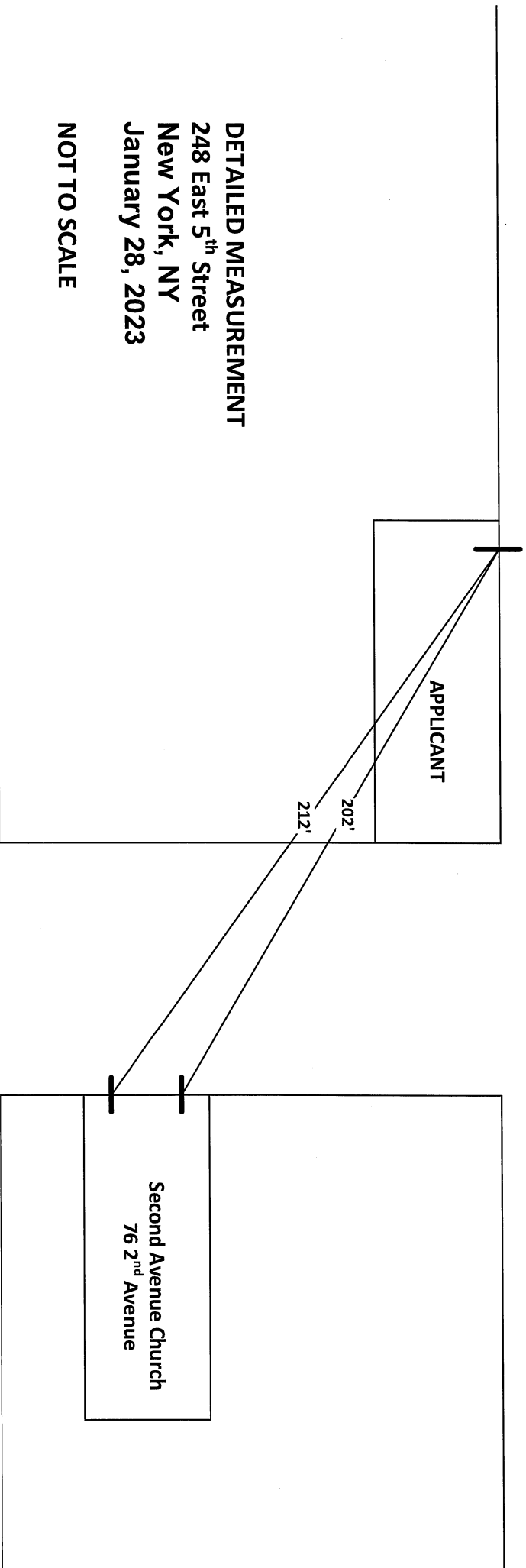
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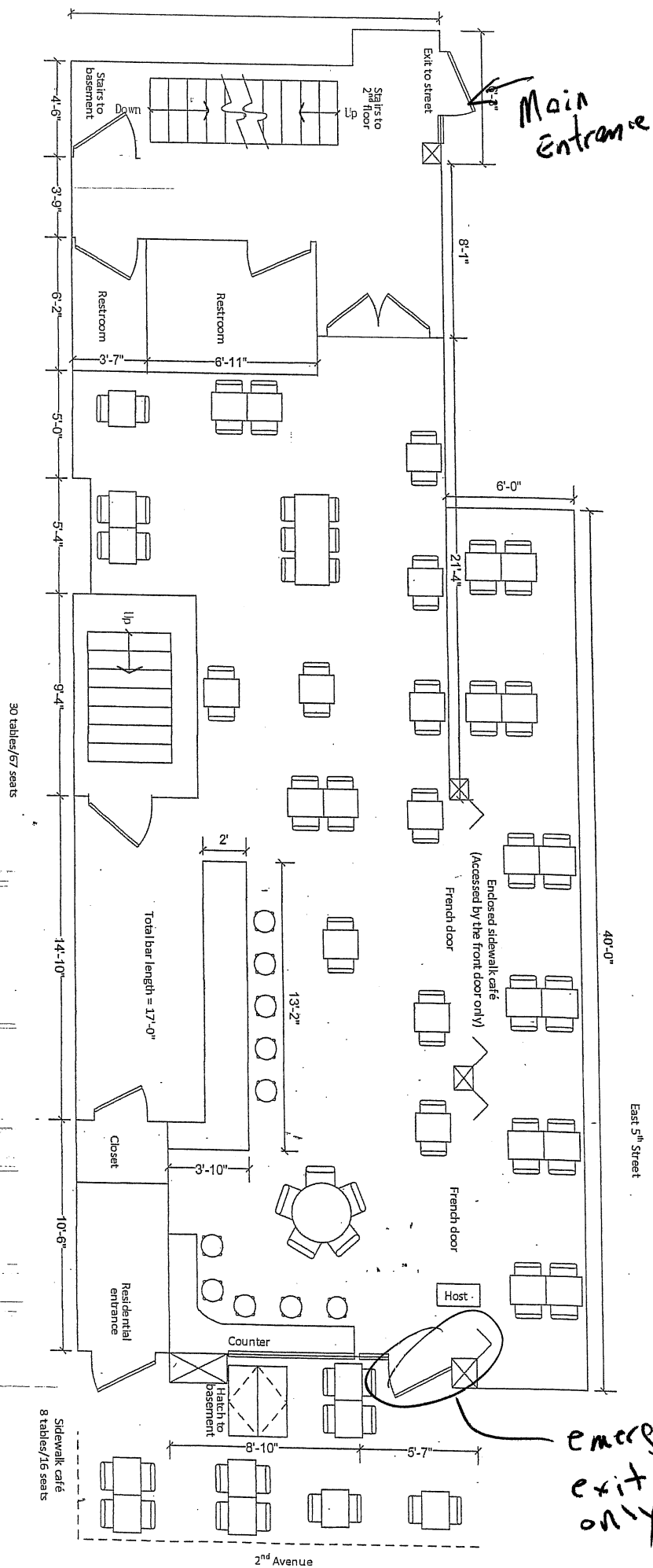
2nd Avenue

East 5th Street



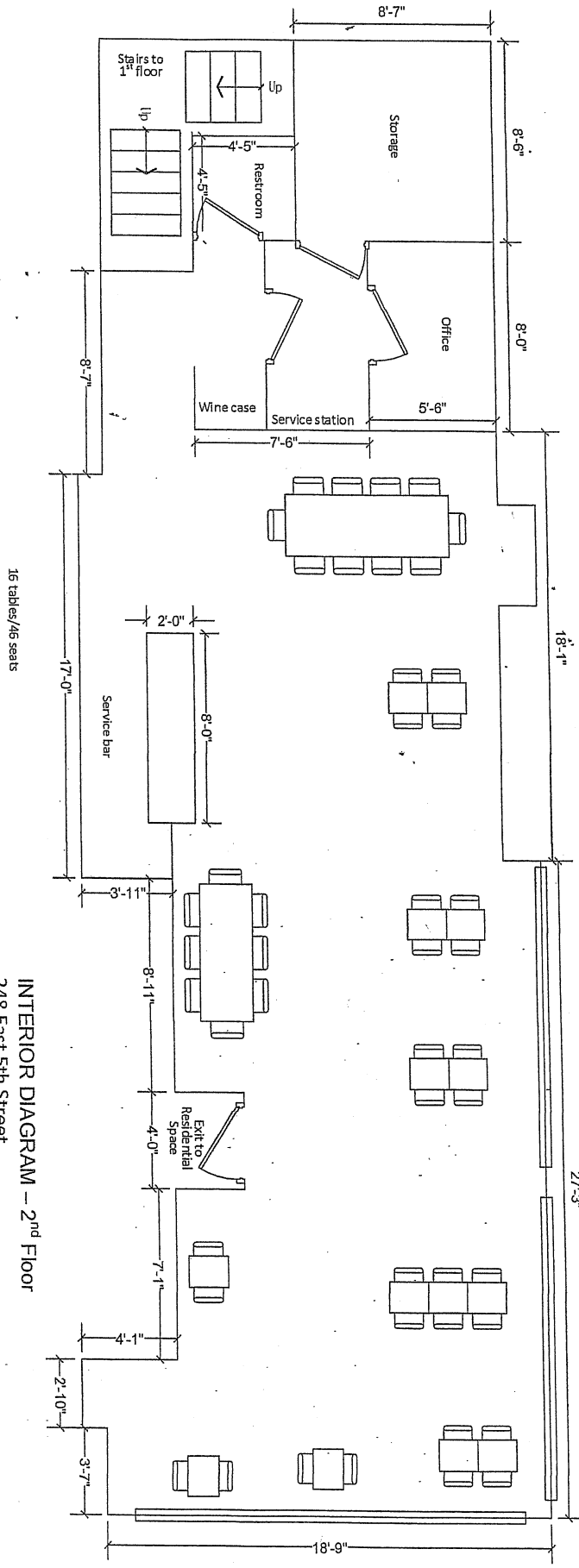
DETAILED MEASUREMENT
248 East 5th Street
New York, NY
January 28, 2023

NOT TO SCALE



INTERIOR DIAGRAM - 1st FLOOR
 248 East 5th Street
 New York, NY

NOT TO SCALE



INTERIOR DIAGRAM - 2nd Floor
248 East 5th Street
New York, NY

NOT TO SCALE

VIVA

DINNER

| APPETIZERS | | PASTA | |
|--|----|---|----|
| Fried Buratta | 17 | Spicy Rigatoni Vodka | 19 |
| Basil, Parmesan, Marinara | | Spicy Vodka Sauce, Fresh Rigatoni | |
| Crispy Calamari | 17 | Lobster Ravioli | 24 |
| Spicy Aioli, Charred Lemon | | Squid Ink Stripes, Pink Sauce, Zucchini | |
| Truffle Arancini | 15 | Shrimp Fettuccine | 24 |
| Mozzarella, Truffle Aioli | | Grilled Shrimp, Fresh Mozzarella, Heirloom Cherry Tomatoes, Pesto Sauce, Fresh Fettuccine | |
| Crabcakes | 17 | Viva Boscaiola | 24 |
| Frisée, Cherry Tomatoes, Celeriac Root Remoulade, Romesco Sauce, Truffle Aioli | | Sausage, Radicchio, Gorgonzola, Truffle Essence, Stuffed Money Bag Shaped Pasta | |
| Meatballs | 17 | Frutti Di Mare | 27 |
| Beef and Lamb Meatballs, Marinara Sauce, Ricotta | | Fresh Assorted Seafood, Calabrian Chili Peppers, Tomato Sauce, Squid Ink | |
| SALAD | | Short Rib Pappardelle | 27 |
| Caesar Salad | 15 | Braised Beef Short Ribs, Mushroom, Garlic Infused Cream, Parmesan, Parsley | |
| Chopped Romaine, Fresh Baked Focaccia Croutons, Shaved Parmesan | | Chicken Parmigiana | 21 |
| Greek Salad | 16 | Breaded Chicken, Tomato Sauce, Mozzarella Cheese, Linguine | |
| Cucumbers, Tomatoes, Peppers, Onions, Kalamata Olives, Feta Cheese | | FROM THE SEA | |
| Beet & Goat Cheese | 16 | Pan Seared Salmon | 26 |
| Lemon Crème Fraiche, Goat Cheese, Mache, Pistachio | | Crispy Skin Salmon, Fingerling Potatoes, Sautéed Spinach, Lemon, White Wine Sauce | |
| PIZZA | | Atlantic Cod | 27 |
| Margherita | 17 | Roasted Atlantic Cod Fish, Gnocchi, Olives, Capers, Tomato Sauce | |
| Homemade Fresh Mozzarella, Tomato Sauce | | Mussels | 21 |
| Vodka | 18 | Saffron Broth, Grilled Focaccia, Saffron Aioli | |
| Homemade Fresh Mozzarella, Vodka Sauce | | FROM THE LAND | |
| Quattro Formaggi | 19 | Tuscan Chicken Under a Brick | 25 |
| Fontina, Mozzarella, Stracciatella, Asiago | | Half Roasted Free Range Chicken, Broccolini, Mashed Potato Puree, Red Wine Sauce | |
| Al Pesto | 18 | Grilled Hanger Steak | 28 |
| Mozzarella, Pesto Sauce | | Fingerling Potatoes, Salsa Rossa | |
| Bella | 19 | SIDES | |
| Mozzarella, Pesto Sauce, Spinach, Onions, Feta Cheese | | Truffle Parmesan Fries | 11 |
| WHOLE WHEAT CRUST | | Mashed Garlic Potato | 9 |
| Diavola | 21 | Broccolini | 9 |
| Spicy Soppressata, Tomato, Mozzarella, Basil | | Crispy Potatoes | 9 |
| Prosciutto & Arugula | 21 | Sautéed Spinach | 9 |
| Mozzarella, Parmigiano, Arugula, Prosciutto, Truffle Essence | | Brussel Sprouts | 9 |
| GLUTEN FREE CRUST AVAILABLE UPON REQUEST | | | |

All parties of 5+ are subject to 20% gratuity

V I V A



| APPETIZERS | | PASTA | |
|---|----|--|----|
| Spicy Meatballs | 15 | Pomodoro | 15 |
| Vegan Meatballs, Spicy Marinara | | Tomato Sauce | |
| Cauliflower Fritti | 15 | Sausage & Peppers | 19 |
| Fried Spicy Cauliflower Florets | | Vegan Sausage, Peppers, Onion, Tomato Sauce | |
| Garden Salad | 12 | Meatball Marinara | 18 |
| Chopped Romaine, Tomatoes, Cucumber, Onions, Carrots, Balsamic Vinaigrette | | Vegan Meatballs, Spicy Marinara | |
| PIZZA | | YOUR CHOICE OF PASTA INCLUDES: PENNE, LINGUINE, RIGATONI, SPAGHETTI OR FETUCCINE | |
| Spicy Marinara | 17 | ADD VEGAN CHEESE +2 | |
| Spicy Tomato Sauce | | SIDES | |
| Nomaggio | 18 | Fries | 7 |
| Vegan Cheese, Tomato Sauce | | Broccolini | 9 |
| Vegetarian | 19 | Crispy Potatoes | 9 |
| Vegan Cheese, Tomato Sauce, Mushroom, Broccoli, Onions, Tomatoes | | Sauteed Spinach | 9 |
| WHOLE WHEAT CRUST | | Brussel Sprouts | 9 |
| Mother Earth | 19 | | |
| Vegan Meatballs, Spicy Tomato Sauce, Mushroom, Red Pepper, Broccoli, Sautéed Onions | | | |
| WHOLE WHEAT CRUST | | | |
| GLUTEN FREE CRUST AVAILABLE UPON REQUEST | | | |

All parties of 5+ are subject to 20% gratuity