

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

Tareake Dorill, 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

CHANGE TO THE METHOD OF OPERATION

Check if either of these apply:

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

Today's Date: April 27, 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: Avoa LLC dba Emilia by Nai

APPLICANT:

Premise address: 174 First Avenue

Cross streets: East 10th and East 11th Street

Name of applicant and all principals: Avoa LLC; Ruben Rodriguez

Trade name (DBA): Emilia by Nai

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 LNO - 74

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/C1-5

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) 7:00am - Midnight; 7 days per week

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? 10 Total number of indoor seats? 48

How many stand-up bars/bar seats are located on the premise (number, length, and location) _____
1 bar/12 barstools/6 counter seats - Approx 32'/L shape/Basement

(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 _____
Farm to table

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? Ruben Rodriguez

How many employees will there be? 15-18

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

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 Flamenco show during dinner service
If other type, please describe _____

What will be the music volume? ☒ Background (conversational) ☐ Entertainment (live music venue level) Please describe your sound system: Computer generated small 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

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 will be monitoring the sidewalk to limit traffic and crowd noise _____

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: the same employee as designated above will monitor the exterior of the premises to ensure the exterior remains quiet at all times and management will ensure that the interior volume level is always

Is sound proofing installed? ☒ Yes ☐ No the interior volume level is always

If not, do you plan to install sound proofing? ☐ Yes ☒ No the interior volume level is always

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: confined to ambient background level only

APPLICANT HISTORY:

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

If yes, please indicate name of establishment: AVOA LLC/Amigo by Nai LLC/Nai Tapas Restaurant Corp/NAI LLC

Address: 174 1st Avenue/29 2nd Avenue/85 2nd Avenue/174 1st Avenue Community Board # 3/3/3/3

Dates of operation: 2022-Present/2020-Present/2018-Present/2010-2019

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 Emilia by Nai, Amigo by Nai, and Nia Tapas are all restaurants

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)
Farm to table 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 7:00 am - 12:00 am; Tue 7:00 am - 12:00 am; Wed 7:00 am - 12:00 am;
Thu 7:00 am - 12:00 am; Fri 7:00 am - 12:00 am; Sat 7:00 am - 12:00 am;
Sun 7:00 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
☒ I will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors outdoors
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 10 private parties per month
9. ☐ I will play ambient recorded background music only.
10. ☒ 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.
11. ☒ I will not seek a change in class to a full on-premises liquor license without first obtaining approval from CB 3.
12. ☒ I will not participate in pub crawls or have party buses come to my establishment.
13. ☒ I will not have unlimited drink specials, including boozy brunches, with food.
14. ☒ 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 ____.
15. ☒ I will not have wait lines outside. ☐ I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
16. ☒ I will conspicuously post this stipulation form beside my liquor license inside of my business.
17. ☒ 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: Ruben Rodriguez

Phone Number: (201) 724-2634

P.S. 19
Asher Levy Campus
185 1st Ave.

Lhasa
(Food only)

Smoke Shop

Laundromat

Iggy's (wine, beer)

Momofuku (wine, beer)

Optical

Tatsu (Food only)

Health Foods

Vacant

Torallucci e Vino 163 1st Ave.

Optical

Vacant

Theater for the New City (wine, beer)

Vacant

Shipping Services

Smoke Shop

Vacant

Vacant

1st Avenue

AREA SURVEY
174 1st Avenue
New York, NY
December 28, 2020
NOT TO SCALE

East 12th St.

Deli

Laundromat

Vacant

Koko Wings (wine, beer)

Juice Bar

Tree (wine, beer) (Closed)

Hair Salon

Vacant

Vacant

Computer Repair

Fast Food

Sahara East (wine, beer)

Islamic Council of America
Madina Masjid 411 E. 11th St.

East 11th St.

Vacant

Vacant

Black Seed Bagels

APPLICANT

Commercial

Check Cashing

Lanza's 168 1st Ave.

Ferns 166 1st Ave.

Beron Beron (wine, beer)

East 10th St.

Deli

Fabric Store

Sabor a Mexico
160 1st Ave

Vacant

Hair Salon

Clothing

Community

Center

East 9th St.

1. GENERAL CONTRACTOR TO PERFORM WORK IN ACCORDANCE WITH GOVERNING CODE REQUIREMENTS.

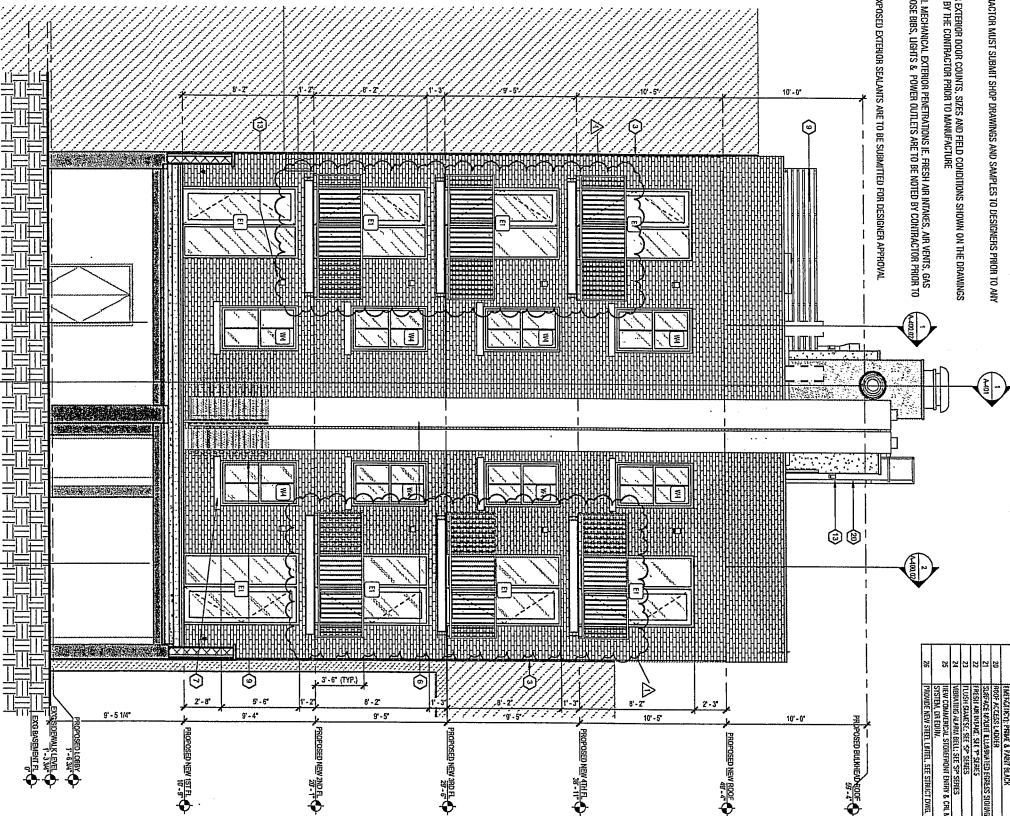
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Activity	Duration
1. Item order taking, set list, etc.	30 min
2. Communicate with the artist, set list, etc.	30 min
3. Communicate with the artist, set list, etc.	30 min
4. Communicate with the artist, set list, etc.	30 min
5. Item order taking, set list, etc.	30 min
6. Item order taking, set list, etc.	30 min
7. Item order taking, set list, etc.	30 min
8. Item order taking, set list, etc.	30 min

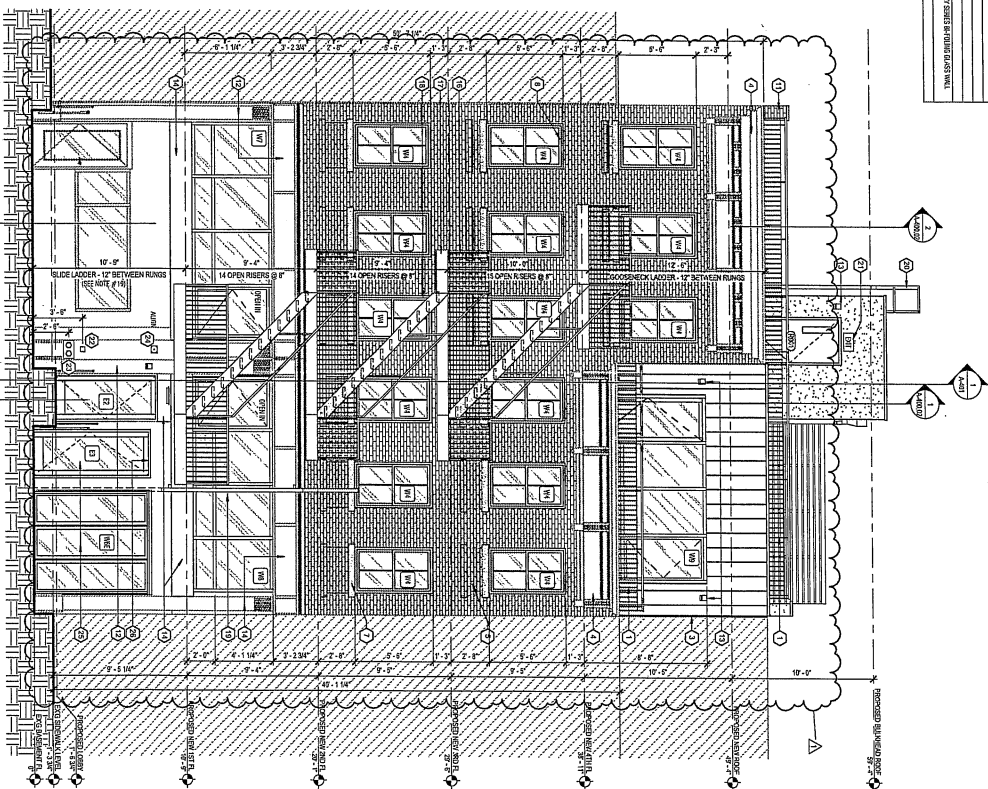
CHARACTER NO.	CHARACTER	CHARACTER NO.	CHARACTER
1	1. THE FIRST OF THE SEVEN	16	16. THE LAST OF THE SEVEN
2	2. THE SECOND OF THE SEVEN	17	17. THE SEVENTH OF THE SEVEN
3	3. THE THIRD OF THE SEVEN	18	18. THE EIGHTH OF THE SEVEN
4	4. THE FOURTH OF THE SEVEN	19	19. THE NINTH OF THE SEVEN
5	5. THE FIFTH OF THE SEVEN	20	20. THE TENTH OF THE SEVEN
6	6. THE SIXTH OF THE SEVEN	21	21. THE ELEVENTH OF THE SEVEN
7	7. THE SEVENTH OF THE SEVEN	22	22. THE TWELFTH OF THE SEVEN
8	8. THE EIGHTH OF THE SEVEN	23	23. THE THIRTEENTH OF THE SEVEN
9	9. THE NINTH OF THE SEVEN	24	24. THE FOURTEENTH OF THE SEVEN
10	10. THE TENTH OF THE SEVEN	25	25. THE FIFTEENTH OF THE SEVEN
11	11. THE ELEVENTH OF THE SEVEN	26	26. THE SIXTEENTH OF THE SEVEN
12	12. THE TWELFTH OF THE SEVEN	27	27. THE SEVENTEENTH OF THE SEVEN
13	13. THE THIRTEENTH OF THE SEVEN	28	28. THE EIGHTEENTH OF THE SEVEN
14	14. THE FOURTEENTH OF THE SEVEN	29	29. THE NINETEENTH OF THE SEVEN
15	15. THE FIFTEENTH OF THE SEVEN	30	30. THE TWENTIETH OF THE SEVEN

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REF.:1 / A-101.02



REF: 1 / A-101.02



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Fax: 212-687-6467

Mechanical Engineer
MD CONSULTING
P: (203) 572-05517
E: info@mdcngm.com

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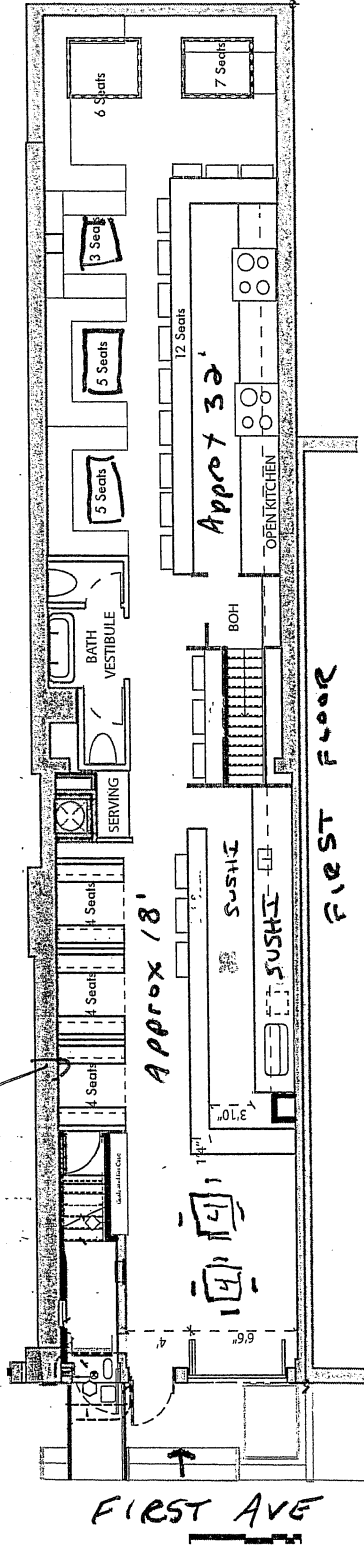
174-176 FIRST AVENUE

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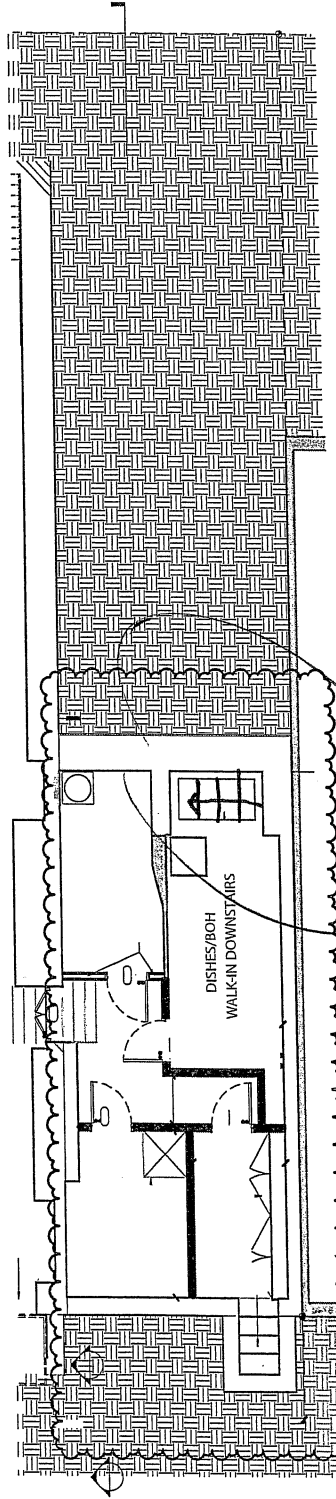
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Projected Seating Range 59-64

bar
sushi
sushi



10 Tables
46 Seats
12 Barstools
6 Counterseats



sushi
sushi
sushi

EMILIA

Oysters with nori and yuzu \$14

Raw scallops with winter squash \$15

Burrata, Brioche, and oyster mushroom \$12

Asiago Tortellini, Pacific white Shrimp, Shiitake, Aged Asiago, wild arugula \$16

Napa Grape Cherry tomato \$14
gazpacho gelatin, mint, cilantro, Sherry vinegar

Fried black Rice, Romesco, Aioli \$12

Savoy Cabbage, Sofrito \$11

Calamar Squid Ink steamed Bao \$12

Liquid Salad with Cockles \$14

Green-Peas-sion fruit over hot coals \$ 13

Miso Roasted Eggplant, Pickled Grape and beetroot leaf \$11

Collard greens, Husk sweet corn, Serrano peppers, Fava beans \$15

Glazed Recap, charred banana, black garlic, cilantro \$15

Beet tartare, pine nuts, artichoke, mint, grapefruit \$14