



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
- ~~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: April 7, 2020

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: RW- Serial #1301188

If alteration, describe nature of alteration: _____

Previous or current use of the location: _____

Corporation and trade name of current license: TKM 228 East 10th LLC d/b/a Tsukimi

APPLICANT:

Premise address: 228 East 10th Street, New York, NY 10003

Cross streets: First and Second Avenues

Name of applicant and all principals: TKM 228 East 10th LLC

Principals: Simon Xi, Takanori Akiyama, Karen Lin, and Natalie Graham

Trade name (DBA): Tsukimi

PREMISE:

Type of building and number of floors: Mixed Use- 5 Floors

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: _____

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? 74

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):
R8B with 12C commercial overlay

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: _____

What are the proposed days/hours of operation? (Specify days and hours each day and hours of
outdoor space) 6pm-12pm (Tuesday-Sunday). Closed Mondays.

Number of tables? 0 Total number of seats? 22 licensed (currently seating for 14 only)

How many stand-up bars/ bar seats are located on the premise? 1 Sushi Styled Food Counter with 18 seats
*Only seating 14 at this time at the bar counter at this time and there are 4 additional licensed counter seats also not currently being used
(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): Horseshoe shaped- 16' 3" x 8' x 12' 4"

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 kitchen will be open? All hours of open operation

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

How many employees will there be? 6

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 DJ Juke box Tapes/CDs/iPod

If other type, please describe _____

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

Please describe your sound system: iPod with simple 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) _____

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

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

APPLICANT HISTORY:

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

If yes, please indicate name of establishment: See attached _____

Address: _____ Community Board # _____

Dates of operation: _____

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? ¹⁰ _____

How many On-Premise (OP) liquor licenses are within 500 feet? ¹⁵ _____

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) ^{Japanese} _____, 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 _____.
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.

Simon Xi – Active/Inactive Licenses

ACTIVE LICENSES:

Licensee Name: 15 GRIDLEY, LLC d/b/a Brentwood Hotel
Premises Address: 15 Gridley Street, Saratoga Springs, NY 12866
Filing Date: 04/14/2017
Serial Number: 2207525

Licensee Name: TKM 228 East 10th St LLC d/b/a Tsukimi
Premises Address: 228 East 10th Street, New York, NY 10003
Filing Date: 03/22/2017
Serial Number: 1301188

Licensee Name: 177 1st Ave LLC d/b/a Little Tong Noodle Shop
Premises Address: 177 First Avenue, New York, New York 10003
Filing Date: 01/23/2017
Serial Number: 1299874

Licensee Name: Sullivan Street Partners I LLC d/b/a Bar Moga
Premises Address: 128 West Houston Street, New York, New York 10014
Filing Date: 09/14/2012 (Applicant has been an LLC Member since 2018)
Serial Number: 1266084

PAST/INACTIVE LICENSES

Applicant Name: LTNS QC, LLC
Address of Premises: 235 E. 53rd Street, New York, NY 10022
Date of Filing: 02/01/2018
Serial Number: 1308020
Disposition: License denied as a result of 2 bathroom rule

Applicant Name: 20 Cornelia LLC
Address of Premises: 20 Cornelia Street , New York, NY 10014
Date of Filing: 11/30/2018
Serial Number: 1314974
Disposition: Conditional approval received on 03/11/2019

Applicant Name: 847 Union LLC
Address of Premises: 847B Union Street, Brooklyn, NY 11215
Date of Filing: 04/01/2019
Serial Number: 1317143
Disposition: Conditional approval received on 08/26/2019

Applicant Name: NICE TAIL, LLC d/b/a Lobstercraft
Address of Premises: 1 Penn Plaza, 33rd Street Store, New York, NY 10119
Date of Filing: 10/09/2014
Serial Number: 1281723
Disposition: License expired

Applicant Name: 439 3rd Ave LLC d/b/a Oka
Address of Premises: 439 3rd Avenue, New York, NY 10016
Date of Filing: 04/10/2015
Serial Number: 1285333
Disposition: License inactive

Proximity Report for Location:

February 24, 2020

228 E 10 St, New York, NY, 10003

* 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
SAKAYA INC	324 E 9TH STREET (WEST STORE)	355 ft
MIAT LIQUORS INC	166 2ND AVE	405 ft
EAST VILLAGE WINES & SPIRITS INC	138 1ST AVE	485 ft
WINESHOP LLC	438 A E 9TH ST	900 ft
CARMAD INC	224 226 1ST AVE	1015 ft
MRN LIQUOR INC	16 SAINT MARKS PL	1040 ft
CONVIVE PARTNERS LLC	196 AVENUE A	1215 ft

Churches within 500 Feet

Name	Approx. Distance
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Schools within 500 Feet

Name	Address	Approx. Distance
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On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
SOBAYA RESTAURANT INC	214 E 10TH ST	175 ft
IMMIGRANT WINE BAR LLC, THE	341 E 9TH ST	200 ft
IMMIGRANT TAP ROOM INC	341 E 9TH ST	205 ft
EAST VILLAGE HOSPITALITY LLC	242 E 10TH ST	240 ft
JCDC LLC	163 1ST AVENUE	250 ft
MANNAGGIA INC	163 1ST AVE	250 ft
LOVE PICIN INC	153 1ST AVENUE	255 ft
A VENIERO INC	342 EAST 11TH STREET	315 ft
JARLENE CORP	160 1ST AVE	345 ft
AGN RESTAURANT LLC	166 1ST AVE	370 ft
CGJC HOLDINGS LLC	168 1ST AVE	375 ft
75 ST MARKS PLACE LLC	75 ST MARKS PL	435 ft
BARMAR LLC	77 ST MARKS PLACE	445 ft
TAQUERIA SAINT MARKS PLACE INC	79 SAINT MARKS PL	450 ft
BIG LEE AND SASHAS INC	140 1ST AVE	475 ft
LITTLE REBEL INC	134 1ST AVE	515 ft
155 SECOND AVE REST INC	155 2ND AVENUE	520 ft
J & K RES ENTERPRISES INC	140 142 2ND AVENUE	520 ft

Name	Address	Approx. Distance
LA MERIDIANA I LTD	176 2ND AVE	520 ft
E&Y HOSPITALITY LLC	157 2ND AVE	525 ft
SCHEIB S PLACE INC	80 ST MARKS PLACE	525 ft
HONEY RYDER LLC	147 149 2ND AVE	530 ft
149 SECOND AVE REST INC	149 2ND AVENUE	540 ft
JUDEX ENTERPRISES INC	178 2ND AVENUE	540 ft
UKI FREEDOM LLC	136 2ND AVE	545 ft
DUCKS EATERY EV LLC	351 E 12TH ST	555 ft
CHURCH & LOUIS INC	180 2ND AVE	560 ft
MSB RESTAURANTS LLC	151 2ND AVE	575 ft
PEPRICO INC	182 2ND AVE	580 ft
PJ RESTAURANT INC	302 E 12TH ST	600 ft
39 ST MARKS INC	41 ST MARKS PLACE	600 ft
ST MARKS ENTERPRISES INC	132 1ST AVENUE	605 ft
PARMYS KABOB AND GRILL INC	125 127 1ST AVE	620 ft
TWO AND EIGHT GOURMET LTD	132 2ND AVENUE	630 ft
TOKYO MAMA INC	240 E 9TH STREET	655 ft
1465 CDM INCORPORATED	126 1ST AVENUE	670 ft
JAMIE COFFEE LLC	81 E 7TH ST	670 ft
BEEP BEEP NYC LLC	201 1ST AVE	670 ft
TOMKIN SQUARE KIDS INC	73 75 E 7TH STREET	675 ft
BLUE & GOLD BAR INC	79 E 7TH STREET	675 ft
YORI NYC CORP	119 1ST AVE	680 ft
CLOISTER EAST INC,THE	238 E 9TH STREET	680 ft
31 ORCHARD ST REALTY INC	301 E 12TH ST	695 ft
ROBATAYA NY LLC	231 E 9TH ST	700 ft
CULLEN RESTAURANT INC	118 ST MARKS PLACE	700 ft
HEARTH RESTAURANT INVESTORS LLC	403 E 12TH ST	710 ft
W C O U RADIO INC	115 1ST AVENUE	710 ft
LOCO 124 INC	124A 2ND AVE	715 ft
12TH ST ALE HOUSE LLC	192 2ND AVE	725 ft
9TH STREET VENTURE LTD	232 E 9TH STREET	740 ft
CITY BEV NY LLC	120 1/2 1ST AVE	740 ft

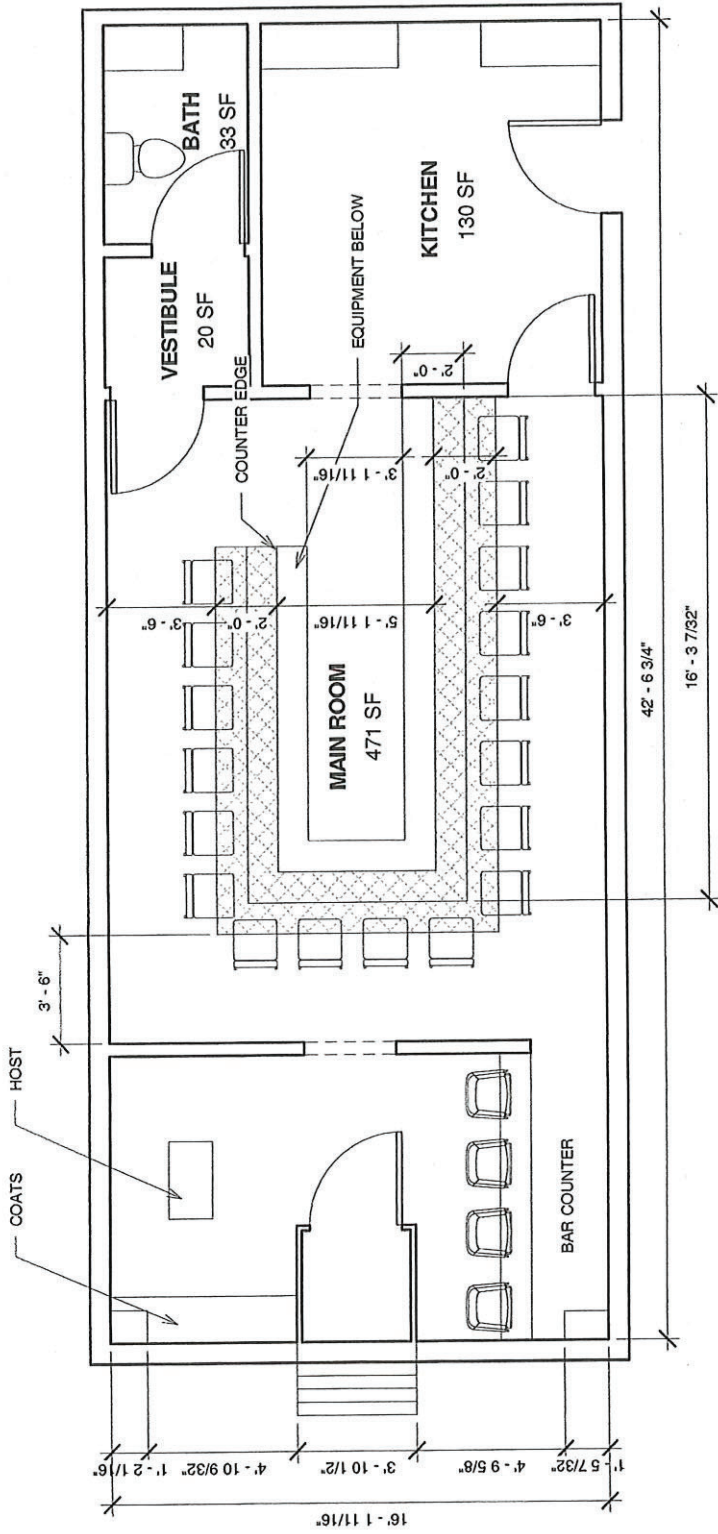
Pending Licenses within 750 Feet


Name	Address	Approx. Distance
E VILLAGE TEA HOUSE INC	204 E 10TH ST	325 ft
LTS EAST LLC	201 E 10TH ST	370 ft
143 RESTAURANT CORP	143 1ST AVENUE	385 ft
KITCHEN 192 INC	192 1ST AVE	570 ft
ANIMALS GROUP INC	90 ST MARKS PL	610 ft
YIN YANG EAST VILLAGE INC	130 1ST AVE	625 ft
SARITAS MACARONI & CHEESE EV LLC	197 1ST AVE	635 ft
STRINGS RAMEN NEW YORK CORP	188 2ND AVE	645 ft
TOSCANA PIZZA INC	128 2ND AVE	675 ft
SONS OF BROOKLYN LLC	424 E 9TH ST	705 ft

Name	Address	Approx. Distance
MALA PROJECT EAST VILLAGE LLC	122 1ST AVE	710 ft
RIVKA INC	101 ST MARKS PLACE	725 ft

Unmapped licenses within zipcode of report location

Name	Address
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From: Kimberly Summers kimberly@ds-lawoffices.com 
Subject: Liquor License Upgrade- 228 East 10th Street
Date: February 24, 2020 at 3:57 PM
To:
Bcc: 9a1blockassociation@gmail.com, friendsoftheles@gmail.com, bonnie@gohproductions.org, info@gohproductions.org, ck@wingflix.com, michaeljschweinsburg@gmail.com, info@evccnyc.org, Kimberly Summers kimberly@ds-lawoffices.com

KS

Good afternoon,

My office represents TKM 228 East 10th LLC, d/b/a Tsukimi, who currently operate a small Japanese restaurant at 228 East 10th Street. My clients are seeking to upgrade their restaurant wine license (Serial #1301188) to a full on-premises liquor license. Attached to this email is a copy of my client's CB3 Application and they are scheduled to appear before CB3 on March 16, 2020 at 6:30p.m.

This is a small high-end restaurant with a kaiseki styled tasting menu. They currently are offering reservations for up to 14 people per night (although licensed for up to 22) and their hours of operation are 6pm-12pm Tuesday-Sunday (closed on Mondays). They are not seeking any other changes to their method of operation beyond the upgrade to a full liquor license.

If you have any questions, comments or concerns regarding this application please do not hesitate to reach out. Thank you.

Best regards,


Kimberly A. Summers, Esq.
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CB Application-
Submitted.pdf

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From: Kimberly Summers kimberly@ds-lawoffices.com 

Subject: Liquor License Upgrade- 228 East 10th Street

Date: April 7, 2020 at 1:26 PM

To:

Cc: info@evccnyc.org, michaeljschweinsburg@gmail.com, ck@wingflix.com, info@gohproductions.org, bonnie@gohproductions.org, friendsoftheles@gmail.com, 9a1blockassociation@gmail.com

Bcc: Kimberly Summers kimberly@ds-lawoffices.com

KS

Good afternoon,

My office represents TKM 228 East 10th LLC, d/b/a Tsukimi, who currently operate a small Japanese restaurant at 228 East 10th Street. My clients are seeking to upgrade their restaurant wine license (Serial #1301188) to a full on-premises liquor license. Attached to this email is a copy of my client's CB3 Application and they are scheduled to virtually appear, via zoom, before CB3 on April 20th, 2020 at 6:30p.m.(we apologize for the multiple emails- this was originally scheduled to be heard in March but due to the current situation the appearance was delayed).

This is a small high-end restaurant with a kaiseki styled tasting menu. They currently are offering reservations for up to 14 people per night (although licensed for up to 22) and their hours of operation are 6pm-12pm Tuesday-Sunday (closed on Mondays). They are not seeking any other changes to their method of operation beyond the upgrade to a full liquor license.

If you have any questions, comments or concerns regarding this application please do not hesitate to reach out. Thank you.

Best regards,



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