



Windy Gates Soho Inc

Community Board SLA License Questionnaire
Alteration to add Non-Contiguous Municipal
Public Space

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COMMUNITY BOARD 2 APPLICATION FOR A STATE LIQUOR AUTHORITY LICENSE

For Existing Licensees –

Alteration to add Contiguous or Noncontiguous Municipal Public Space

Instructions

For current licensees applying to add Municipal Public Space to their licensed premises, please supply the following **along with or immediately following submission of the 30-day Notice to Municipalities.**

The 30-day Notice can be found in the [Alteration for Adding or Removing Contiguous and/or Noncontiguous Municipal Public Space Application](#) located on the NYSLA website.

For Sidewalk:

- Submit the attached addendum along with the diagram included with your DOT Dining Out NYC application. The diagram should indicate restaurant frontage (*length*), length and width of set up area(s) inclusive of barriers, location of tables and chairs, service aisle area and sidewalk width.
(Note: Restaurant staff must serve patrons from **within** the sidewalk cafe.)

For Roadway:

- Submit the attached addendum along with the diagram included with your DOT Dining Out NYC application. The diagram should indicate restaurant frontage (*length*), roadbed seating area (*length and width of set up area(s) inclusive of barriers*), location of tables and chairs and service aisle area.
(Note: Restaurant staff must serve patrons from **within** the roadbed dining area.)

For Open Streets:

- Submit the attached addendum along with a diagram of the roadway seating area (*length and width of set up area*) including location of tables and chairs in the roadway. Diagram should include the restaurant frontage. Also include the full roadbed width including the midpoint measurement and the 15' emergency vehicle lane.

For Roadway and Sidewalk:

- Submit photos of the premises where the sidewalk café and/or roadbed will be located. Required photos show one frontal, one left and one right side view of proposed sidewalk café and/or roadbed.
 - For sidewalk café and/or roadbed, photos must show complete sidewalk and/or roadway area including views to curb and neighboring properties.

COMMUNITY BOARD 2 APPLICATION FOR A STATE LIQUOR AUTHORITY LICENSE

**FOR EXISTING LICENSEES –
ALTERATION TO ADD CONTIGUOUS OR NONCONTIGUOUS MUNICIPAL PUBLIC SPACE**

Form to be Completed and Returned with 30-Day Notice

Name/email of Principal/Contact: Keith McNally/km68thompson@gmail.com

Name/email of Representative: Erin Wendt/erinwendt@balthazarny.com

Applicant/Premises Name: Windy Gates Soho Inc

DBA Name: Balthazar

Address of Premises (include zip code): 80 82 Spring Street, New York, NY 10012

Cross Streets of Premises: Broadway and Crosby Street

License ID #: 0340-22-106845

☒ **On Premise Liquor** ☐ **Restaurant Wine** ☐ **Tavern Wine** ☐ **Other** _____

Sidewalk Café will have no more than *(If premises is located on a corner please indicate for both streets):*

_____ tables and _____ seats on _____ Street

_____ tables and _____ seats on _____ Street

Will applicant agree to close sidewalk café area by 10 PM every night? Yes ☐ No ☐

Will open sidewalk café area at _____

Roadbed / Open Streets will have no more than *(If premises is located on a corner please indicate for both streets):*

18 tables and 36 seats on Spring Street

_____ tables and _____ seats on _____ Street

Is roadbed in a floating parking lane separated from the curb by a bike path? Yes ☐ No ☒

Does DOT Dining Out NYC application include an FDNY waiver? Yes ☐ No ☒

Will applicant agree to close roadbed seating by 10 PM every night? Yes ☒ No ☐

Will open roadbed seating area at 8am (Monday-Friday) and 9am (Saturday and Sunday)

For all Applicants:

Will agree there will be no host stands, bus or service stations on the sidewalk or in the roadbed? Yes ☐ No ☒

Will agree there will be no exterior music, speakers or TVs? Yes ☒ No ☐

Will agree that all patrons in any sidewalk café or roadbed will be seated? Yes ☒ No ☐

SECTION 1: Site Plan

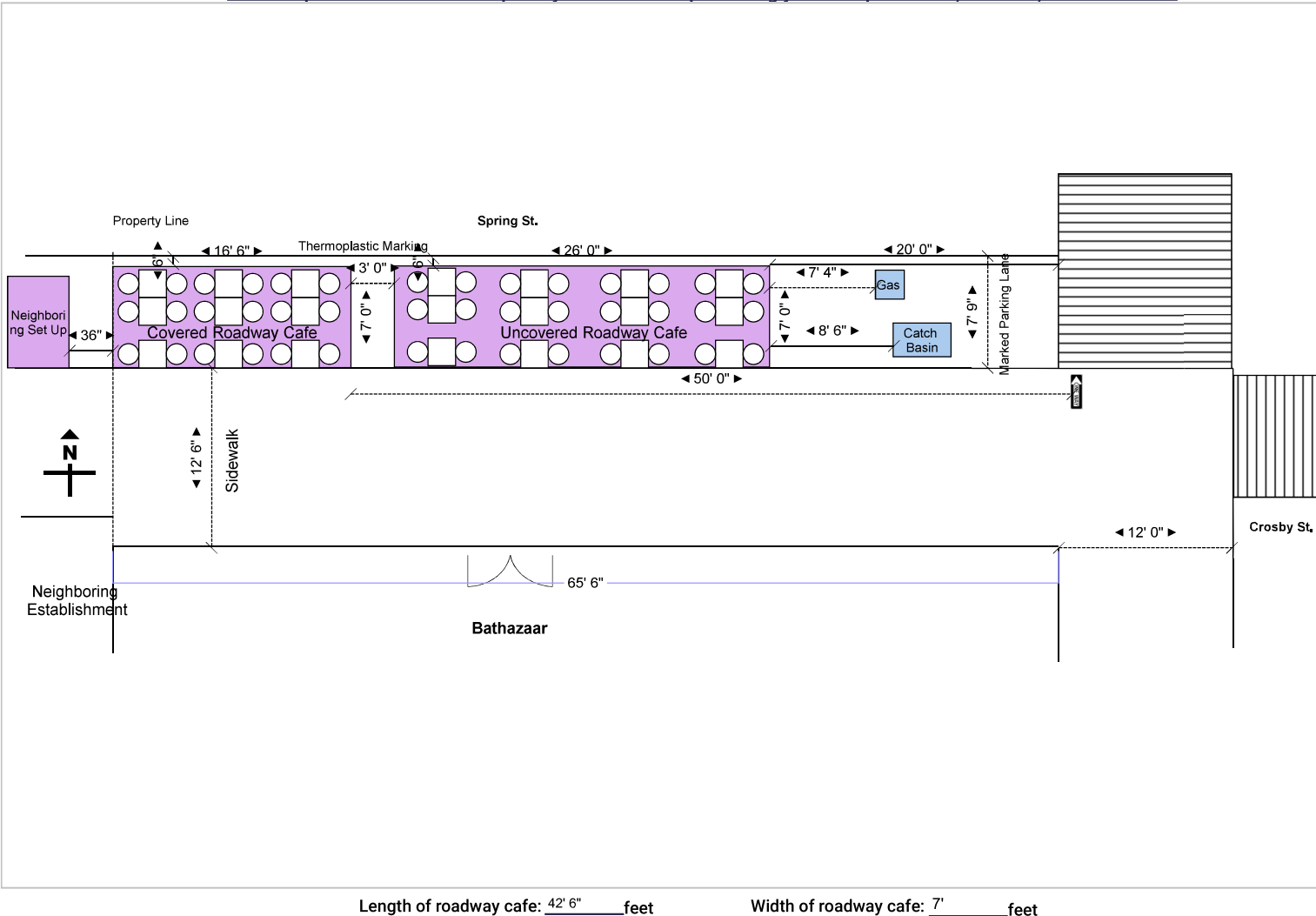
- This Site Plan form is required to be uploaded in the **"Roadway Site Plan"** field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

Identify Permitted Parking Location:

- Identify the Parking Sign in front of or around the area where your roadway setup would be located.
- Roadway cafes can only be placed in:
 - Parking spaces, which include: metered and non-metered spaces, commercial parking, alternate side parking, angled parking, and seasonally restricted parking.
 - Loading areas, including loading only, truck loading, hotel loading, and no parking zones.
 - Floating Parking Lane- a parking lane that is separated from the curb by a protected bicycle lane that is adjacent to the curb.

-  **P1 - Parking Space**
-  **P2 - Loading Area**
-  **P3 - Floating Parking Lane**

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.



Roadway Cafe Site Plan Form

Applicant Name: WINDY GATES SOHO INC

Restaurant Name: BALTHAZAR

FSEP Number: 40574871

Drawing Requirements

Food service establishment frontage shown by:

- Line representing space occupied in building
- Labels
- Length

Street names:

- Labels on each street

Sidewalk shown as:

- Line representing street curb
- Width measured from building line to curb line

Roadway shown as:

- Lines indicating parking lane
- Width of parking lane

Cafe perimeter shown as:

- Lines indicating perimeter
- Length and width of all three sides

Set-up furniture (tables, chairs, etc.) shown as:

- Lines or symbols at approximate location within setup

Elements or objects shown as:

- Lines or symbols
- Labels
- Distance from cafe perimeter

Utility coverings shown as:

- Symbols representing the approximate shape of the covering within the setup

-  MANHOLE COVER
-  UTILITY COVERING

SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Leave box blank if not applicable.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

Elements with minimum 15 feet clearance from roadway cafe:

- ☐ R01- Subway Stair: Open End
- _____ feet
- ☐ R02- Fire Hydrant
- _____ feet

Elements with minimum 10 feet clearance from roadway cafe:

- ☐ R03- Subway Elevator Entrance
- _____ feet
- ☐ R04- FDNY Curb Cut
- _____ feet
- ☐ R05- MTA Curb Cut
- _____ feet

Elements with minimum 5 feet clearance from roadway cafe:

- ☐ R06- Curb Cut
- _____ feet
- ☐ R07- Emergency Exit Hatch
- _____ feet
- ☐ R08- Subway Stair: Closed End
- _____ feet
- ☐ R09- Subway Elevator: Non-Entry
- _____ feet
- ☐ R10- Bus Stop Pole:
- Non- Approaching Side _____ feet
- ☐ R11- CitiBike/Bike Share Station
- _____ feet
- ☐ R12- Bike Corral
- _____ feet
- ☐ R13- Micromobility Station
- _____ feet
- ☒ R14- Drainage Infrastructure
- 8' 6" feet

Elements with minimum 3 feet clearance from roadway cafe:

- ☐ R15- Elevated Train Infrastructure
- _____ feet
- ☐ R16- Transformer Vault
- _____ feet

Elements with minimum 1 foot and 6 inches clearance from roadway cafe:

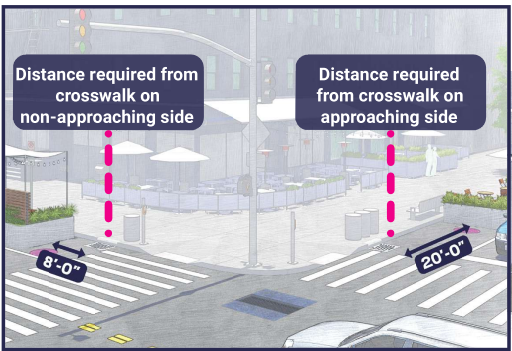
- ☐ R17- Vent Infrastructure
- _____ feet

Elements with minimum 6 inches clearance from roadway cafe:

- ☒ R18- Thermoplastic Marking
- 0.5 feet

Roadway cafe distance from crosswalks:

- ☐ R19- Adjacent to non-approaching side of crosswalk (min. 8 foot distance)
- _____ feet
- ☒ R20- Adjacent to approaching (stopping) side of crosswalk (min. 20 foot distance)
- 20 feet
- ☐ R21- No crosswalk present (maintain 20 feet from curb line of intersecting street)
- _____ feet



SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your roadway cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

- ☒ **Barriers**
- *Required*

☒ Maintained on all sides of the cafe except the side fronting the ground floor restaurant.

☒ Not permanently affixed to the roadway.

☒ 30-42 inches tall (excluding planting), and at least 4 inches in width.

☒ Barriers are interconnected with each other.

☒ Any cladding over the barriers is securely fastened or affixed.

☒ Minimum 4 inches wide reflective strip on each barrier on the outward facing side.

☐ Water-filled with a minimum of 150 pounds per linear foot of barrier length.

☒ If your proposed barriers will utilize fill materials other than water please check this box. This may require additional information from the applicant and further review by the Dining Out NYC team, as well as supporting DOT units and City agencies.

Optional- Only check the material categories you intend to use in your roadway cafe

- ☒ **Flooring**
- ☒ Durable, lightweight, easily removable, mold-resistant, elevated from the ground level to allow for drainage, and removable to allow for cleaning.

☒ Flush with the curb line (except if located on a slope, be flush to the greatest extent feasible), and compliant with applicable accessibility requirements.

☒ Maintains a 6 inch covered channel between curb and base of flooring to allow for drainage.
- ☒ **Furnishings**
- ☒ Lightweight and easily movable.
- ☒ **Vertical Screenings**
- ☒ Located between the barrier and 6 feet above the cafe base or floor.

☒ Located on the roadway facing side, does not extend the beyond the perimeter of the roadway cafe, and is not affixed to the outward facing side of barriers.

☒ Easily removable, comprised of non-opaque, fire-grade, and wind resistant materials.

☒ If within 50 feet of any regulatory or warning signs, does not exceed 46 inches in height.
- ☒ **Overhead Coverings/ Umbrellas**
- ☒ Minimum of 7 feet and maximum of 10 feet from the base or floor of the roadway cafe.

☒ Has a weighted base and any support structures are not affixed to the outward facing side of barriers, are of sufficient size and strength, made of durable materials, and free of defects.

☒ Easily removable, comprised of fire-grade and wind resistant materials.

☒ If within 50 feet of any regulatory or warning signs, does not exceed 46 inches in height.
- ☒ **Lighting and Electrical Connections**
- ☒ Any lighting is outdoor rated, properly secured, and lightweight.

☒ At least 14 feet above sidewalk, and 18 feet above roadway.

☒ Not attached to any City property, including street trees.

☒ Electrical work complies with the applicable requirements set forth in the DOT's rules and the New York City Electrical Code.

- ☐ Please check this box if you are submitting additional documents for review. Documents may include technical drawings prepared by a licensed professional.











