

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
CAA 536 9th Avenue Corp		Buena Vista	
STREET ADDRESS		CROSS STREETS	ZIP CODE
536 9th Avenue		W. 39th St; W. 40th St	10018
OWNER	NAME	NAME	NAME
	PHONE	PHONE	PHONE
OWNER	EMAIL	ATTORNEY REPRESENTATIVE	EMAIL
MANAGER	NAME	LANDLORD	NAME
	PHONE		PHONE
MANAGER	EMAIL	LANDLORD	EMAIL
APPLICATION TYPE <i>(Check One)</i>			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		<input checked="" type="radio"/> YES <input type="radio"/> NO
	What is/was the name and address of establishment?		① Albert's Motanga House, 217 Dyckman St
	What were the dates applicant was involved with this former premise?		2008 - Present
<input type="radio"/> Corp	What is the license # and expiration date?		② AMC 55th St Food Corp 240 W. 55th St 201x - Present
	Is applicant making any alterations or operational changes?		<input type="radio"/> YES <input checked="" type="radio"/> NO
If alterations or operational changes are being made, please describe/list all changes.			
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans:		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input checked="" type="radio"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?		<input checked="" type="radio"/> YES <input type="radio"/> NO	September 2017
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.		<input checked="" type="radio"/> YES <input type="radio"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.		<input checked="" type="radio"/> YES <input type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<input checked="" type="radio"/> YES <input type="radio"/> NO	

OPERATIONAL DETAILS (Closing time will be when establishment is vacated for all patrons)

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS <i>(Indoor Only)</i>	Operation	10 AM - 2 AM	→					
	Kitchen	10 AM - 1 AM	→					
	Music	10 AM - 2 AM	→					

CN

If you plan to have music, what type(s)? (Circle all that apply)

- BACKGROUND
 LIVE MUSIC
 DJ
 Juke box
 KARAOKE

OCCUPANCY

	Capacity (Certificate of Occupancy) (4/1/05)	Maximum # of Persons you Admit to Premises (including Employees)	Number of Tables	Number of Seats	Number of Seated Only Bars	Number of Stand-Up Bars	Number of Seats on Stand-Up Bar
INSIDE	74	74	15	37	0	1	0
OUTSIDE <i>(Other than sidewalk cafe)</i>	X						
SIDEWALK CAFE	X						

How many floors are there? What is the capacity for each floor? 2 - 9f - Bsmt - storage/pub

How frequently will the owner(s) be at the establishment? Daily

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant have bottle or table service for beverage alcohol?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will you be hosting private; promotional or corporate events?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	occasional private parties
Will outside promoters be used on a regular basis? If yes please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will you have a security plan? If, yes please attach.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will security plan be implemented?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will State certified security personnel be used?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will New York Nightlife Association and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be using delivery bicycles? If yes, how many?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	2-3
Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Where will delivery bicycles be stored during the day when not in use?	Basement		

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Hudson Yards
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	LNO Pending
Is a Public Assembly permit required?	<input type="radio"/> YES	<input type="radio"/> NO	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

Community Notification/Relations		
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	
	# 2	
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.		
Who was your contact person at each group you met with?		
When did applicant post the notice that was provided?		
Where did applicant post the notice that was provided?		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input type="radio"/> YES	<input type="radio"/> NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input type="radio"/> YES	<input type="radio"/> NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	Chinese take out : delivery		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	new signage : storefront
Will applicant have a vestibule within the establishment?	YES	NO	
Will applicant use a storm enclosure?	YES	NO	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO	
Will applicant comply with the NYC noise code?	YES	NO	
Will the establishment have any of the following: (circle all that apply)	FRONT DOORS	GARAGE DOORS	WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	YES	NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	YES	NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	NO	
Will the kitchen exhaust system extend to the roof?	YES	NO	
Will the establishment have an illuminated sign?	YES	NO	
Will the establishment have a canopy extending over the sidewalk?	YES	NO	
Where will the air conditioner be located? What type is it?	reer yard		
When was the air conditioner installed?	to be installed		

OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFE			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	N/A
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	NO	
Are the floorplans for the outdoor space(s) included?	YES	NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors?	YES	NO	
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	

OUTDOOR ITEMS - SIDEWALK CAFÉ

	YES	NO	
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?			N/A
Will applicant be applying for a sidewalk café now or in the future?			
Is applicant in this application seeking to include a sidewalk café in its liquor license?			
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.			
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?			
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?			
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?			
Will applicant mark the perimeter of the café on the sidewalk?			
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?			
Will the sidewalk café not provide standing space for drinking or smoking?			
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?			
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?			
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?			
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?			
Will applicant use umbrellas?			
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?			

ADDITIONAL STIPULATIONS (Office Use Only)

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

ADDITIONAL STIPULATIONS (Office Use Only) *Continued*




To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

Manhattan Community Board 4 (MCB4) recommends:

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation


Denial Approval


CB4 REPRESENTATIVES

 Nelly Gonzalez CB4 Assistant District Manager	 Frank Holozabiec CB4 BLP Committee Co-Chair	 Burt Lazarin CB4 BLP Committee Co-Chair
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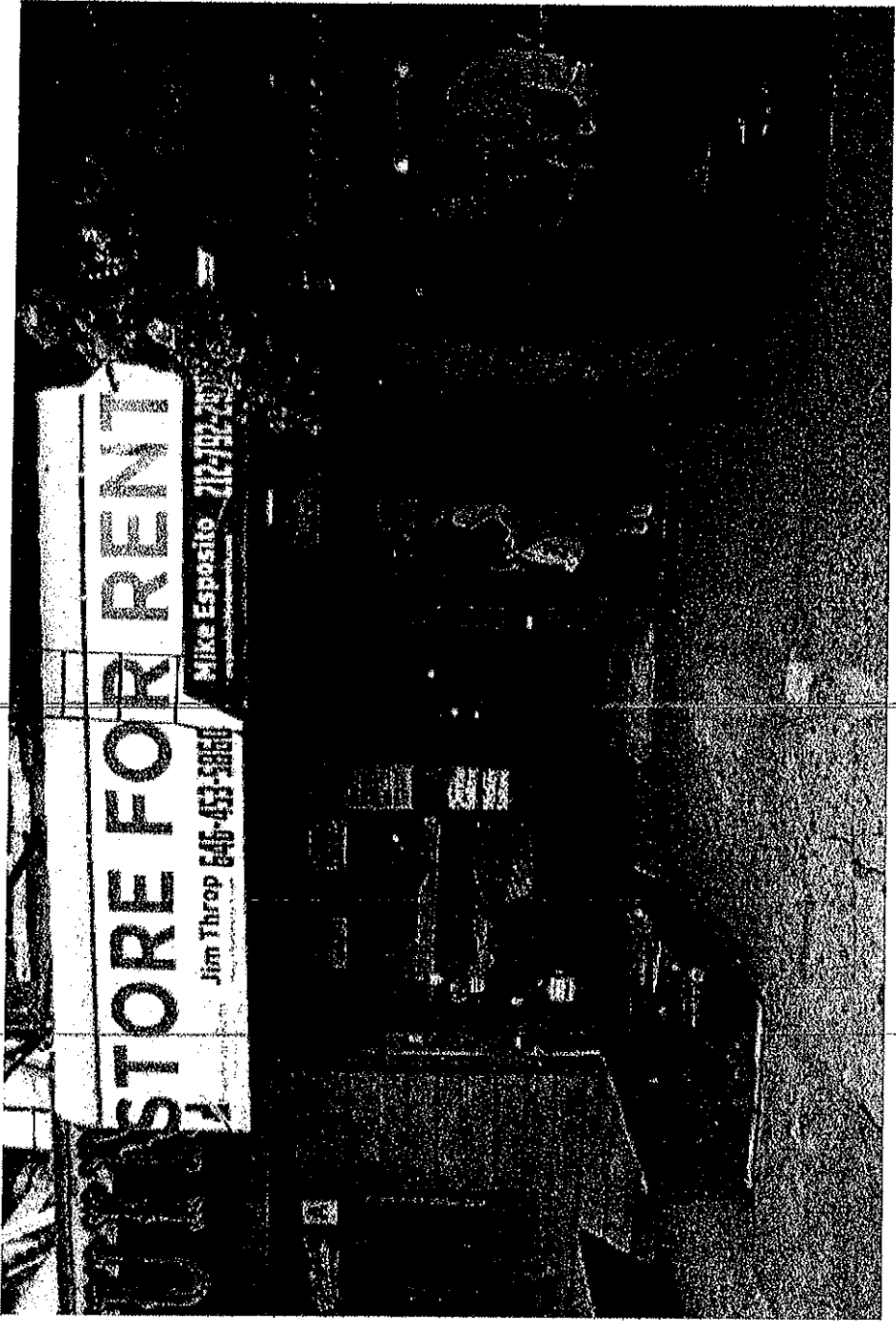
APPLICANT AGREEMENT WITH THE COMMUNITY

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

SIGN HERE →	Christian Nunez PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	8/14/17 DATE
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 10-10-17

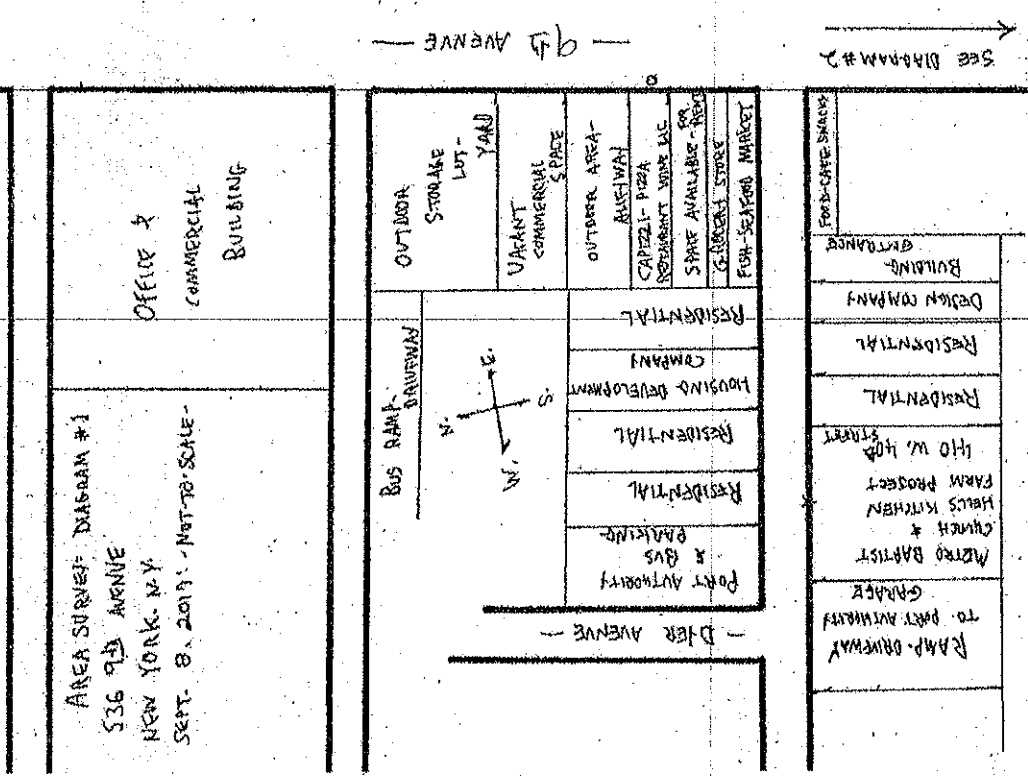
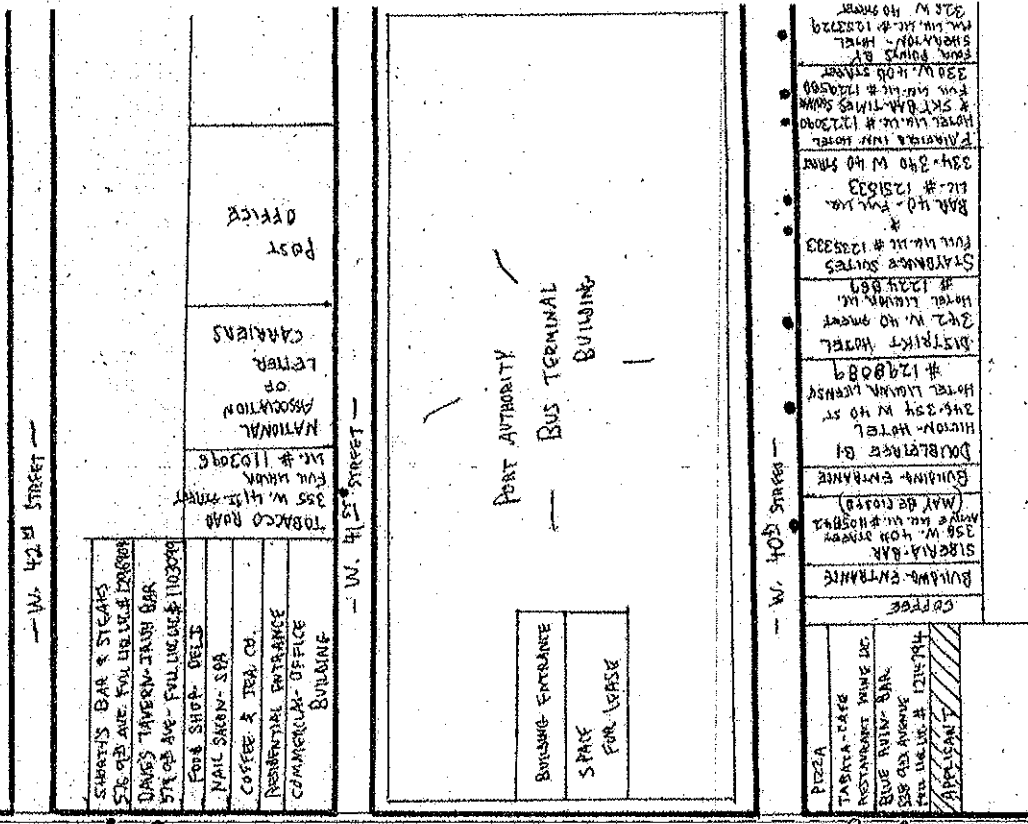
¹ Any Manhattan Community Board 4 (MCB4) recommendation on an application for a liquor license, whether for or against, should not be construed as an endorsement of, or precedent for, any group use that is not consistent with Board's preferred zoning. For example, 1). MCB4 supports R8, R8A and R9 zoning, and the underlining group uses associated with those zones, in the area bounded by Eleventh and Twelfth Avenues, and West 43rd and West 55th Streets. 2). MCB4 supports a text amendment to the Special Clinton District, Preservation Area, that limits group use for any vacant ground floor to Use Group 6.



STORE FOR RENT

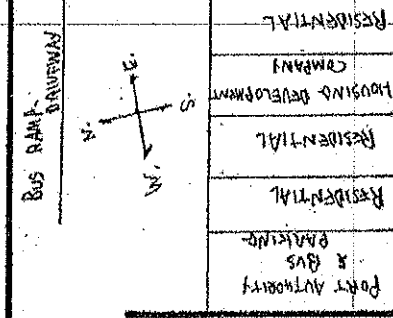
Jim Throp 646-433-8866

Mike Esposito 212-797-2000



AREA SURVEY DIAGRAM #1
 536 9th AVENUE
 NEW YORK, N.Y.
 SEPT. 8, 2019 - NOT TO SCALE

OFFICE &
 COMMERCIAL
 BUILDING



OUTDOOR STORAGE LOT-YARD
 VACANT COMMERCIAL SPACE
 OUTDOOR AREA-RESTAURANT
 CAPELLI-PIZZA RESTAURANT
 SPACE AVAILABLE-NEW RESTAURANT STORE
 FOOD-CAFE MARKET

PORT AUTHORITY & BUS PARKING
 RESIDENTIAL
 RESIDENTIAL
 RESIDENTIAL
 HOUSING DEVELOPMENT COMPANY
 RESIDENTIAL
 DESIGN COMPANY
 BUILDING ENTRANCE

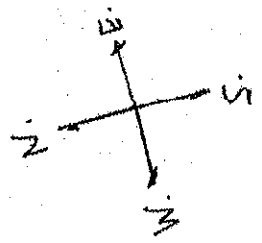
RAMP-DRIVEWAY TO PORT AUTHORITY GARAGE
 METRO BAPTIST CHURCH & HELLS KITCHEN FARM PROJECT
 140 W. 40th STREET
 RESIDENTIAL
 RESIDENTIAL
 DESIGN COMPANY
 BUILDING ENTRANCE
 FOOD-CAFE MARKET

SEE DIAGRAM #2

BLOCK PLOT DIAGRAM
 536 9th AVENUE
 NEW YORK, N.Y.
 SEPT. 8, 2017:
 NOT TO SCALE

FOOD CAFE-SNACKS	
BETTER BEING- CAFE RESTAURANT WINE LICENSE	○
GOURMET MARKET	
FRUITS & VEGETABLES	
SMOKE SHOP	
MEAT MARKET	
POWER TOOLS	
LAUNDRY MAT	
HELL'S KITCHEN CAFE 523 9th AVENUE FULL LIQUOR LICENSE # 1126125	●

9th AVENUE



- W. 40th STREET -

PIZZA	
TABATA CAFE	○
RESTAURANT WINE LICENSE	
BLUE RUIN - BAR 538 9th AVENUE FULL LIQUOR LIC. # 1214794	●
APPLICANT	
CASA DI ISACCO - RESTAURANT WINE LICENSE	○
SNACKS- FOOD SHOP	
CURRY HUT NO ALCOHOL	
GROCERY	
HOLLAND BAR - 532 9th AVENUE TAVERN LICENSE # 1034190	●
REAL THAI CUISINE	○
RESTAURANT WINE LICENSE	
ATOMIC WINGS	○
RESTAURANT WINE LICENSE	
GROCERY STORE	
TACQUERIA DIANA 524 9th AVENUE FULL LIQUOR LICENSE # 1202058	●

- W. 39th STREET -

①

LOCATIONS WITH FULL ON PREMISES
LIQUOR LICENSES LOCATED WITHIN
500 FEET OF 536 9th AVENUE NEW YORK, N.Y.

①

BLUE RUIN BAR # 1214794
538 9th AVENUE
43 FEET FROM APPLICANT

②

TOBACCO ROAD : # 1103096
355 W. 41st STREET
378 FEET FROM APPLICANT

③

DAVE'S TAVERN IRISH BAR : # 1103099
514 9th AVENUE
478 FEET FROM APPLICANT

④

SHORTY'S BAR & STEAKS : # 1296904
576 9th AVENUE
496 FEET FROM APPLICANT

⑤

SIBERIA BAR (MAY BE CLOSED)
HAS ACTIVE LIQUOR LICENSE # 1105842
356 W. 40th STREET
97 FEET FROM APPLICANT

(2)

(6)

DOUBLETREE BY HILTON - HOTEL

HOTEL LIQUOR LICENSE # 1290089

346-354 W. 40th STREET

162 FEET FROM APPLICANT

(7)

DISTRIKT HOTEL

HOTEL LIQUOR LICENSE # 1224867

342 W. 40th STREET

261 FEET FROM APPLICANT

(8)

STAYBRIDGE SUITES : # 1235333

*

(9)

BAR 40 # 1251533

334-340 W. 40th STREET

300 FEET FROM APPLICANT

(10)

FAIRFIELD INN HOTEL -

HOTEL LIQUOR LICENSE # 1223090

*

(11)

SKYBAR TIMES SQUARE : # 1229508

330 W. 40th STREET

405 FEET FROM APPLICANT

(12)

FOUR POINTS BY SHERATON HOTEL : # 1253129

326 W. 40th STREET

491 FEET FROM APPLICANT

(3)

(13)

HOLLAND BAR: # 1034190
532 9th AVENUE
56 FEET FROM APPLICANT

(14)

TAQUERIA DIANA: # 1292055
524 9th AVENUE
139 FEET FROM APPLICANT

(15)

SNACK EOS: # 1273226
522 9th AVENUE
211 FEET FROM APPLICANT

(16)

SCALL/WAGS - PUB RESTAURANT: # 1265095
508 9th AVENUE
309 FEET FROM APPLICANT

(17)

BOCCONE RISTORANTE: # 1293059
506 9th AVENUE
343 FEET FROM APPLICANT

(18)

IL PUNTO RISTORANTE: # 1156801
507-509 9th AVENUE
394 FEET FROM APPLICANT

(19)

BAR GONZO: # 1297390
511 9th AVENUE
304 FEET FROM APPLICANT

(4)

(20)

HELL'S KITCHEN CAFE: # 1126125
523 9th AVENUE
163 FEET FROM APPLICANT

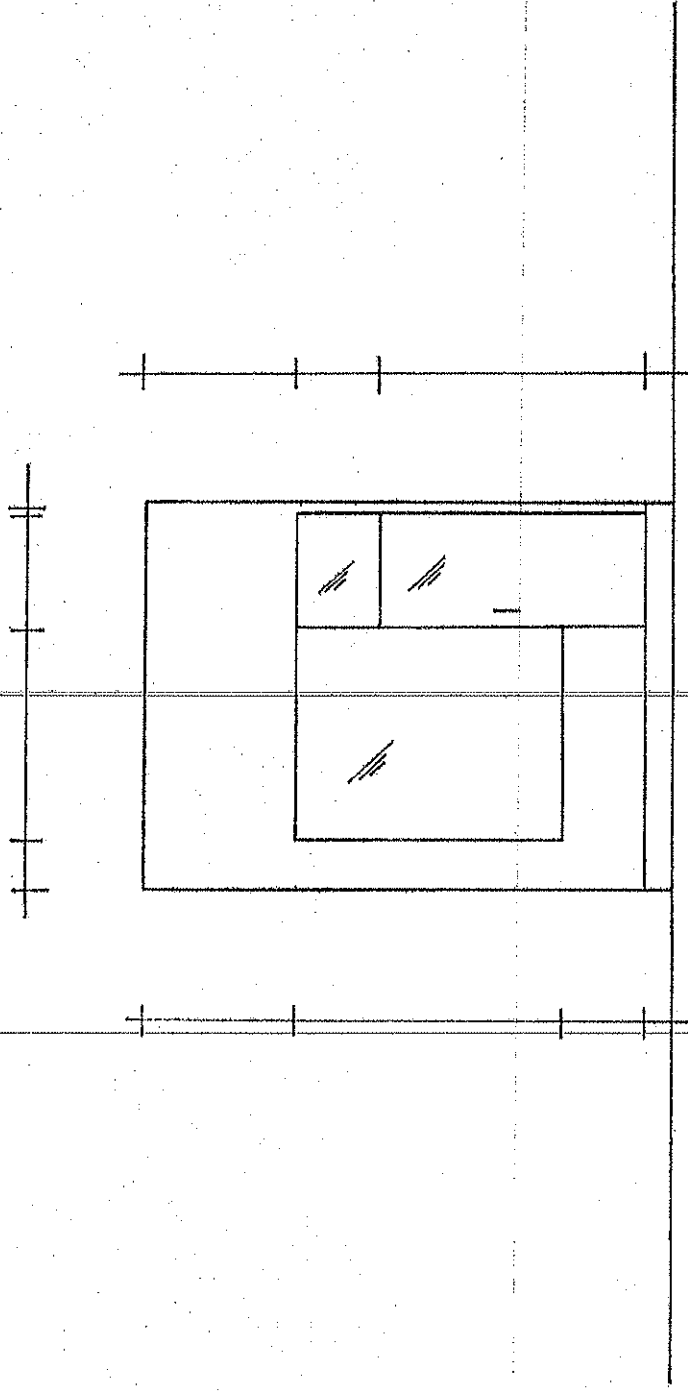
(21)

MERCATO RESTAURANT: # 1226604
352 W. 39th STREET
221 FEET FROM APPLICANT

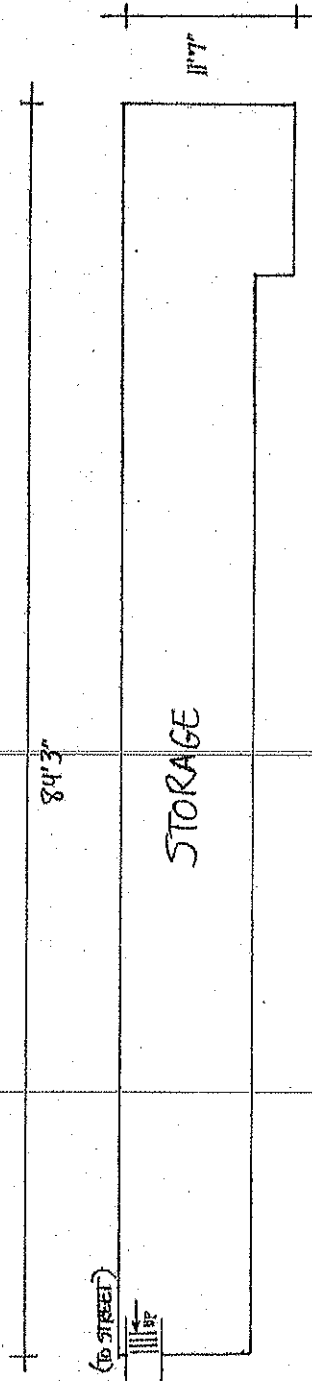
ONE CHURCH SHOWN ON SURVEY:

METRO BAPTIST CHURCH
HELL'S KITCHEN FARM PROJECT
410 W. 40th STREET
178 FEET FROM APPLICANT

FRONT ELEVATION
536 9TH AVENUE
NEW YORK, N.Y.
SEPTEMBER 7, 2017
NOT TO SCALE



INTERIOR DIAGRAM - BASEMENT
536 9TH AVENUE
NEW YORK, N.Y.
SEPTEMBER 7, 2017
NOT TO SCALE



Tapas & small plates

Yucca rellena (yucca puree filled with beef picadillo and flash fried) \$10

Lobster & avocado taquitos (malanga taco shell, avocado puree, micro chive) \$12

Garlic shrimp "con chistorra" (gulf white shrimp, sliced garlic and Spanish chistorra) \$11

Appetizers

Braised beef empanadas, jack cheese, mojo verde \$10

Pastelon de platano (ripe plantain layered with shredded chicken, jack cheese, olives, raisins & roasted tomato sauce) (To share for 2) \$16

Buena Vista house salad- (crisp lettuce, tomato, cucumber, sliced red onion, green beans, lemon-herb dressing) \$7 (add avocado \$2)

Grilled octopus, white beans, roasted peppers, aged sherry vinegar \$10

Guacamole (hass avocado, cilantro, lime, red onion) \$9

(Grilled pineapple, jalapeno, mustard seed)

(Crispy bacon, caramelized onion)

Sandwiches

BV Cubano (roast pork shoulder, cured Parma ham, Gouda, Chihuahua cheese, pickle relish, garlic mojo) \$12

"The Chimi"- (ground Angus beef, fried onions, cabbage slaw, special sauce) \$12

Grilled chicken "country club"-(double smoked bacon, sliced avocado, LTO, mojo mayo, Caribbean slaw)
\$13

MAIN PLATES

House Specialty Mojo Rubbed Chicken - ½ or whole (choice of mango-habanero glaze or mojo Verde)
\$ 16

Paella Valenciana (sofrito, chorizo, green garbanzos, chicken, mussels, saffron bomba rice) \$30

Braised Short Rib "Ropa Vieja" (white rice, green plantain basket) \$22

Grilled salmon- toasted quinoa, chayote squash, and mango-ginger crema \$21

Angus Sirloin Steak "frites" (yucca fries, tomato-watercress salad, herb chimichurri) green Chile \$25
béarnaise add \$3

Fideos- squid ink linguine, shrimp enchilada, mussels, green peas, spicy pimenton \$20

Roasted vegetable Chile Relleno (squash, eggplant, sofrito, Chihuahua cheese, charred tomato ranchera)
\$18

Baja Style Fish tacos, ancho Chile crema, cabbage slaw, tomato salsa, black beans \$18

Sides

Coconut rice & peas (arroz con gandules) \$7

Steamed yucca con mojo \$7

Green & ripe plantains \$ 7