

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME 796 9th AVE INC		DOING BUSINESS AS (DBA) TBD	
STREET ADDRESS 796 9th AVE		CROSS STREETS WEST 52nd + WEST 53rd STS	ZIP CODE 10019
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: CLAUDIO CORONAS	ATTORNEY/ REPRESENTATIVE	NAME: Michael Kelly
	PHONE: 917-251-4469		PHONE: 914-632-6036
	EMAIL: docwinebar@hotmail.com		EMAIL: KellymK136@gmail.com
MANAGER	NAME:	LANDLORD	NAME: 796-798 NINTH SUCCESSOR LLC
	PHONE:		PHONE: 718-435-5360
	EMAIL:		EMAIL:
APPLICATION TYPE <input checked="" type="checkbox"/> Liquor License <input type="checkbox"/> Unenclosed Sidewalk Cafe			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		YES NO
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> Corp Change/Class Change/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?		YES 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 checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input 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?	YES	<input checked="" type="radio"/> NO	
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	NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	YES	NO	

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

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS* (Indoor Only)	Operation	11 AM 1:30 AM	11 AM 1:30 AM	11 AM 1:30 AM	11 AM 1:30 AM	11 AM 2:30 AM	11 AM 2:30 AM	11 AM 1:30 AM
	Kitchen	11 AM 12:30 AM	11 AM 12:30 AM	11 AM 12:30 AM	11 AM 12:30 AM	11 AM 1:30 AM	11 AM 1:30 AM	11 AM 12:30 AM
	Music	11 AM 1:30 AM	11 AM 1:30 AM	11 AM 1:30 AM	11 AM 1:30 AM	11 AM 2:30 AM	11 AM 2:30 AM	11 AM 1:30 AM
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)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar
INSIDE	less than 75	25	8	16	1	0	0
OUTSIDE (Other than sidewalk café)	n/a	n/a	n/a	n/a	n/a	n/a	n/a
SIDEWALK CAFÉ	n/a	n/a	n/a	n/a	n/a		

How many floors are there? What is the capacity for each floor?

1

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

Will there be dancing?

YES

NO

Will applicant have bottle or table service for beverage alcohol?

YES

NO

Will you be hosting private, promotional or corporate events?

YES

NO

Will outside promoters be used on a regular basis? If yes please describe.

YES

NO

Will you have a security plan? If, yes please attach.

YES

NO

Will security plan be implemented?

YES

NO

n/a

Will State certified security personnel be used?

YES

NO

n/a

Will New York Nightlife Association and NYPD Best Practices be followed?

YES

NO

Will applicant be using delivery bicycles? If yes, how many?

YES

NO

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?

YES

NO

n/a

Where will delivery bicycles be stored during the day when not in use?

n/a

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	CLINTON
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	APPLYING FOR LNO
Is a Public Assembly permit required?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Are your plans filed with DOB?	<input type="radio"/> YES	<input checked="" 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 checked="" type="radio"/> YES	<input type="radio"/> NO	917-251-4469
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

BUILDING DESIGN

State the name and type of business previously located in the space.			
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Gustaly #1316951.
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Put our sign up
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input type="radio"/> YES	<input type="radio"/> NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant agree not to place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input type="checkbox"/> FRENCH DOORS	<input type="checkbox"/> GARAGE DOORS	<input type="checkbox"/> 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?	<input checked="" type="radio"/> YES	<input type="radio"/> 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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	If necessary
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?	<input type="radio"/> YES	<input type="radio"/> NO	If necessary
Will the kitchen exhaust system extend to the roof?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have an illuminated sign?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	<input type="radio"/> YES	<input type="radio"/> NO	
Where will the air conditioner be located? What type is it?			
When was the air conditioner installed?			

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	
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			
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	n/a
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	n/a
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	YES	NO	n/a
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	n/a
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	n/a
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	n/a
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	n/a
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	n/a
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	n/a
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	YES	NO	n/a
Will applicant use umbrellas?	YES	NO	n/a
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?	YES	NO	n/a

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.


<p>Manhattan Community Board 4 (MCB4) recommends: <i>(MCB4's recommendation is based on a vote taken at its February 5, 2020 full board meeting, with 39 members voting in favor of the recommendation, 0 members opposed, 0 members abstaining and 0 present but not eligible)</i></p>	<p><input checked="" type="radio"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval</p>
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CB4 REPRESENTATIVES

 <p>Nelly Gonzalez <i>CB4 Assistant District Manager</i></p>	<p>Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i></p>	<p>Yoni Bokser <i>CB4 BLP Committee Co-Chair</i></p>
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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.

<p>SIGN HERE →</p>	<p><i>C LAUDIO CORONADO</i> PRINT NAME OF APPLICANT</p>	 SIGNATURE OF APPLICANT	<p><i>1/14/2020</i> DATE</p>
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Spizzy's Tapas Menu

Dinner Menu

ZUPPE

<i>Zuppa Del Giorno</i>	<i>seasonal soup</i>	\$9.00
<i>Pasta Fagioli</i>	<i>white beans, prosciutto, tomatoes, herbs, pasta</i>	\$10.00

INSALATA

<i>Rughetta</i>	<i>arugula, ricotta salata, balsamic</i>	\$10.00
<i>Misticanza</i>	<i>mixed seasonal greens, tomatoes, balsamic</i>	\$9.00
<i>Tartufata</i>	<i>endive, white anchovies, blue stilton, truffle-prune dressing</i>	\$15.00
<i>Caprese</i>	<i>soft buffalo milk cheese, tomato, basil</i>	\$16.00
<i>Stuzzi</i>	<i>watercress, fennel, celery, mushroom, lemon, basil, parmigiano</i>	\$13.00

CROSTINI

2 Pieces

<i>Prosciutto E Fontina</i>	<i>18 mos. aged prosciutto & fontina</i>	\$8.00
<i>Ricotta E Miele</i>	<i>buffalo ricotta, saffron honey</i>	\$7.00
<i>Zucchine E Pecorino</i>	<i>marinated zucchini, pecorino, balsamic</i>	\$7.00
<i>Capresino</i>	<i>bufala mozzarella, tomato, basil</i>	\$8.00

CALDI

HOT

<i>Melanzane Alla Parmigiana</i>	<i>eggplant, mozzarella, parmigiano</i>	\$9.00
<i>Polpette Al Pomodoro</i>	<i>beef meatballs in tomato sauce</i>	\$9.00
<i>Arancini</i>	<i>fried rice balls, pecorino, mozzarella</i>	\$9.00
<i>Galloncino</i>	<i>potato cake, salami, mozzarella, parmigiano</i>	\$10.00
<i>Funghi Gratinati</i>	<i>seasonal mushrooms, truffle, parmigiano</i>	\$12.00

SALUMI

Cured Meats

<i>Prosciutto San Daniele</i>	<i>aged 18 months</i>	\$16.00
<i>Finocchiona</i>	<i>tuscan style salami with fennel seeds</i>	\$11.00
<i>Prosciutto D'anatra</i>	<i>air dried duck breast</i>	\$12.00
<i>Salamini Di Cinghiale</i>	<i>cured coarse wild boar meat</i>	\$12.00
<i>Prosciutto Di Capra</i>	<i>air dried goat</i>	\$14.00
<i>Coscetto Di Cinghiale</i>	<i>wild boar prosciutto</i>	\$14.00

FORMAGGI

Cheese - Freschi (fresh)

Mozzarella Caprese	soft buffalo cheese, tomato, basil	\$16.00
Burrata	creamy cows cheese, truffles, rustic bread	\$18.00
Bocconcini Di Bufala Campana	buffalo mozzarella, black pepper, laudemio	\$12.00
Ricotta Di Bufala Campana	balsamic honey, cranberry-raisin-walnut bread	\$13.00

FORMAGGI

Cheese - Maturi (aged). All Served With Daily House Made Fruit Compote And Cranberry-raisin-Walnut Bread

Sottocenere	cow / Veneto	\$12.00
Gorgonzola Piccante	cow / Lombardia	\$10.00
Sapore Del Piave	cow / Veneto	\$11.00
Lou Bergier Pichin	cow / Piemonte	\$12.00
Quadrello Di Bufala	buffalo / Lombardia	\$13.00
Parmigiano Reggiano	cow / Romagna	\$12.00
Pecorino Dop	sheep / Toscana	\$12.00
Cacio Di Roma	sheep / Lazio	\$10.00

CONTORNI VEGETARIANI

Broccoli Rapa	broccoli rabe, garlic, chilies	\$7.00
Patate Alle Erbe	fingerting potatoes, garlic, onion, herbs	\$7.00

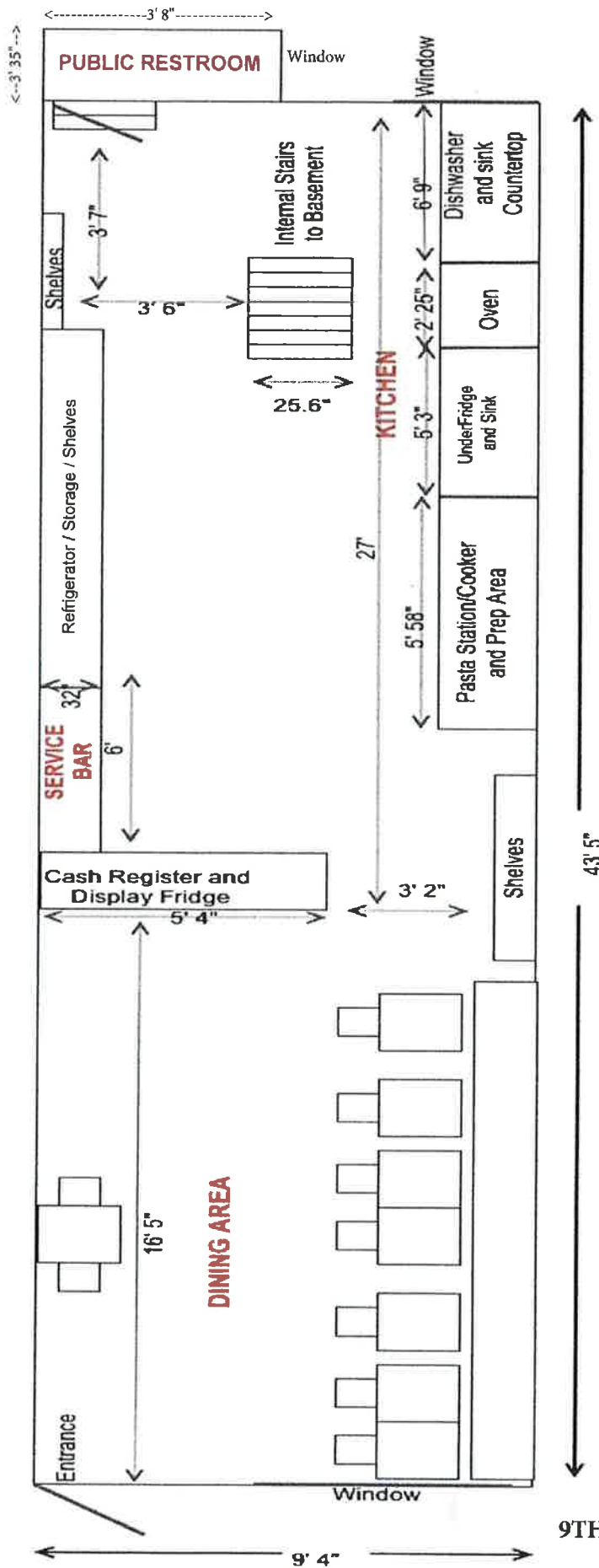
Bietole Al Salto	sautéed rainbow chard, onion, garlic	\$7.00
Carolfiore	cauliflower, pine nuts, raisins, breadcrumbs	\$7.00
Polenta	fried polenta, parmigiano	\$7.00
Carofetti Di Bruxelles	brussels sprouts, onion, parmigiano	\$7.00

DOCCI

Add A Glass Of Passito With Any Dessert \$6.00

Tiramisu	lady fingers, espresso, mascarpone cream	\$12.00
	<i>lady fingers, espresso, mascarpone cream</i>	
Cantuccini	Tuscan almond cookies	\$8.00
Zuppella Di Cioccolato	chocolate fondue (valrhona 68%), toasted brioche, caramelized bananas	\$12.00
Decadente	flourless chocolate cake, chocolate mousse, cinnamon gelato	\$13.00
Mele Caramellate	baked caramelized apples, vanilla gelato, cotton candy	\$12.00
Semifreddo Al Torroncino	semi-frozen custard, almond crunch, white chocolate	\$11.00
Cheese Plate	chefs. selection of three cheeses, fruit compote, honey, toasted cranberry-raisin-walnut bread	\$14.00

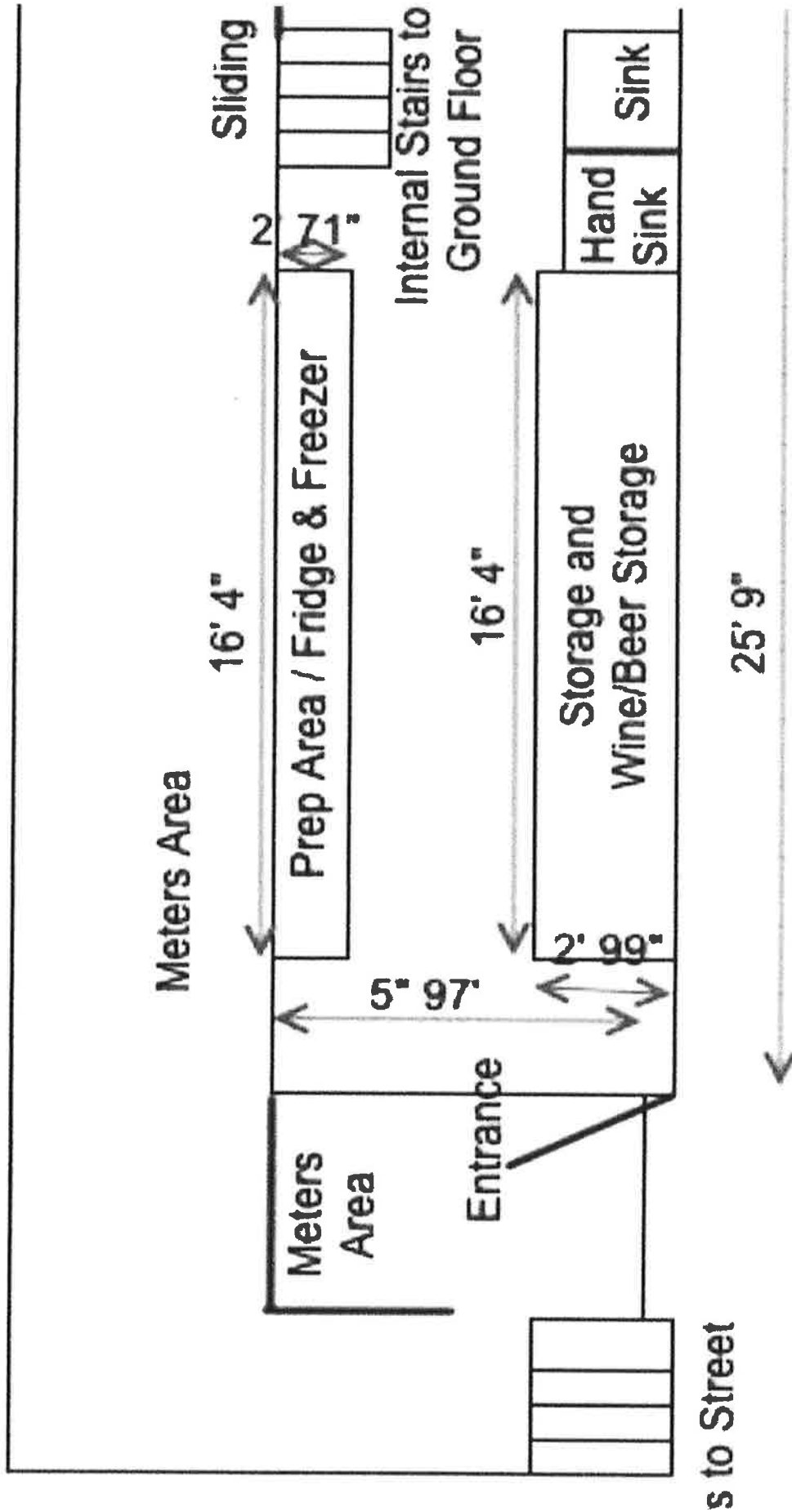
Spizy's 796 9th Avenue, New York, NY 10019



GUSTALY LLC
 796 9TH AVENUE
 NEW YORK, NY
 10019

GROUND FLOOR

9TH AVENUE



796 9th Ave
 Basement

Gonzalez, Nelly (CB)

From: Michael Kelly <kellymlk136@gmail.com>
Sent: Friday, December 27, 2019 2:08 PM
To: Gonzalez, Nelly (CB); gdclay@att.net; Paul Loeb; West 55th Street Block Association; HK5051 Neighborhood Association
Subject: 796 9th Ave
Attachments: Scan_0177.pdf

Please see attached (15 pages in total)

Thank you,

Michael Kelly
136 Waverly Rd
Scarsdale, NY 10583
P: (914) 632-6036
F: (914) 632-6034