

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME 542 TACO LLC		DOING BUSINESS AS (DBA) TAQUERIA DIANA	
STREET ADDRESS 524 9TH AVENUE		CROSS STREETS W 39th and 40th Sts.	ZIP CODE 10018
OWNER <i>(Attach a list of all the people that will be associated listed with the license)</i>	NAME: Matthew La Rue	ATTORNEY/ REPRESENTATIVE	NAME: Robert S. Bookman
	PHONE: 209-662-4273		PHONE: 212-513-1988
	EMAIL: taqueriadiana@gmail.com		EMAIL: rbookman@pandblegal.com
MANAGER	NAME: Matthew La Rue	LANDLORD	NAME: West 39th Street Holdings, LLC.
	PHONE: 209-662-4273		PHONE: 212-776-4581
	EMAIL: Same as above.		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?	Taqueria Diana, 129 2nd Ave + 601 6th Avenue	
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes</i>		
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans</i>		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
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.	YES	<input checked="" 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.	YES	<input checked="" 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 of all patrons)									
HOURS* (Indoor Only)		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	9AM-12AM	9A-12AM	9-12AM	9-12AM	9-1AM	9-1AM	9-1AM	9-1AM
	Kitchen	"	"	"	"	"	"	"	
	Music	12P-11P	12P-11P	12P-11P	12P-12A	12P-12A	10AM-12A	10A-12A	
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		40	6	25	0	1	6		
OUTSIDE (Other than sidewalk café)	NA	→							
SIDEWALK CAFÉ	NA	→							
How many floors are there? What is the capacity for each floor?					1 [see above]				
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?					YES	<input checked="" type="radio"/> NO			
Will applicant have bottle or table service for beverage alcohol?					YES	<input checked="" type="radio"/> NO			
Will you be hosting private, promotional or corporate events?					<input checked="" type="radio"/> YES	NO			
Will outside promoters be used on a regular basis? If yes please describe.					YES	<input checked="" type="radio"/> NO			
Will you have a security plan? If, yes please attach.					YES	<input checked="" type="radio"/> NO			
Will security plan be implemented?					YES	<input checked="" type="radio"/> NO			
Will State certified security personnel be used?					YES	<input checked="" type="radio"/> NO			
Will New York Nightlife Association and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	NO			
Will applicant be using delivery bicycles? If yes, how many?					YES	<input checked="" type="radio"/> NO	*Third-party service		
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	<input checked="" type="radio"/> NO			
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?	YES	<input checked="" type="radio"/> NO
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	<input checked="" type="radio"/> NO
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO

Community Notification/Relations

<p>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</p>	# 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?		Peter Krokondelas, Matthew LaRve
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	NO 209-662-4273
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	NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	LEE'S DRY CLEANERS (currently vacant)		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	<input checked="" type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	? 3' Awning
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="radio"/> 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?	<input checked="" type="radio"/> YES	NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	NO	
Will the establishment have any of the following: (circle all that apply)	FRENCH 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?	<input checked="" type="radio"/> 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?	<input checked="" type="radio"/> 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	<input checked="" type="radio"/> 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	N/A
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	NO	
Will the establishment have an illuminated sign?	YES	<input checked="" type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	ROOF *See below		
When was the air conditioner installed?	APRIL 2015 DECEMBER 2015		

TEMPSTAR CONDENSING UNIT
 5 Ton 3 Phase 208/230 Volts
 M# NAA 360GHC

Multi Aqua Blower / EVAPORATOR
 5 Ton 1 PHASE 208/230 Volts
 M# FSFCA -20-1-U-13

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

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

** There is no sidewalk café attached to this application (or any other outdoor space) nor is ownership contemplating one at this time.*

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 above are agreed to by applicant and is part of the method of operation

Denial Approval

CB4 REPRESENTATIVES

Nelly Gonzalez
CB4 Assistant District Manager

Frank Holozubiec
CB4 BLP Committee Co-Chair


Burt Lazarin
CB4 BLP Committee Co-Chair

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 written stipulations above constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These written stipulations supersede any oral statements or representations in connection with this application.

SIGN HERE

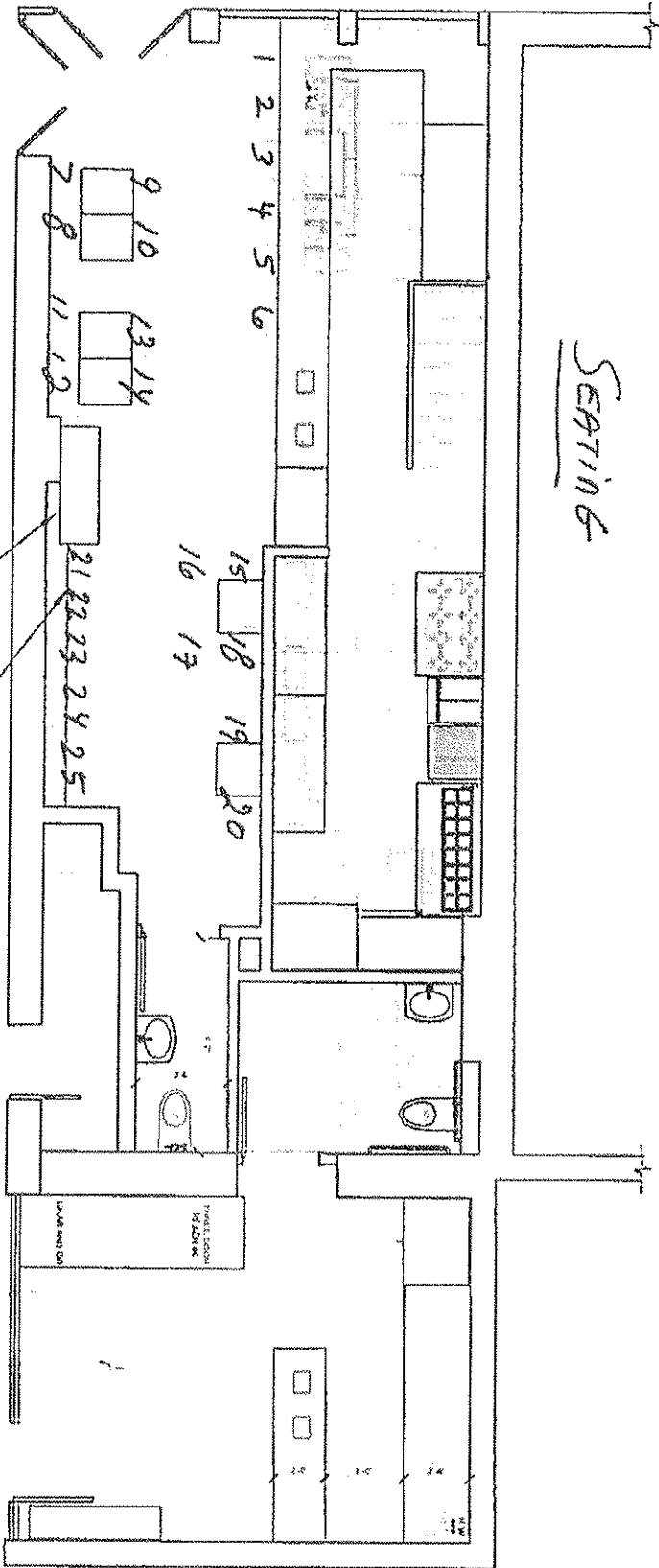


Matthew La Rue
SIGNATURE OF APPLICANT

09/22/2015

DATE

12/08/15 ML



1 SCHEMATIC PLAN
SCALE 1/4" = 1'-0"

Taqueria Diana Catering

For the best service please give us 24 hours notice for your order

@taqueriadiana
www.taqueriadiana.com

129 2nd Ave (646) 422-7871
601 6th Ave (646) 657-0257

Burrito Party

Minimum 10 burritos
Any protein or vegetarian option.
Every 2 burritos come with a bag of chips and salsa.
\$1 / burrito
Carne Asada - 1

Pollo Platter

Minimum 6 whole chickens
Comes with rice and beans
\$5 / Bird

Nacho Party Platters

\$35

Taco Parties

Minimum 10 people
(Approx. 3 tacos / person)
Served with tortillas, salsa, onions, cilantro, cream, guacamole, rice, and beans
\$6 / person for any 1-3 proteins/vegetable options means same
\$8 / person for any 4-5 protein/vegetable options

Ultimate Taco Party

Minimum 10 people
Served with tortillas, salsa, onions, cilantro, cream, guacamole, rice, beans, chips, and any one salsa or horchata.
\$20 / person for all 5 taco options



BURRITO 9.19

Flour Tortilla, Rice, Beans, Monterey Jack, Crema, Salsa
-Carne Asada - 1.37
-Guacamole - 1.30

PLATE 9.19

Rice, Beans, Salsa, Cotija, Crema
-Carne Asada - 1.37
-Guacamole - 1.30

CHOOSE ONE

POLLO
Juicy pulled roast chicken in dried chiles & spices

AL PASTOR

Spirrituous spicy pork

CARNITAS

Pork slow cooked in milk and beer

CARNE ASADA

Tender grilled beef marinated in cilantro, spices, and beer

RAJAS (Vegetarian)

Grilled poblano peppers, corn, and onions

TACO 3.68

Fresh Corn Tortilla, Onion, Cilantro, Salsa, Cotija, Crema
-Carne Asada - .91
-Guacamole - .69

SALAD 8.50

-Romaño, Red Cabbage, Carrots, Radish, Spiced Peppa, Cotija Cheese, Red Wine Vinaigrette
-Carne Asada - 1.37

DIANA'S FAVORITES

NACHOS 11.94

Fresh tortilla chips, beans, Monterey Jack, cream, guacamole, avocados, salsa
-Carne Asada - 1.30

BAJA STYLE FISH TACOS 10.56

Fresh Corn Tortilla, Battered Fish, Avocado, Ahi, Cabbage Slaw

ROAST CHICKEN 13.32

1/2 chicken, rice, beans, salsa

ELOTE 3.67

Grilled Corn on the Cob, Cotija, Mayo, Cotija, Chili, Lime

SIDES

CHIPS \$2
SMALL GUACAMOLE \$3.50
LARGE GUACAMOLE \$4.15
RICE (Mexican & Brown) \$2.76
BEANS (Black, Pinto, Refried) \$2.76
TORTILLAS (S) \$1.50
ESCAMBUQUE \$2.25
* - Vegetarian

BEVERAGES

SODA \$2.53
BEER
12oz \$4.59
24oz \$6.09
HORCHATA \$3.57
(Sweet & Spiced Rice Drink)
JAMAICA (Bibacous Tea) \$3.67



Taqueria Diana 524 9th Ave Bar Menu

Beer (bottled):

Pacifico	\$4
Pacifico Mini	\$3
Vitoria	\$4
Modelo (can)	\$3
Bohemia	\$5
Dos Equis Amber	\$5
Draft (custom)	\$5

Cocktails:

Tommy's Margarita	\$8
Tommy's Margarita (Pitcher)	\$25
Margarita Diana	\$9
Margarita Diana (Pitcher)	\$30
Paloma	\$8
Michelada	\$8
Bloody Maria	\$8
Sangria (tap)	\$8
Sangria (tap)(pitcher)	\$25
Campos Cooler	\$8
Daquiri	\$8
Pina Colada	\$8
Falernum	\$8

Boilmakers:

Pacifico, Ocho Repo	\$9
Vitoria, Alipus	\$9
Modelo (can), Cimmerron	\$6
Bohemia, Fortaleza Blanco	\$9
Dos Equis Amber, Chichicapa	\$9

Buckets:

Modelo (6)	\$15
Pacifico Mini (6)	\$14

Outreach Meetings

Attendees required: Matt LaRue

Monday, November 23, 2015

Office of the Manhattan Borough President Gale Brewer

Meeting with Andrew "Drew" Lombardi

CB 4 Rep

1 Centre Street, 19th Floor

11:30am

Office of City Councilman Corey Johnson

Meeting with Matthew Green

Legislative Aide & Participatory Budget Director

224 West 30th St, Suite 1206, between 7th & 8th Avenues

1:00pm

Office of State Assembly member Richard Gottfried

Meeting with Marty Algaze & Gaby Dann-Allel

Community Liaison & CB4 Rep

242 West 27th Street (Ground Floor)

2:00pm

Office of State Senator Brad Hoylman

Eli Szenes-Strauss

Deputy Chief of Staff

322 8th Avenue, Suite 1700

3:00pm

Tuesday, November 24, 2015

Office of State Senator Adriano Espaillat

David Baily, CB4 Rep

5303 Broadway

11am



**524 9th Avenue
Liquor License Application
Presented to**

**Community Board 4
Business, Permits & Licenses Committee**



Matthew La Rue
Chef/Owner, Taqueria Diana

After one semester at Boston University, Matthew moved back to California to pursue film at Cal State-Northridge. However, during this time in the San Fernando Valley is La Rue began to find his true passion in the food and hospitality industry.

After working in fast-food and then casual dining restaurants in various positions, La Rue transferred to San Francisco State University where he obtained a Bachelor of Science in Hospitality Management- Restaurant/ Catering Management with a Minor in Business Administration.

After graduating, La Rue enrolled in an accelerated culinary arts program at the Culinary Institute of America-Greystone located in the Napa Valley. When not in class, at the CIA, he spent his time volunteering at local food events and worked as a cook at Michael Chiarello's famed Bottega Ristorante.

Upon graduating from CIA-Greystone, Matthew moved back to San Francisco to the heart of the mission to re-enter the restaurant world. La Rue gained experience working in some of the world's top restaurants including Aquarello, Quince, Contigo, Flour & Water and Delfina Restaurant.

In January 2013 La Rue moved to New York where he took a job at The Meatball Shop and within weeks was promoted to management. However, La Rue's passion always centered around authentic Mexican cuisine. Shortly after arriving in New York, La Rue opened his first restaurant Taqueria Diana in the East Village to critical acclaim and his signature nacho dish is ranked one of the best in America.

Today, La Rue has two Taquería Dianas (the original East Village location and Chelsea) in New York and is in process of opening his third in Hell's Kitchen.



**About Taqueria Diana
Thrillist's 21 Best Nachos in America**

<https://www.thrillist.com/eat/nation/best-nachos-in-america-thrillist-nation>

Created for authentic Mexican food lovers, we present to you Taqueria Diana: a California inspired Mexican restaurant in NYC. Established in July 2013, Taqueria Diana became an instant institution of the East Village food scene. Our second restaurant located at 601 6th Avenue September this year which is catching on in Chelsea.

Dishing out street food classics like tacos, burritos, quesadillas, and our nationally-ranked nachos – our neighbors have flocked to TD. We are equally excited about our next venture into New York's famed Hell's Kitchen.

TD will be a small 25-seat neighborhood restaurant that will strive to contribute to the fabric of one of New York's most famous neighborhoods and our neighbors who live there. While our drink menu is limited – it is carefully curated to bring authentic Mexican cocktails to our guests.

We pride ourselves on the quality of our food and pay closest attention to detail in preparing all things fresh daily. We source our corn masa from our friends at Tortilleria Nixtamal. We press and cook the tortillas fresh for every taco, making each one just as important and cared for as the next. Our chips are fried in masses, making sure we create the best nacho plate you've ever had. Our salsas are made by our hard working and caring staff, who take extra care in making sure your "salsa bar" is well stocked. In addition to the classics, we offer roast chicken and a hearty salad on the menu to ensure there's a little something for everyone at reasonable price points.

Everyone at Taqueria Diana is dedicated to not just giving you the best food, but a cheerful and respectful service that will keep you and your family and friends coming back.

Taqueria Diana, will be located at the northeast corner of West 39th and 9th Avenue and will be opening in December 2015.