

# Manhattan Community Board 4

## Liquor License/Sidewalk Cafe Stipulations Application

(All Fields Must Be Completed)

<b>CORPORATION NAME</b>		<b>DOING BUSINESS AS (DBA)</b>	
Eight Avenue Kitchen LLC		Bareburger	
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>	<b>ZIP CODE</b>
184 8th Avenue,		19th & 20th Street	10011
<b>OWNER</b> <small>(Attach a list of all the people that will be associated/listed with the license)</small>	<b>NAME:</b> Eftychios Pelekanos	<b>ATTORNEY/ REPRESENTATIVE</b>	<b>NAME:</b> Teddy Gonzalez
	<b>PHONE:</b> 917-523-5650		<b>PHONE:</b> 212-566-6002/917-531-9567
	<b>EMAIL:</b> jp@bareburger.com		<b>EMAIL:</b> teddygonzalez14@aol.com
<b>MANAGER</b>	<b>NAME:</b> S/A/A	<b>LANDLORD</b>	<b>NAME:</b> Eighth-19th Company , LLC
	<b>PHONE:</b>		<b>PHONE:</b> 212-243-6722
	<b>EMAIL:</b>		<b>EMAIL:</b>
<b>APPLICATION TYPE</b> ( <u>      </u> <i>Liquor License</i> <u>  X  </u> <i>Unenclosed Sidewalk Cafe</i> )			
<input checked="" type="checkbox"/> <b>New</b>	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?	B5 LLC, 2301 31th St., Astoria, NY 11105	
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> <b>Corp</b> <b>Change/Class</b> <b>Change/Removal</b>	What is the 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"/> <b>Alteration</b>	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
<b>METHOD OF OPERATION</b>			
<b>TYPE OF ALCOHOL</b>	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input type="radio"/> Wine/Beer & Cider		
<b>ESTABLISHMENT TYPE</b>	<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	
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 type="radio"/> YES	<input type="radio"/> NO	N/A
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	<input type="radio"/> YES	<input type="radio"/> NO	N/A
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* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	<b>Operation</b>	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-11pm
	<b>Kitchen</b>	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-11pm
	<b>Music</b>	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-11pm	11am-11pm
If you plan to have music, what type(s)? (Circle all that apply)		<b>BACKGROUND</b>		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
<b>INSIDE</b>	70	70	17	54	0	1	8
<b>OUTSIDE</b> <i>(Other than sidewalk café )</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A
<b>SIDEWALK CAFÉ</b>	N/A	10	5	10			

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

N/A

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

2-3 TIMES A WEEK

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 N/A

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

<b>LOCATION &amp; ZONING</b>			
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?	<input checked="" type="radio"/> YES	NO	
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	
Are your plans filed with DOB?	YES	NO	N/A

<b>Community Notification/Relations</b>			
<b>NOTIFICATION:</b> 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	COMMUNITY BOARD #4	
	# 2	NOTIFYING EVERYONE ON LIST PROVIDED.	
	# 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?		3/01/2020	
Where did applicant post the notice that was provided?		ENTRANCE GLASS	
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
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

<b>BUILDING DESIGN</b>			
State the name and type of business previously located in the space.	CHUCK AND BLADE & BUNS BAR		
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	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" 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.	YES	<input checked="" type="radio"/> NO	
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 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 checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input checked="" 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?	YES	NO	N/A
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	<input type="radio"/> NO	
Will the establishment have an illuminated sign?	<input checked="" type="radio"/> YES	<input 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?	EXISTING		
When was the air conditioner installed?	EXISTING		

<b>OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ</b>			
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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be applying for a sidewalk café now or in the future?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	<input checked="" type="radio"/> 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.	<input checked="" type="radio"/> 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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk cafe?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant mark the perimeter of the café on the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the sidewalk café not provide standing space for drinking or smoking?	<input checked="" type="radio"/> 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?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will all furniture be stored inside between December 21 <sup>st</sup> and March 21 <sup>st</sup> , and any other day when it rains or snows?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use umbrellas?	<input type="radio"/> YES	<input checked="" 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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

**ADDITIONAL STIPULATIONS: (Office Use Only)**

- There will be no barriers, planters etc, in sidewalk cafe paralell to 7th Avenue

***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***

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<p>Manhattan Community Board 4 (MCB4) recommends:  <i>(MCB4's recommendation is based on a vote taken at its  <u>May 6, 2020</u> full board meeting, with <u>46</u> members voting in favor  of the recommendation, <u>1</u> members opposed, <u>0</u> members  abstaining and <u>0</u> 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**

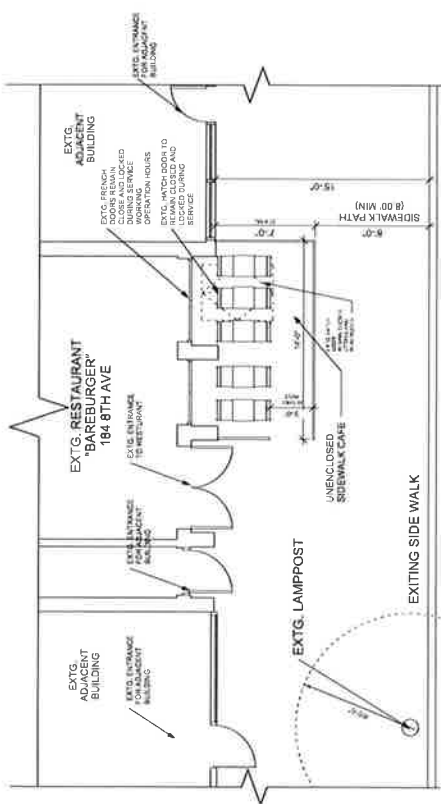
 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Yoni Bokser <i>CB4 BLP Committee Co-Chair</i>
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**APPLICANT AGREEMENT WITH THE COMMUNITY**

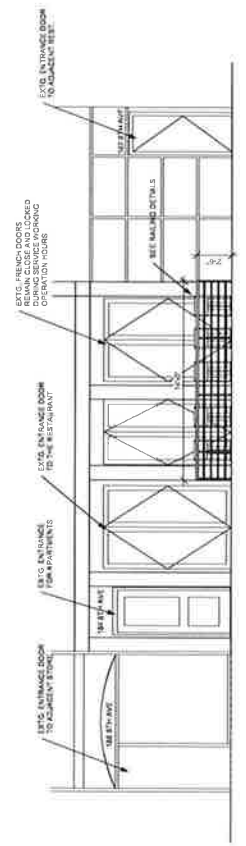
Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of 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><b>SIGN HERE</b> →</p>	 <b>Teddy Gonzalez</b> <i>Rep</i> PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	<p><b>3/16/2020</b>  DATE</p>
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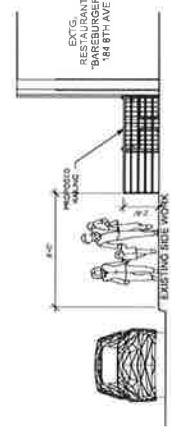
**\*\*These stipulations are subject to ratification at a future MCB4 Full Board Meeting - March 23, 2020\*\***



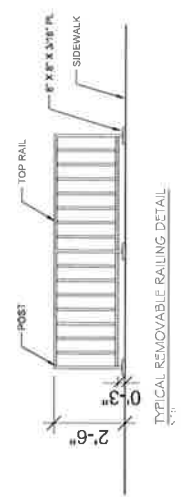
UNENCLOSED SIDEWALK CAFE DIAGRAM  
SCALE: 1/8" = 1'-0"



8TH AVE ELEVATION  
SCALE: 1/8" = 1'-0"



W 19 ST ELEVATION  
SCALE: 1/8" = 1'-0"



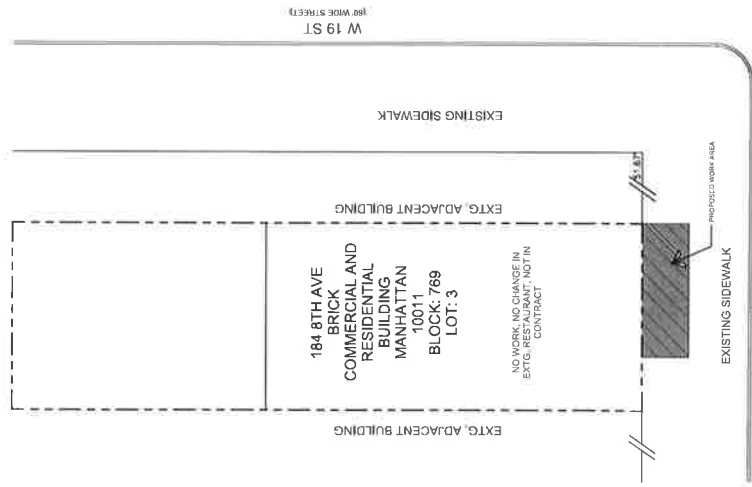
TYPICAL REMOVABLE RAILING DETAIL  
SCALE: 1/2" = 1'-0"

**SIDEWALK CAFE NOTES**

GENERAL SIDEWALK CAFES PROVIDED BEYOND THE BUILDING LINE SHALL COMPLY WITH THE REQUIREMENTS OF THIS SECTION, THE NEW YORK CITY ZONING RESOLUTION, THE COMMISSIONERS OF THE DEPARTMENT OF CONSUMER AFFAIRS

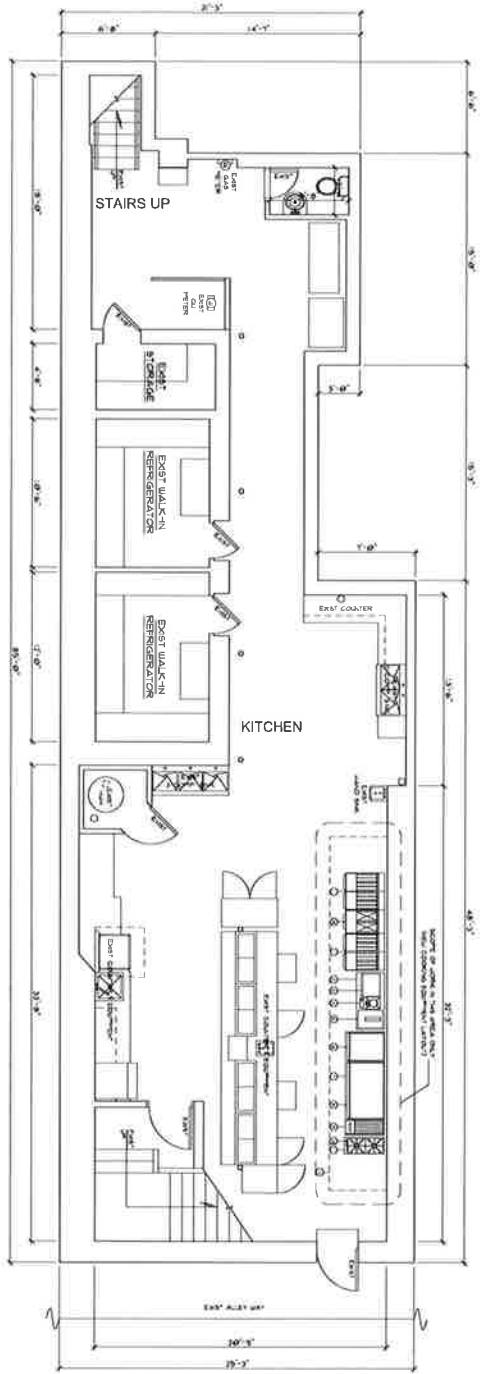
1. UNENCLOSED SIDEWALK CAFE SHALL COVERLY WITH ZR 1-4.00
2. ZR 1-4.1.1 THERE SHALL BE A MINIMUM OF 8'0" CLEARANCE OR 50% OF THE SIDEWALK WIDTH, WHICHEVER IS GREATER, FREE OF ALL OBSTRUCTIONS
3. ZR 1-4.1.1 THERE SHALL BE A MINIMUM OF 8'0" CLEARANCE, FREE OF ALL OBSTRUCTIONS AT INTERSECTION OF STREET LINE.

**PLOT PLAN**  
SCALE: 1/8" = 1'-0"



<p>DOB STAMP</p>	<p>SCALE: AS NOTED</p>
<p>DATE: 10/09/19</p>	<p>LOCATION: 184 8TH AVE (MANHATTAN)</p>
<p>DRAWN BY: S.W.A.M.R.</p>	<p>BLOCK#: 769 LOT#: 03</p>
<p>A-001.00 SHEET NO. 1 OF 1</p>	<p>ZONE#: C1-6A MAP#: 1-8D</p>
<p>ARCHITECT ASSUMES NO RESPONSIBILITY FOR ANY WORK FROM APPROVED PLANS THE CONTRACTOR MUST OBTAIN WRITTEN APPROVAL FOR ANY CHANGES FROM ARCHITECT BEFORE COMMENCING SUCH WORK</p>	<p>SEAL: <b>HIG LEE ARCHITECT P.C.</b> DESIGN * ENGINEERING * INTERIORS * CONSTRUCTION SUPERVISION * 34-16 149 ST. FLUSHING, NY 11354 (718)461-9100 (718)460-0843</p>
<p>LEGEND</p>	<p>CONTROL INSPECTION</p>
<p>6" x 8" EXTERIOR WALL</p>	<p>TR: TECHNICAL REPORT</p>
<p>6" x 8" INTERIOR WALL</p>	<p>OT</p>
<p>TR&amp;P: PROGRESS INSPECTION</p>	<p>SCOPE OF WORK SUGGESTED FOR RECORD OR DEVELOPMENT DRAWN BY: S.W.A.M.R. DATE: 10/09/19</p>

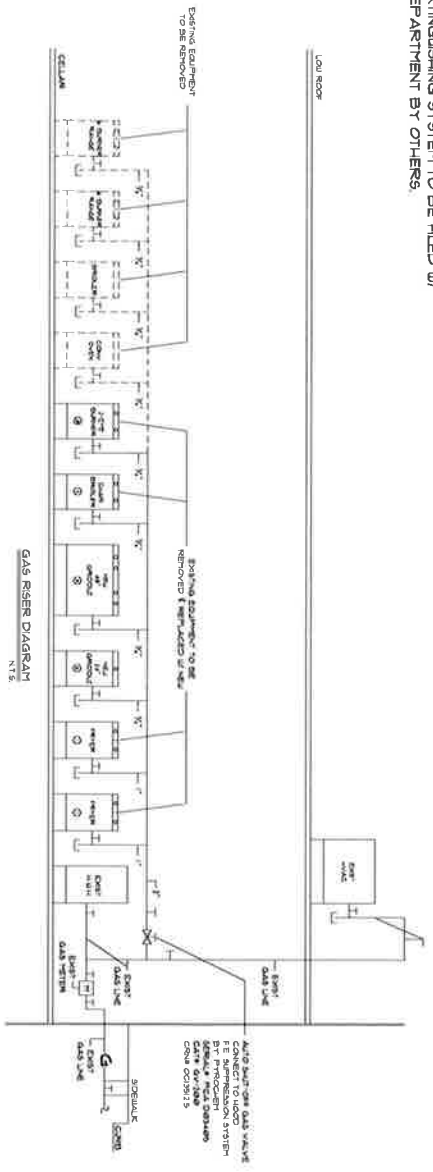
EIGHTH AVENUE KITCHEN LLC  
 D/B/A/ BAREBURGER  
 184 8TH AVENUE  
 NEW YORK, NEW YORK 10011



CELLAR NEW COOKING EQUIPMENT LAYOUT  
 1/4" = 1'-0"

EXISTING LAYOUT OF CELLAR & EQUIPMENT AS PER JOB # 120345960  
 OCCUPANCY OF CELLAR AS PER C.O.P. 038505

NOTE:  
 FIRE EXTINGUISHING SYSTEM TO BE FILED W/  
 FIRE DEPARTMENT BY OTHERS.



GAS RISER DIAGRAM  
 N.T.S.

NOTE:  
 THIS PLAN IS APPROVED ONLY FOR WORK LOCATED ON THE APPLICATION SHEET.  
 ALL OTHER WORK SHALL BE APPROVED TO BE FILED UPON OR TO BE CONSIDERED  
 AS BEING APPROVED ON AN APPLICATION SHEET FOR SUCH WORK.

SCHEDULE OF EQUIPMENTS				
ITEM NO.	QTY.	DESCRIPTION	MANUFACTURER	MODEL NO.
1	2	WATER	FRIGIDA	500-20710
1A	1	CHEF W/ GOLD EOOD CABINET	FRIGIDA	FR18
2	1	48" STAINLESS STEEL TABLE	CALSON	34440000
3	1	COASTER	WALBRING	CR700000
4	1	WALL MOUNTED	WALBRING	QUT0000
5	1	30\"/>		

**GAS PIPING NOTES IN COMPLIANCE W/ NYC 24.04**

1. ALL GAS PIPING SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE REQUIREMENTS OF NYC 24.04 OF THE GAS CODE 2014 ARTICLE 18 & 19 OF THE N.Y.C. ADMINISTRATIVE CODE.  
 2. ALL GAS LINES TO BE SET OUT OF STREETS SHALL BE REMOVED UP TO A VALVE SHALL BE AT THE MANUFACTURER'S.  
 3. GAS PIPING SHALL NOT BE USED FOR ELECTRICAL, MECHANICAL, UNDER NO CIRCUMSTANCES SHALL GAS PIPING BE DISTURBED, TAPPED OR BENT. THE USE OF GAS PIPING FOR OTHER PURPOSES SHALL BE STRICTLY PROHIBITED.  
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REVISION	DATE	REMARKS

PROJECT: **THETA DESIGNS**  
 213-33 40TH AVE. BAYSIDE NY 11361  
 (718) 274-9210  
 EMAIL: [THETAD@THETAD.COM](mailto:THETAD@THETAD.COM)

OWNER: **CELLAR NEW COOKING EQUIPMENT LAYOUT**

DATE: 06.11.19  
 DRAWN BY: 06/19  
 CHECK BY: K.C.  
 DWG# A-1-01-00













COMING SOON!  
Bareburger

@bareburger  
bareburger.com

184

eyewear