

# 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>					
ACROSS THE PARK INC		CASCABEL TAQUERIA					
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>		<b>ZIP CODE</b>			
857 NINTH AVE, NY, NY		55/56		10019			
<b>OWNER</b> <small>(Attach a list of all the people that will be associated/listed with the license)</small>	<b>NAME:</b>	DAVID CHIONG		<b>ATTORNEY/ REPRESENTAIVE</b>	<b>NAME:</b>	KATHLEEN NEGRI STATHOPOULOS	
	<b>PHONE:</b>	2125967083			<b>PHONE:</b>	7182855675	
	<b>EMAIL:</b>	NYCTACOS@GMAIL.COM			<b>EMAIL:</b>	NEGRIES@AOL.COM	
<b>MANAGER</b>	<b>NAME:</b>	SAME AS ABOVE		<b>LANDLORD</b>	<b>NAME:</b>	EMANUEL KALIONTZAKIS	
	<b>PHONE:</b>				<b>PHONE:</b>	2129561377	
	<b>EMAIL:</b>				<b>EMAIL:</b>	KALIONTZAKIS@GMAIL.COM	
<b>APPLICATION TYPE</b> ( <input checked="" type="checkbox"/> <i>Liquor License</i> _____ <i>Unenclosed Sidewalk Cafe</i> )							
<input checked="" type="checkbox"/> <b>New</b>	Has applicant owned or managed a similar business?			<b>YES</b>	<b>NO</b>	<b>YES</b>	
	What is/was the name and address of establishment?			CASCABEL @ 2799 BROADWAY (108TH ST)			
	What were the dates applicant was involved with this former premise?			2013-2019			
<input checked="" type="checkbox"/> <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?			<b>YES</b>	<b>NO</b>	<b>NO</b>	
	If alterations or operational changes are being made, please describe/list all changes.						
<input type="checkbox"/> <b>Alteration</b>	What is the current license # and expiration date?						
	Please list/describe the nature of all the changes and attach the plans:						
<b>METHOD OF OPERATION</b>							
<b>TYPE OF ALCOHOL</b>	<input type="checkbox"/> Liquor/Wine/Beer & Cider		<input type="checkbox"/> Beer & Cider		<input checked="" type="checkbox"/> Wine/Beer & Cider		
<b>ESTABLISHMENT TYPE</b>	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization – Members Only)						
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?				<b>YES</b>	<b>NO</b>	<b>NO</b>	
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.				<b>YES</b>	<b>NO</b>	<b>YES</b>	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.				<b>YES</b>	<b>NO</b>	<b>NO</b>	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?				<b>YES</b>	<b>NO</b>	<b>YES</b>	

**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
	Operation	12-MID	12-MID	12-MID	12-MID	12-MID	12-MID	12-MID
	Kitchen	12-MID	12-MID	12-MID	12-MID	12-MID	12-MID	12-MID
	Music	12-MID	12-MID	12-MID	12-MID	12-MID	12-MID	12-MID
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 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>	19	19	3	8	0	0	0
<b>OUTSIDE</b> <i>(Other than sidewalk café)</i>	0	0	0	0	0	0	0
<b>DCA APPROVED UNENCLOSED SIDEWALK CAFÉ</b>	0	0	0	0	0		

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

2

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

EVERY DAY

Will there be dancing?

YES NO NO

Will applicant have bottle or table service for beverage alcohol?

YES NO NO

Will applicant be hosting private; promotional or corporate events?

YES NO NO

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

YES NO NO

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

YES NO NO

Will security plan be implemented?

YES NO NO

Will State certified security personnel be used?

YES NO NO

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

YES NO YES

Does applicant agree to notify MCB4 prior to making changes to its method of operation?

YES NO YES

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

YES NO 0

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 USING 3RD PARTY DELIVERY SERVICE

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

USING 3RD PARTY DELIVERY SERVICE

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

<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	Bob Benfatto - Hudson Yards Hell's Kitchen Alliance	
	# 2	Patty Gouris - Hudson Yards Hell's Kitchen Alliance	
	# 3	Linda Ashley - West 44 Street Better Block Association	
	# 4	Christine Gorman - West 55th Block Association	
	# 5	Steve Belida - HK49-53 Block Alliance	
Please provide dates when applicant met with the groups listed above.		EMAILED ALL MAY 23, 2021	
Who was your contact person at each group you met with?		ALL OF THE ABOVE	
When did applicant post the notice that was provided?		MAY 23, 2021	
Where did applicant post the notice that was provided?		AS DIRECTED ON THE FRONT DOOR OF BUSINESS	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		YES	NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		YES	NO
		COMPLAINTS 917-727-3116	
		YES	

<b>BUILDING DESIGN</b>			
State the name and type of business previously located in the space.	NYKKEI		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	NYKKEI
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	NO
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	YES	NO	YES
Is the entrance ADA Compliant?	YES	NO	YES
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	NO
Will applicant have a vestibule within the establishment?	YES	NO	YES
Will applicant use a storm enclosure?	YES	NO	NO
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO	YES
Will applicant comply with the NYC noise code?	YES	NO	YES
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?	YES	NO	YES
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	YES
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	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	YES
Will the kitchen exhaust system extend to the roof?	YES	NO	YES
Will the establishment have an illuminated sign?	YES	NO	YES
Will the establishment have a canopy extending over the sidewalk?	YES	NO	NO
Where will the air conditioner be located? What type is it?	SPLIT UNIT WITHIN THE STORE		
When was the air conditioner installed?	EXISTING UNIT AND INSPECTED 2021		

## Open Restaurants Program Only

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

## DCA APPROVED UNENCLOSED SIDEWALK CAFÉ

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

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

- This application does not extend to any permanent outdoor space or sidewalk cafe

***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:  
 (MCB4's recommendation is based on a vote taken at its  
 July 28, 2021 full board meeting, with 35 members voting in favor  
 of the recommendation, 0 members opposed, 0 members  
 abstaining and 0 present but not eligible)

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

Denial  Approval

**CB4 REPRESENTATIVES**

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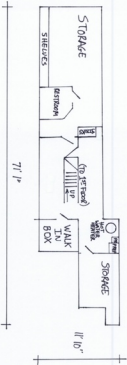
**APPLICANT AGREEMENT WITH THE COMMUNITY**

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.

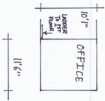
<p><b>SIGN HERE</b> →</p>	<p>DAVID CHIONG</p>		<p>05/23/2021</p>
	<p>PRINT NAME OF APPLICANT</p>	<p>DAVID CHIONG</p> <p>SIGNATURE OF APPLICANT</p>	<p>DATE</p>



INTERIOR DIAGRAM - BASEMENT  
857 9TH AVENUE  
NEW YORK, N.Y.  
JULY 22, 1930  
NOT TO SCALE



INTERIOR DIAGRAM - MEZZANINE  
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NEW YORK, N.Y.  
JULY 22, 2020  
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**857**

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Fax: (212) 224-1234  
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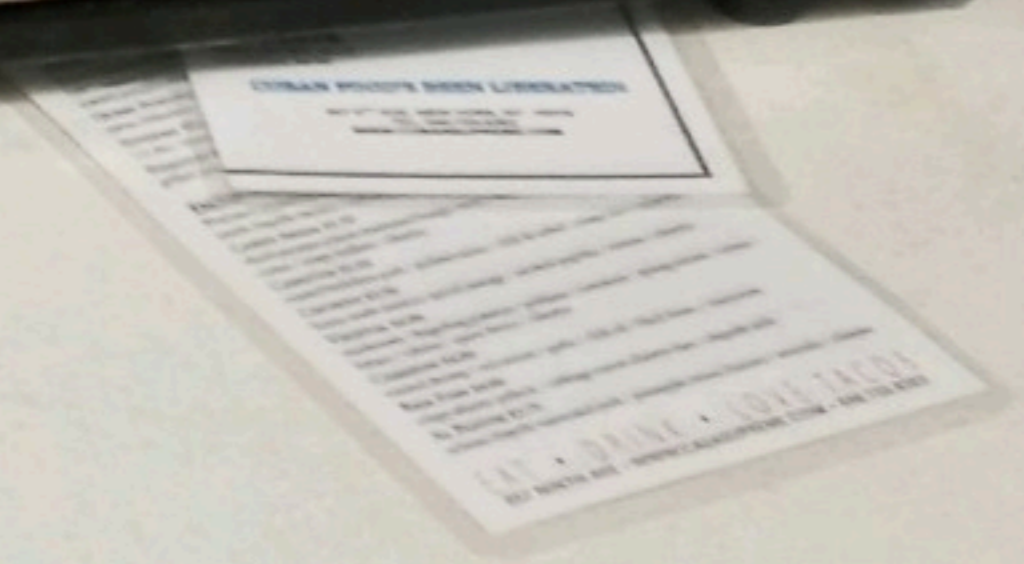
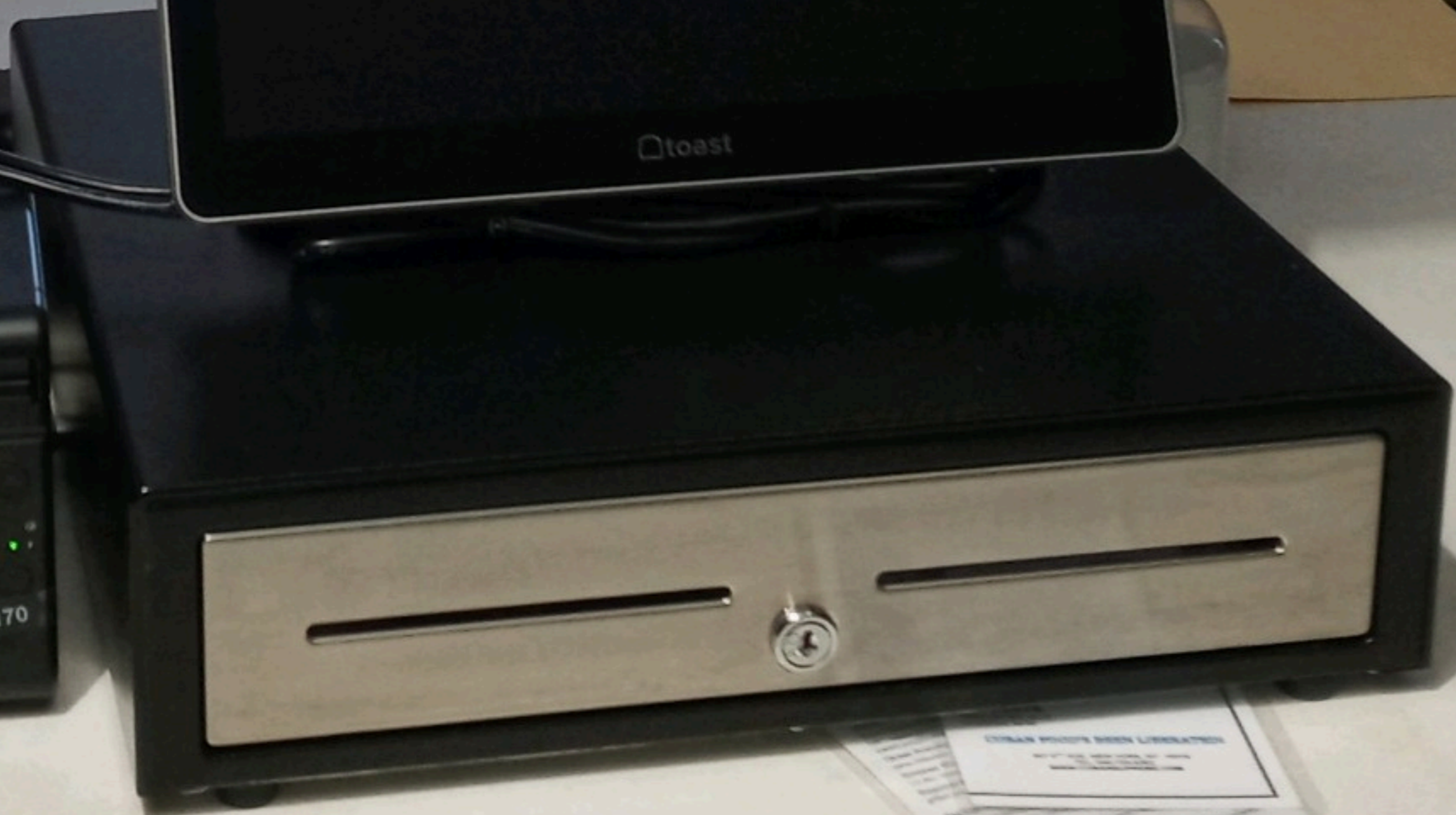
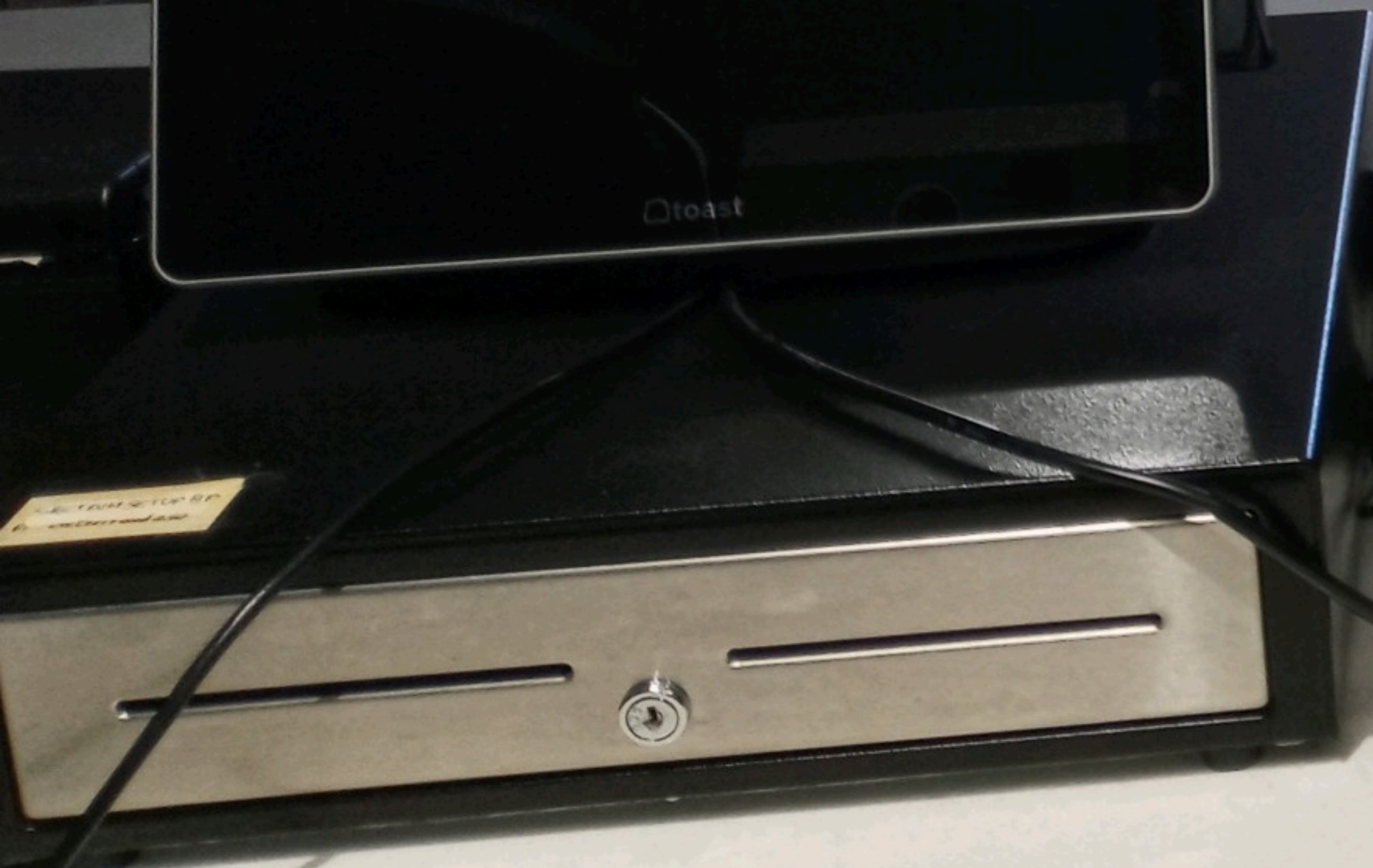
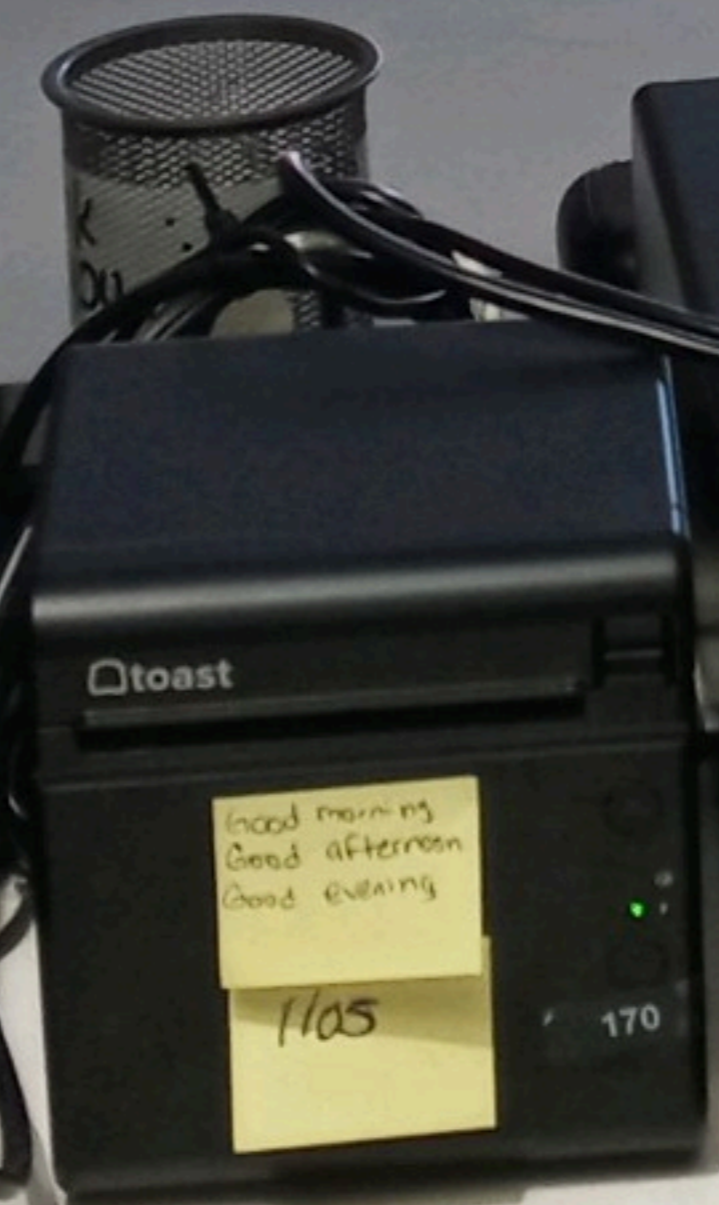
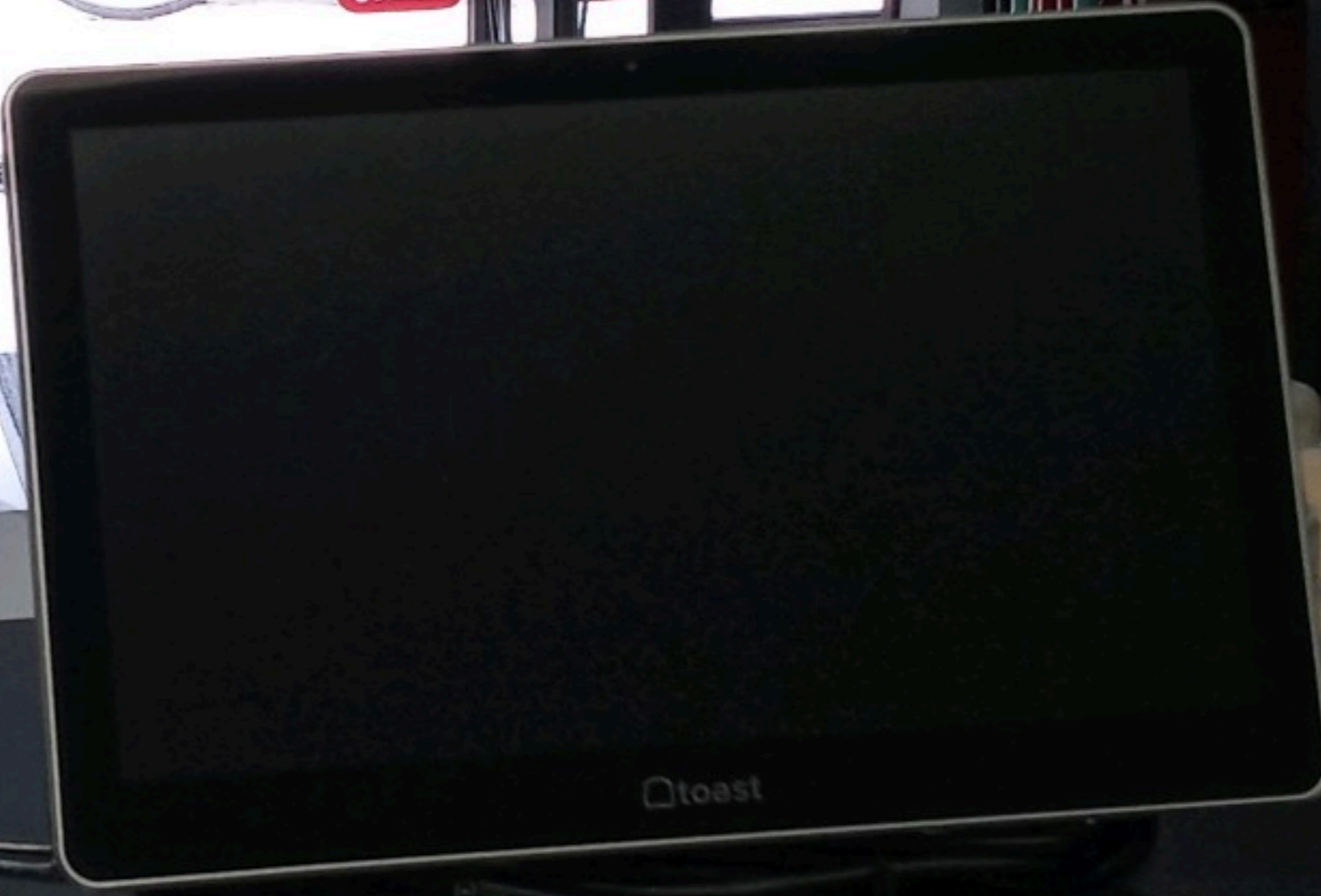
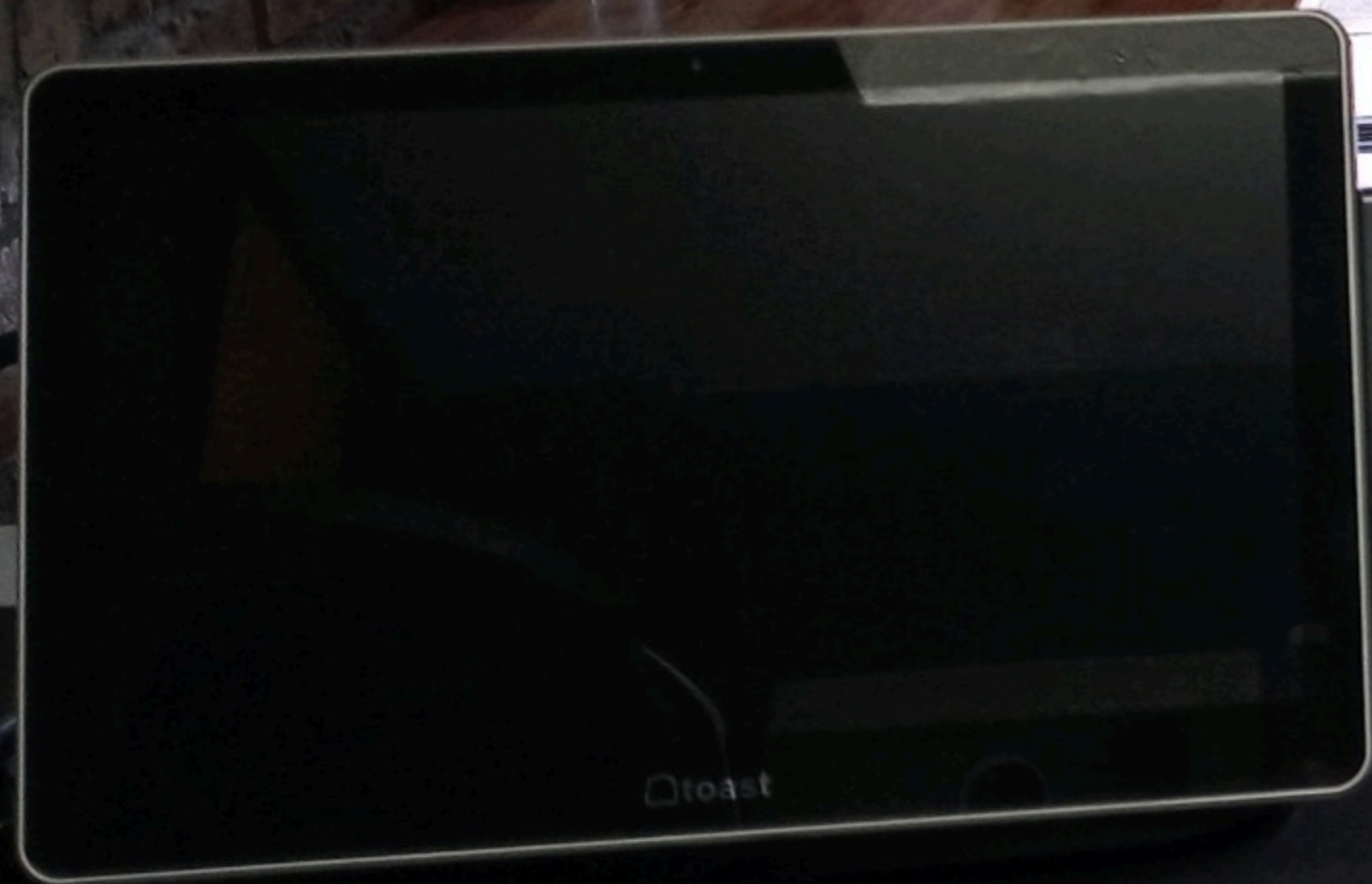
TACOS

PUBLIC NOTICE  
The City of New York  
Department of City Planning  
Office of the City Planner  
100 West Street, 10th Floor  
New York, NY 10038  
Tel: (212) 312-3100  
Fax: (212) 312-3101  
www.cityplanning.org

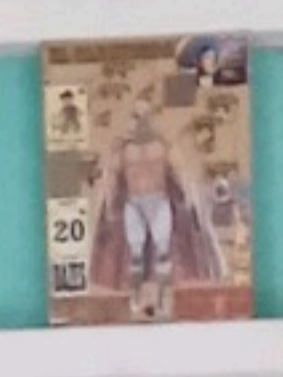
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APPLICANT

KILD #857

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GROCERY/DELI

JOAN NEIL  
CENTER FOR  
DANCE

- 9<sup>TH</sup> AVE. -

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STORE

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NEW YORK, N.Y.  
JULY 22, 2020 - NOT TO SCALE

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# CASCABEL TAQUERIA

*We are a casual, Mexican Taqueria offering fresh, handcrafted fare, inspired by the markets of Mexico.*

*We're sure you'll love our rocking tacos!*

*Our salsas and hot sauce are made to compliment the food we serve. At Cascabel, it's not just about food. From the moment you walk through the door, we invite you to relax with water, soda, mexican or micro brew, and have fun piecing together your perfect meal!*

*Buen Provecho*



## **PARA EMPEZAR** STARTERS

**GUACAMOLE TRADICIONAL CON TOSTADA** 7

MILD MEDIUM **HOT**

tomato / chili de arbol / lime / cilantro / garlic

**QUESO FUNDITO** 6.5

chihuahua cheese / house made chorizo / roasted poblano

**AVOCADO PUMPELO ENSALADA** 7.5

grape tomato / cilantro / red onion / toasted coriander

**ENSALADA LUCHADOR** 8

bib lettuce / fingerling potato / pickled jalapeno / queso fresco  
pumpkin seed

**CANGREJO Y MAIZ FRITO** 8

blue crab / corn / fresh salsa / piquillo pepper aioli

**SOPA DE TORTILLA** 5

chicken / queso fresco / mexican oregano / fried pasilla / tortilla

**QUESADILLA AUTENTICA** 3

queso fresco / epazote leaf

**GORDITAS CON PUERCO** 6

heritage pork belly / chipotle honey glaze / cucumber / cilantro

**COSTILLA DE CARNE** 5

beef rib / cumin & pastilla chili puree / lime cremé

**TACOS** TWO FRESH CORN TACOS PER ORDER 7.5 **THREE** 10.5

**PESCADO** crispy yellowfin tuna belly / hearts of palm / olive / onion

**CAMARON** roasted shrimp / fresh oregano / garlic / chili oil / black bean

**POLLO CHIPOTLE** amish chicken / avocado / green onion / chicken chicharrón

**LENGUA** braised veal tongue / spring onion / garlic oil / serrano chili

**CARNE ASADA** grilled yucatán achiote hanger steak / oyster mushrooms / creme fresca / crispy onion

**CARNITAS** slow roasted berkshire pork butt / pickled red onion  
roasted chili de arbol

**CHORIZO** house made mexican spiced sausage / smoked paprika  
onion

**VEGETAL** oyster mushrooms / fingerling potatoes / poblano / queso fresco house made cremé

**ADD HALF A LUCHADOR SALAD TO YOUR TACOS** 4

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# CASCABEL TAQUERIA

## PLATOS DE LUNCH LUNCH PLATES

**TACOS DORADOS** marinated shrimp / roasted calabaza / fingerling potatoes / queso fresco / tomato 12

**CEMITA POBLANO** shredded berkshire pork butt / champagne mango / oaxaca cheese / queso fresco / smashed avocado / aioli papalo 9.5

**POLLO TORTA** shredded amish chicken in chipotle sauce / black bean spread / roasted serrano relish / bibb lettuce / red onion / queso fresco / aioli / papalo 9

## PARA ACOMPAÑAR ON THE SIDE

**RÁBANO** breakfast radish / sea salt / mexican herbs coarse blk pepper 3.5

**QUINOA** organic quinoa / queso cotija / cilantro 5

**FRIJOLAS** local black beans / queso fresco / onion / cilantro 5

**QUINOA & FRIJOLAS** queso cotija / queso fresco / onion / cilantro 6

**CEBOLLINA** green onions / garlic / ginger 4.5

**ELOTE ASADO** grilled corn / mexican aioli / lime / cascabel chili queso cotija (MP)

**PICKLED VEGETALES** tomatillo / tomato / sweet onion / jalapeno 4

**CHORIZO** house made mexican spiced sausage / piquillo pepper aioli 5

## DULCE DESSERTS

**FLAN ( CARMEL CUSTARD )** 4

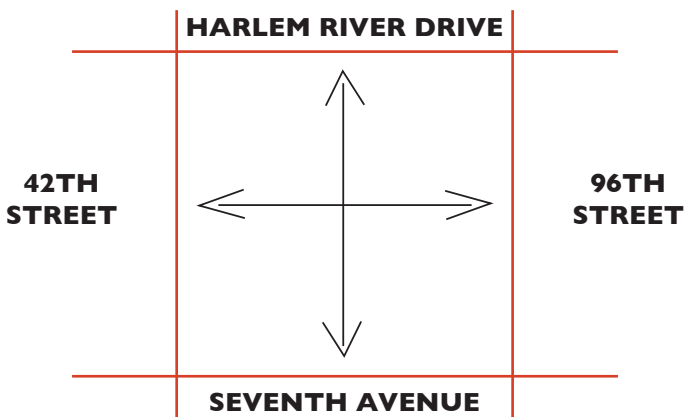
**CHOCOLATE CALIENTE ( ANCHO SPICED HOT CHOCOLATE )** 4

**CHURROS ( CINNAMON SPICED MEXICAN DOUGHNUT )** 3 for 1

**MANGO SPIKED WITH CHILI / SUGAR / SALT** 4

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## DELIVERY RADIUS



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