

# Manhattan Community Board 4

# NYS Liquor License/DOT Dining Out Stipulations Application

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)	
<b>The Red Stache LLC</b>		<b>The Red Stache</b>	
STREET ADDRESS		CROSS STREETS	ZIP CODE
<b>401 West 52nd Street aka 781 Ninth Avenue</b>		<b>Ninth and Tenth Avenue</b>	<b>10019</b>
Applicant <i>(Attach a list of all individuals that will be listed/associated with the license)</i>	NAME: <b>Theodore Arenas and Shaun Dunn**</b>	ATTORNEY/ REPRESENTATIVE	NAME: <b>Bernstein Redo &amp; Savitsky PC Donald M. Bernstein, Esq.</b>
	PHONE: <b>917 405 7905 for Mr. Arenas 203 232 6218 for Mr. Dunn</b>		PHONE: <b>212 651 3100</b>
	EMAIL: <b>theodorearenas@gmail.com sd.redstache@gmail.com</b>		EMAIL: <b>donald@brpclaw.com</b>
MANAGER	NAME: <b>Shaun Dunn</b>	LANDLORD	NAME: <b>Ninth Avenue Holdings LP</b>
	PHONE: <b>203 232 6218</b>		PHONE: <b>914 631 6200</b>
	EMAIL: <b>sd.redstache@gmail.com</b>		EMAIL: <b>info@gibraltamgt.com</b>
APPLICATION TYPE ( <input checked="" type="checkbox"/> New York State Liquor License <input checked="" type="checkbox"/> Dept. of Transportation Dining Out )			
<input 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 <b>Change/Class</b> <b>Change/Method of Operation</b> <b>Change/Removal</b>	What is the license # and expiration date?	<b>License ID No. 0267-24-109963 Legacy Serial No. 1365875 / Expiration 03/31/2026</b>	
	Is applicant making any alterations or operational changes?	YES	<input checked="" type="radio"/> NO
	If alterations or operational changes are being made, please describe/list all changes:	<b>N/A. A class change from a beer and wine license to a full liquor license.</b>	
<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:		
<b>METHOD OF OPERATION</b>			
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 type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" 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 filed with the SLA? If yes, when? If no, when does applicant plan to file?	YES	<input checked="" type="radio"/> NO	<b>July 2024</b>
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 foot radius of the establishment and the Public Interest Statement.	<input checked="" type="radio"/> YES	NO	<b>See enclosed area survey</b>
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship within a 200 foot radius of the establishment.	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	NO	

**\*\*See enclosed license history for reference**

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

HOURS of Operation		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Indoors	12pm-1230am	12pm - 1230am	12pm - 1230am	12pm - 1am	12pm-2am	12pm - 2am	12pm - 1am **
	Outdoors	12pm - 10pm	12pm - 10pm	12pm - 10pm	12pm - 10pm	12pm - 11pm	12pm - 11pm	12pm - 10pm
	Kitchen	12pm-1230am	12pm-1230am	12pm-1230am	12pm - 1am	12pm-2am	12pm-2am	12pm - 1am
	Music (indoors)	12pm-1230am	12pm-1230am	12pm-1230am	12pm - 1am	12pm-2am	12pm-2am	12pm - 1am

If yes, what type(s)?  
(Circle all that apply)

BACKGROUND

LIVE MUSIC

DJ

JUKE BOX

KARAOKE

**OCCUPANCY**

	Capacity Pursuant to Certificate of Occupancy	Maximum Occupancy (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>	<b>74 as per the LNO</b>	<b>74</b>	<b>10</b>	<b>35</b>	<b>None</b>	<b>One</b>	<b>9</b>
<b>OUTSIDE</b> <i>(Rooftop/Rear Yard/Patio/Terrace /Garden; within the premises)</i>	<b>N/A</b>						
<b>DOT Dining Out: Sidewalk Cafe</b>	<b>N/A</b>						
<b>DOT Dining Out: Roadway</b>	<b>25 Estimate</b>	<b>24</b>	<b>4</b>	<b>24</b>	<b>None</b>	<b>None</b>	<b>None</b>

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

**Every day.**

Will there be dancing?

YES

NO

Will applicant have bottle or table service for alcohol beverages other than wine?

YES

NO

**Table service**

Will applicant be hosting private promotional or corporate events?

YES

NO

**Private events only**

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

YES

NO

Will applicant 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

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

YES

NO

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

YES

NO

Will applicant be using delivery bicycles? If yes, how many? Please describe where delivery bicycles will be parked when picking up deliveries?

YES

NO

**\*\*A 2am close on Sunday when Monday is a Federal holiday or a holiday like St. Patrick's day.**

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly marked with the name as described by NYC Law?	YES	NO	N/A
Where will applicants' own delivery bicycles be parked when not making deliveries?	N/A		
If applicant is using third party delivery service, where will third party delivery bicycles park?	N/A		
Where will applicant store its garbage containers when not in use?	Basement		
Where will applicant lay out garbage containers and at what time?	Corner at closing time		

**LOCATION & ZONING**

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	Hell's Kitchen and the DOB Property Profile Page states: Clinton Preservation Area A
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
What is the zoning designation for this location?	R8/ C1-5		

**Community Notification/Relations**

<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	<b>See enclosed list of groups with email to groups</b>
	# 2	<b>Met with HK49-54 Block Alliance and 55th Block Association**</b>
	# 3	<b>**See enclosed support letters</b>
	# 4	
	# 5	
When did applicant post the notice that was provided?	<b>June 25, 2024</b>	
Where did applicant post the notice that was provided?	<b>At the premises and on lamp posts</b>	
Please provide dates when applicant met with the groups listed above.	<b>May 29, 2024</b>	
Who was your contact person at each group you met with?	<b>Steve Belida &amp; Catie Savage / Christine Gorman</b>	
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.	<input checked="" type="radio"/> YES	NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant's jobs webpage?	<input checked="" type="radio"/> YES	NO

**MULTIPLE SPACES/FLOORS BREAKDOWN**

Space/Floor	Description/ Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service- Only Bars	# of Stand-Up Bars/Seats at Bar	Music
<b>Ground Floor</b>	<b>Tavern</b>	<b>74</b>	<b>12pm-1230am Sun-Wed 12pm-1am Thurs 12pm-2am Fri-Sat **</b>	<b>10</b>	<b>35</b>	<b>None</b>	<b>One with 9 bar stools</b>	<b>Background</b>
<b>Basement</b>	<b>Storage, not for patron use</b>		<b>12pm-1230am Sun-Wed 12pm-1am Thurs 12pm-2am Fri-Sat</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>	<b>None</b>

**\*\*A 2am closing on Sunday when Monday is a Federal holiday or a holiday like St. Patrick's day.**

<b>BUILDING DESIGN</b>			
State the name and type of business previously located in the space.	<b>Currently licensed as The Red Stache since 11/2023</b>		
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	<b>Casellula from 2007 to 2/2023</b>
Do you plan any changes to the existing façade? If yes, please describe.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Has the applicant/owner(s) read MCB4 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.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use a storm enclosure?	<input type="radio"/> YES	<input checked="" type="radio"/> 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?	<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)	<b>FRENCH DOORS</b>	<b>GARAGE DOORS</b>	<b>WINDOWS THAT CAN BE OPENED</b>
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input type="radio"/> YES	<input type="radio"/> NO	<b>N/A</b>
Will applicant close all windows, French doors, garage doors by 11 p.m. Friday and Saturday and 10 p.m. on all other days even if no music or amplified sound is played inside the establishment?	<input type="radio"/> YES	<input type="radio"/> NO	<b>N/A</b>
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	<b>An acoustical report was submitted to the CB May 2023 for the beer &amp; wine license application</b>
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 checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	<input type="radio"/> YES	<input type="radio"/> NO	<b>N/A</b>
Will the establishment have an illuminated sign?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will the establishment have a pole-supporting canopy extending over the sidewalk?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	<b>The HVAC is located in between the buildings and is a wall unit.</b>		
When was the air conditioner installed?	<b>Not known</b>		

**OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR YARD, TERRACE**

Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?	YES	NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, 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 11 p.m. on Friday & Saturday and 10 p.m. 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 prohibit patrons from drinking 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	

**DEPARTMENT OF TRANSPORTATION DINING OUT: SIDEWALK**

Has the applicant read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for sidewalk seating now or in the future?	YES	NO	
<b>If you answered no to the question above, jump to the next page</b>			
Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	NO	
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	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 there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	
Will applicant agree not to use propane heaters?	YES	NO	
Will applicant agree to abide by all applicable fire codes, including not blocking fire escapes?	YES	NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	
Will the café have a 3 foot-wide serving aisle running the entire length of the sidewalk seating?	YES	NO	
Will the sidewalk seating have a platform?	YES	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	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will the sidewalk seating block subway grate, utility hardware or Siamese water connection?	YES	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?			

**DEPARTMENT OF TRANSPORTATION DINING OUT: ROADWAY**

Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	<input type="radio"/> NO	<b>To be submitted. A copy of the proposed roadway seating is enclosed for reference.</b>
<b>If you answered no to the question above, jump to the next page</b>			
Will the roadway structure extend on top of the curb or pedestrian refuge? By how much?	YES	<input type="radio"/> NO	
Will the roadway structure have an ADA compliant ramp (not in the bike lane)?	YES	<input type="radio"/> NO	
Will the roadway structure extend in the striped zone along the bike lane? By how much?	YES	<input type="radio"/> NO	
Will the electric wires be brought over at the roof level?	YES	<input type="radio"/> NO	
Will applicant dismantle and dispose of a shed that is no longer in use, along with its furniture?	YES	NO	<b>N/A</b>
Will there be no music or amplifies sound in any outdoor seating, as per law?	<input checked="" type="radio"/> YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	NO	
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	<input checked="" type="radio"/> YES	NO	
Will the Outdoor Dining Sidewalk & Roadway provide no standing space for drinking or smoking?	<input checked="" type="radio"/> YES	NO	
Will the service and consumption of alcohol in the Outdoor Dining Sidewalk/Roadway only be via seated food service?	<input checked="" type="radio"/> YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	<input checked="" type="radio"/> YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	<input checked="" type="radio"/> YES	NO	
Will applicant permit NO wait lines or smoking outside?	<input checked="" type="radio"/> YES	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?	<input checked="" type="radio"/> YES	NO	
Will applicant respect trees and tree pits and insure the health of the tree?	<input checked="" type="radio"/> YES	NO	
Will applicant permit NO wait lines or smoking outside?	<input checked="" type="radio"/> YES	NO	
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	<input checked="" type="radio"/> YES	NO	
Will applicant agree not to use propane heaters?	<input checked="" type="radio"/> YES	NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	<input type="radio"/> NO	




***To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.***


Manhattan Community Board 4 (MCB4) recommends:  
 (MCB4's recommendation is based on a vote taken at its  
 July 24, 2024 full board meeting, with 39 members voting  
 in favor of the recommendation, 0 members opposed, 0  
 members abstaining and 1 present but not eligible)  
 \*\*Vote to be amended at the September 4, 2024  
 Full Board Meeting


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

Denial  Approval

**MCB4 REPRESENTATIVES**


  
 Nelly Gonzalez  
 MCB4 Assistant District Manager

  
 Frank Holozubiec  
 MCB4 BLP Committee Co-Chair

  
 Burt Lazarin  
 MCB4 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 stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 representatives and applicant. These stipulations supersede any oral statements, representations, or prior iterations in connection with this application.

<p><b>SIGN HERE</b> →</p>	<p>Theodore Arenas          PRINT NAME OF APPLICANT</p>	<p>          SIGNATURE OF APPLICANT</p>	<p>July 1, 2024          DATE</p>
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BERNSTEIN REDO & SAVITSKY PC  
-ATTORNEYS AT LAW-

1177 AVENUE OF THE AMERICAS, 5<sup>TH</sup> FL.  
NEW YORK, NEW YORK 10036  
TEL (212) 651-3100

DONALD M. BERNSTEIN  
MARTHA M. REDO  
BENJAMIN SAVITSKY

June 17, 2024

FedEx

Manhattan Community Board #4  
424 West 33<sup>rd</sup> Street – Suite 580  
New York, New York 10001  
Attention: Nelly Gonzalez, Assistant District Manager

Manhattan Community Board

RECEIVED

Date: 6/19/24

Time: \_\_\_\_\_

By: Jimne Prekne

Re: The Red Stache LLC  
dba The Red Stache  
401 West 52<sup>nd</sup> Street aka 781 Ninth Avenue  
New York, New York 10019

Dear Nelly:

I am providing the statutory Thirty-day notice of intention to file a class change application from a beer and wine license to an on-premises liquor license with the New York State Liquor Authority for The Red Stache LLC. The space has been opened since November 2023. The beer and wine license application was approved at the Community Board Full Board on May 3, 2023.

Please place the class change application on the July 9, 2024 agenda.

Thank you.

Very truly yours,

*Jules Vigh*

Jules Vigh  
Paralegal

Enclosure

OFFICE USE ONLY
Original Amended Date

Standardized NOTICE FORM for Providing 30-Day Advance Notice to a Local Municipality or Community Board

1. Date Notice Sent: June 17, 2024 1a. Delivered by: Fed Ex: 7768 8565 8382

2. Select the type of Application that will be filed with the Authority for an On-Premises Alcoholic Beverage License:

For premises outside the City of New York:

New Application Removal Class Change

For premises in the City of New York:

New Application New Application and Temporary Retail Permit Temporary Retail Permit Removal
Class Change Method of Operation Corporate Change Renewal Alteration

For New and Temporary Retail Permit applicants, answer each question below using all information known to date
For Renewal applicants, answer all questions
For Alteration applicants, attach a complete written description and diagrams depicting the proposed alteration(s)
For Corporate Change applicants, attach a list of the current and proposed corporate principals
For Removal applicants, attach a statement of your current and proposed addresses with the reason(s) for the relocation
For Class Change applicants, attach a statement detailing your current license type and your proposed license type
For Method of Operation Change applicants, although not required, if you choose to submit, attach an explanation detailing those changes

Please include all documents as noted above. Failure to do so may result in disapproval of the application.

This 30-Day Advance Notice is Being Provided to the Clerk of the Following Local Municipality or Community Board:

3. Name of Municipality or Community Board: Manhattan Community Board No. 4

Applicant/Licensee Information: License ID No. 0267-24-109963

4. Licensee Serial Number (if applicable): 1365875 Expiration Date (if applicable): 03/31/2026

5. Applicant or Licensee Name: The Red Stache LLC

6. Trade Name (if any): The Red Stache

7. Street Address of Establishment: 401 West 52nd Street aka 781 Ninth Avenue

8. City, Town or Village: New York, NY Zip Code: 10019

9. Business Telephone Number of applicant/ Licensee: 212 933 4404

10. Business E-mail of Applicant/Licensee: theodorearenas@gmail.com and jules@brpclaw.com

11. Type(s) of alcohol sold or to be sold: Beer & cider Wine, Beer & Cider Liquor, Wine, Beer & Cider

12. Extent of Food Service: Full Food menu; full kitchen run by a chef/cook Menu meets legal minimum food requirements; food prep area required

13. Type of Establishment: Tavern

Seasonal Establishment Juke Box Disc Jockey Recorded Music Karaoke

14. Method of Operation: Live Music (give details i.e., rock bands, acoustic, jazz, etc.):

Patron Dancing Employee Dancing Exotic Dancing Topless Entertainment

Video/Arcade Games Third Party Promoters Security Personnel

Other (specify):

15. Licensed Outdoor Area: None Patio or Deck Rooftop Garden/Grounds Freestanding Covered Structure Sidewalk Cafe Other (specify): Roadway Seating per The Department of Transportation

OFFICE USE ONLY		
<input type="radio"/> Original	<input type="radio"/> Amended	Date _____

16. List the floor(s) of the building that the establishment is located on: **Ground floor and cellar**

17. List the room number(s) the establishment is located in within the building, if appropriate: **N/A**

18. Is the premises located within 500 feet of three or more on-premises liquor establishments?  Yes  No

19. Will the license holder or a manager be physically present within the establishment during all hours of operation?  Yes  No

20. If this is a transfer application (an existing licensed business is being purchased) provide the name and serial number of the licensee:

_____	_____
Name	Serial Number

21. Does the applicant or licensee own the building in which the establishment is located?  Yes (if YES, SKIP 23-26)  No

**Owner of the Building in Which the Licensed Establishment is Located**

22. Building Owner's Full Name: **Ninth Avenue Holdings LP**

23. Building Owner's Street Address: **150 White Plains Road, Suite 400**

24. City, Town or Village: **Tarrytown** State: **NY** Zip Code: **10591**

25. Business Telephone Number of Building Owner: **914 631 6200**

**Representative or Attorney Representing the Applicant in Connection with the Application for a License to Traffic in Alcohol at the Establishment Identified in this Notice**

26. Representative/Attorney's Full Name: **Donald M. Bernstein, Esq. / Bernstein Redo & Savitsky PC**

27. Representative/Attorney's Street Address: **1177 Avenue of the Americas - 5th Floor**

28. City, Town or Village: **New York** State: **New York** Zip Code: **10036**

29. Business Telephone Number of Representative/Attorney: **212 651 3100**

30. Business E-mail Address of Representative/Attorney: **donald@brpclaw.com**

I am the applicant or licensee holder or a principal of the legal entity that holds or is applying for the license. Representations in this form are in conformity with representations made in submitted documents relied upon by the Authority when granting the license. I understand that representations made in this form will also be relied upon, and that false representations may result in disapproval of the application or revocation of the license.

By my signature, I affirm - under **Penalty of Perjury** - that the representations made in this form are true.

31. Printed Principal Name: **Theodore Arenas** Title: **Managing Member**

Principal Signature:  **X**

## License History for Theodore Arenas and Shaun Dunn

### Active Licenses for Theodore Arenas

Rise Bar NYC LLC  
dba Rise Bar & Lounge LLC  
859 Ninth Avenue  
New York, New York 10019  
License ID No. 0370-23-159649  
Legacy Serial No. 6001997  
November 2015 to Present with a full liquor license

The Spot Bar NYC LLC  
dba The Spot  
599 Tenth Avenue  
New York, New York 10036  
License Serial No. 0340-23-130933  
Legacy Serial No. 1331174  
July 2021 to Present with a full liquor license

### Active Licenses for Theodore Arenas and Shaun Dunn

The Red Stache LLC  
401 West 52<sup>nd</sup> Street  
aka 781 Ninth Avenue  
New York, New York 10019  
License ID No. 0267-24-109963  
Legacy Serial No. 6018069  
November 2023 to present with a beer and wine license

### Previous License History for Theodore Arenas

Lux Bar & Lounge LLC  
dba Bar Tini  
642 Tenth Avenue  
New York, New York 10036  
Serial No. 1224178  
September 2009 to 2011

**From:** HK49-54 Block Alliance <hk5051@gmail.com>  
**Sent:** Friday, June 28, 2024 9:35 AM  
**To:** Jules Vigh <Jules@brpclaw.com>  
**Cc:** Ted Arenas <theodorearenas@gmail.com>; Gonzalez, Nelly (CB) <negonzalez@cb.nyc.gov>; Donald Bernstein <Donald@brpclaw.com>  
**Subject:** Re: The Red Stache /

Hi Jules,

Thank you for reaching out. Ted came to our May meeting to discuss this change and our members had no issues with this upgrade to full liquor license.

*Steve Belida and Catie Savage*  
*Co-Chairs, HK49-54 Block Alliance*

**From:** HK49-54 Block Alliance <[hk5051@gmail.com](mailto:hk5051@gmail.com)>  
**Sent:** Thursday, June 6, 2024 8:15 AM  
**To:** Burt Lazarin <[brlaz@aol.com](mailto:brlaz@aol.com)>; Frank Holozubiec <[fholozubiec@kirkland.com](mailto:fholozubiec@kirkland.com)>; Gonzalez, Nelly (CB) <[negonzalez@cb.nyc.gov](mailto:negonzalez@cb.nyc.gov)>; Jesse Bodine <[jbodine@cb.nyc.gov](mailto:jbodine@cb.nyc.gov)>  
**Subject:** [EXTERNAL] Red Stache

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe. Forward suspect email to [phish@oti.nyc.gov](mailto:phish@oti.nyc.gov) as an attachment (Click the More button, then forward as attachment).

Dear BLP Committee Members,  
I'm writing to you regarding a full liquor license application for the Red Stache located at 401 West 52nd Street. Ted Arenas, the owner, came to our May block association meeting to discuss his changes with the community. The community acted favorably to this application with the understanding that there would be no open doors or windows with any amplified sound.

Thank you,  
Steve

*Steve Belida and Catie Savage*  
*Co-Chairs, HK49-54 Block Alliance*



June 23, 2024

To Community Board 4:

I write to you as president of the West 55<sup>th</sup> Street Block Association on behalf of Ted Arenas and the Red Stache at 401 W52<sup>nd</sup> Street. The West 55<sup>th</sup> Street Block Association supports the application by Mr. Arenas for a fill liquor license at this location.

Mr. Arenas has been a good neighbor over many years. His other establishment, the Rise Bar, has been a fixture on Ninth Avenue and worked really hard to be an upstanding part of the community.

We expect Mr. Arenas and the Red Stache to continue to be good neighbors and wish them success in their expanding business venture.

Sincerely,

A handwritten signature in blue ink that reads "Christine Gorman". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Christine Gorman  
President  
West 55<sup>th</sup> Street Block Association

cc: Ted Arenas



**From:** Jules Vigh  
**Sent:** Thursday, June 27, 2024 4:42 PM  
**To:** Jules Vigh <Jules@brpclaw.com>  
**Cc:** 'Ted Arenas' <theodorearenas@gmail.com>; 'Gonzalez, Nelly (CB)' <negonzalez@cb.nyc.gov>; Donald Bernstein <Donald@brpclaw.com>  
**Subject:** The Red Stache /

Good afternoon,

We are contacting your organization to let you know that The Red Stache LLC dba The Red Stache plans to apply for a class change application from its beer and wine license to a full liquor license. The space is located at 401 West 52<sup>nd</sup> Street between West 52<sup>nd</sup> and West 53<sup>rd</sup> Streets at the corner of Eighth Avenue in Hell's Kitchen. The casual wine bar has been opened since November 2023 to excellent reviews and the full liquor license will enhance its business model.

The beer and wine license application was approved at the Community Board May 2023. The former establishment at the space was Casellula restaurant that held a beer and wine license from 2007 to 2023.

The first floor has 37 seats with a 12' customer bar with 9 bar stools. There is only background music on the first floor and the cellar is for storage only. There is exterior roadway seating with 10 tables and 40 seats.

The hours of operation for the first floor are 12pm to 1230am Sunday to Wednesday, 12pm to 1am Thursday and 12pm to 2am Friday and Saturday. When Monday is a holiday (either Federal or a holiday like St. Patrick's Day) we will close at 2am on Sunday. The hours of operation for the exterior roadway seating are 12pm to 10pm Sunday to Thursday and 12pm to 11pm Friday and Saturday.

The bar features a menu with a variety of small plates including but not limited to a charcuterie board, a cheese board, a pork sandwich and French Dip together with flatbreads and desserts.

The two owners Theodore Arenas and Shaun Dunn have extensive experience in the hospitality industry. Mr. Arenas owns and operates Rise Bar NYC LLC as of November 2015 and The Spot Bar NYC LLC as of July 2021. Both venues hold full liquor licenses.

Shaun Dunn graduated from the Culinary Institute with a Bachelors of Professional Studies in 2008. He worked as bar supervisor at Eleven Madison Park from 2008 to 2019. He was the general manager at Rise Bar from 2019 to 2022.

The application will be heard at the Community Board on July 9, 2024

If you would like any additional information on this matter please contact Theodore Arenas at [theodorearenas@gmail.com](mailto:theodorearenas@gmail.com) or counsel's office at [donald@brpclaw.com](mailto:donald@brpclaw.com) and [jules@brpclaw.com](mailto:jules@brpclaw.com)

Thank you,

Jules

**Jules Vigh|Paralegal**  
**BERNSTEIN REDO & SAVITSKY PC**  
1177 Avenue of the Americas, 5<sup>th</sup> floor  
New York, NY 10036  
Tel. 212.651.3100 \ Cell Phone 646 358 0653  
[jules@brpclaw.com](mailto:jules@brpclaw.com) \ [www.brpclaw.com](http://www.brpclaw.com)

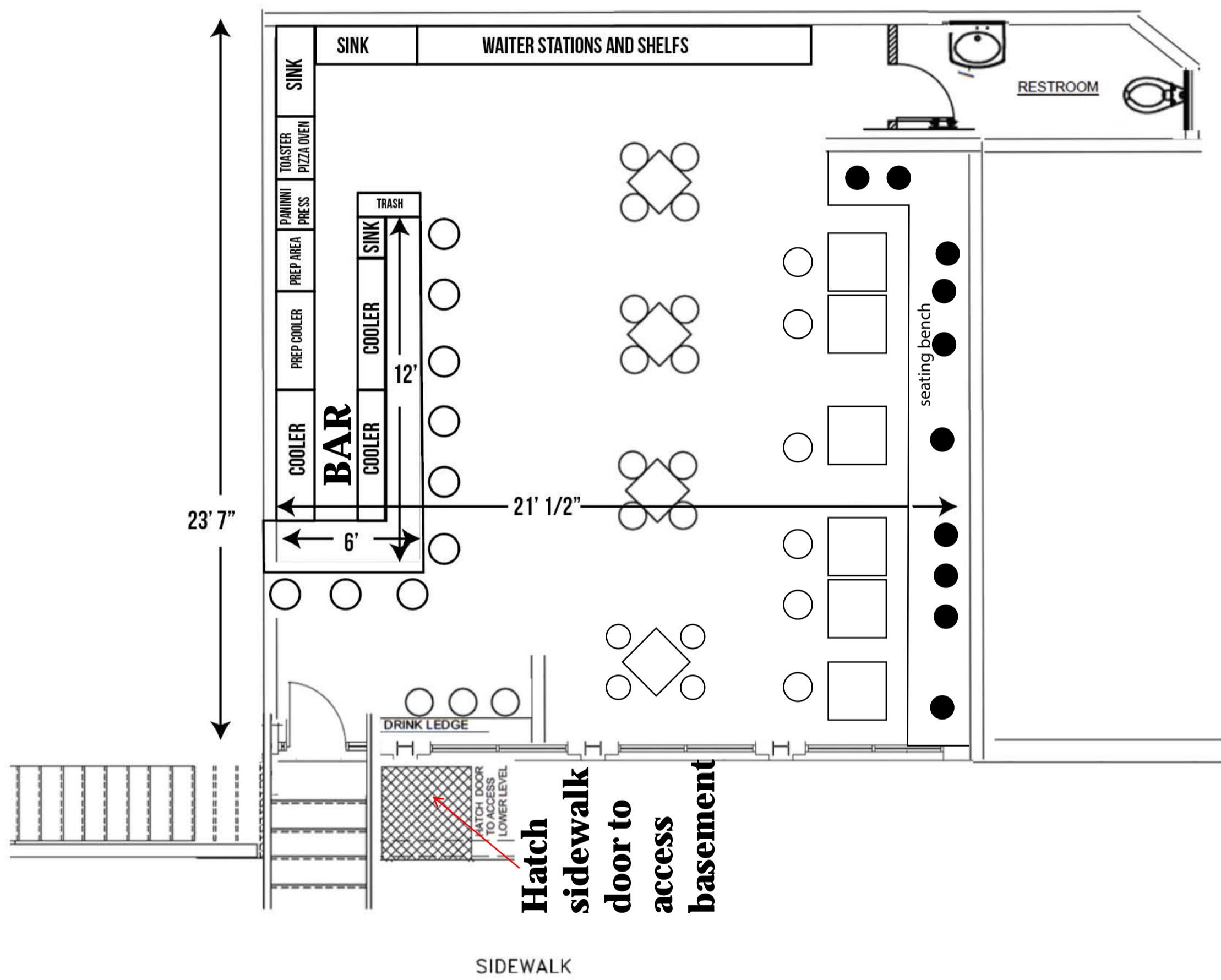


## Diagrams

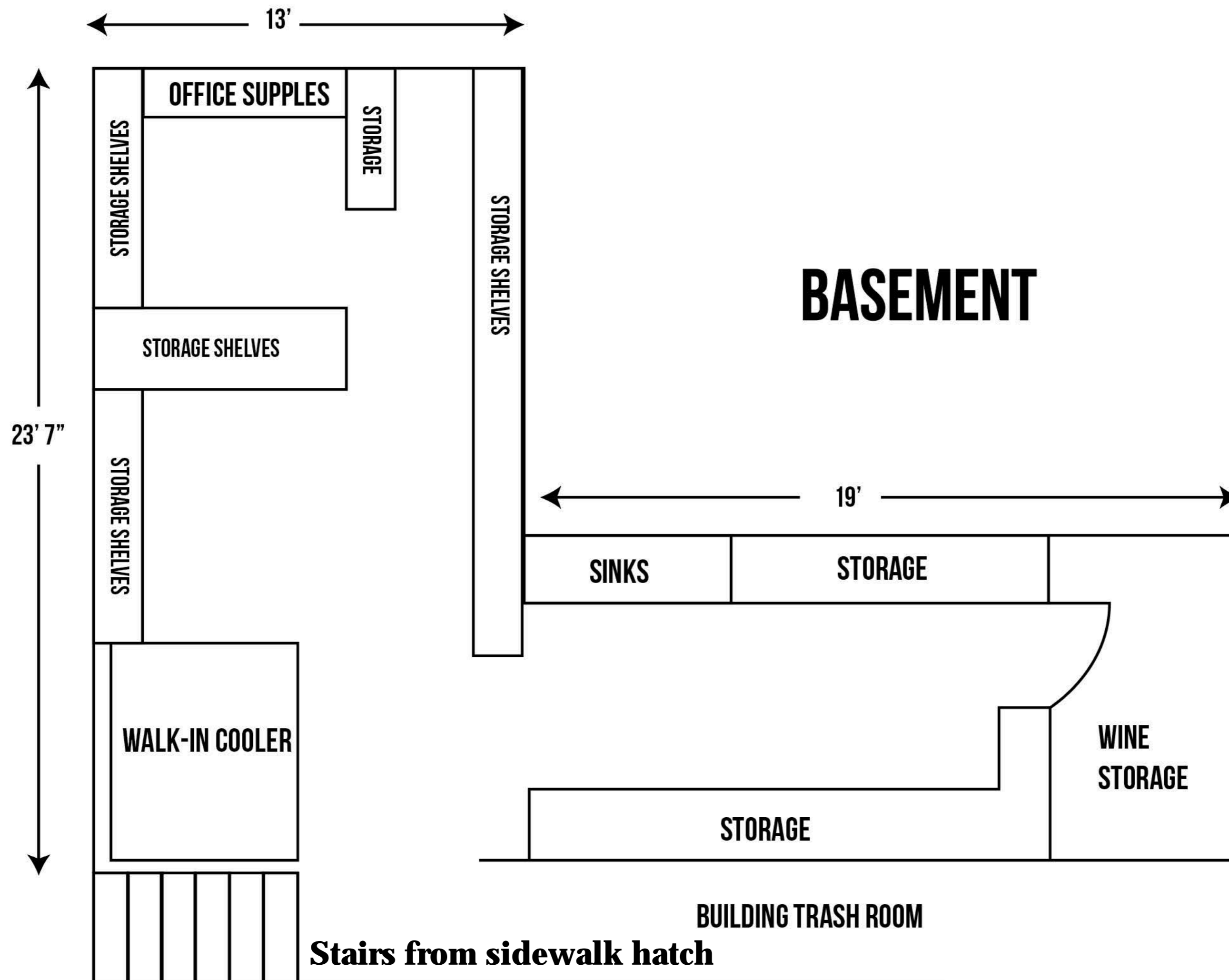
The Red Stache LLC dba The Red Stache /401 West 52nd Street aka 781 Ninth Avenue, New York, New York 10019

Ground floor 10 tables with 35 seats together with a 12' x 6' customer bar with 9 bar stools.  
Total seating is 44 with 800 square feet

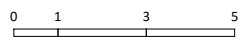
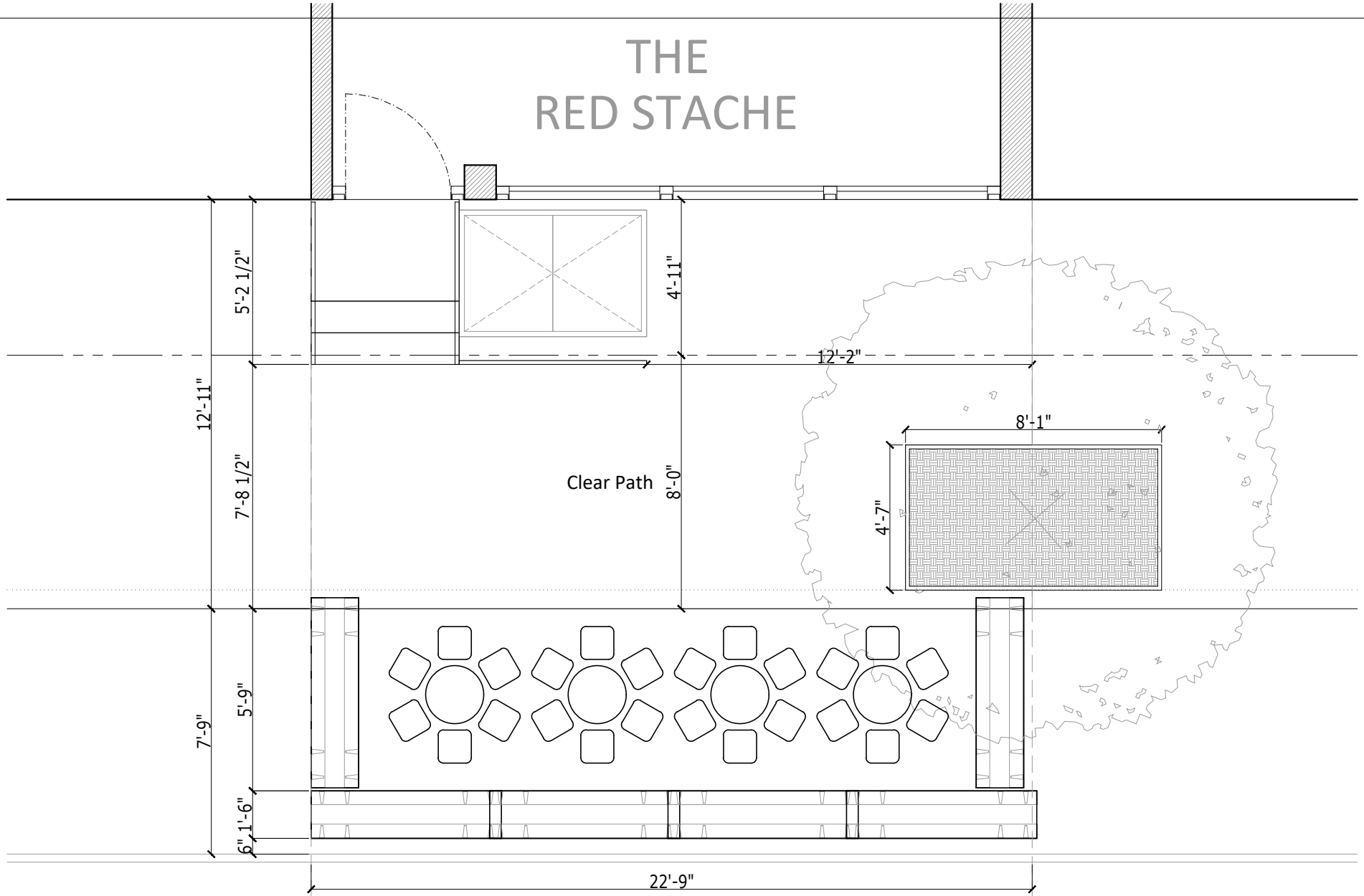
# MAIN ROOM



**The Red Stache LLC dba The Red Stache /401 West 52nd Street aka 781 Ninth Avenue, New York, New York 10019  
Basement / Not for patron use with 800 square feet.**



# THE RED STACHE



W 52ND STREET



## Photographs

The Red Stache LLC  
401 West 52<sup>nd</sup> Street  
aka 781 Ninth Avenue  
New York, New York 10019  
License ID No. 0267-24-109963  
Legacy Serial No. 6018069





The Red Stache LLC  
401 West 52<sup>nd</sup> Street  
aka 781 Ninth Avenue  
New York, New York 10019  
License ID No. 0267-24-109963  
Legacy Serial No. 6018069



The Red Stache LLC  
401 West 52<sup>nd</sup> Street  
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Legacy Serial No. 6018069







## Menu



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#### SMALL

HOUSE- MARINATED OLIVES/10  
MUSTARD PICKLES/ Seasonal Vegetables/10  
CRUDITE AND WHITE BEAN HUMMUS/PITA/ 12  
CARROT TARTARE/ Horseradish Herbs/ 14  
ROSEMARY HERB KETTLE CHIPS/ Lemon Aioli/ 8  
BREAD AND BUTTER/ Sourdough Caramelized Onion butter/ 9

#### MEDIUM

CHARCUTERIE BOARD/Selection of Three Meats/Cornichon/ Dijon/  
Seasonal Chutney/25  
CHEESE BOARD/ Chef's selection of cheese,P, local fruit,  
seasonal preserves/ 25  
GIANT PRETZEL/ Spicy Mustard/ Beer Cheese 14  
ROASTED KALE CAESAR/PARM/Grilled Bread/ 18  
HEIRLOOM TOMATO TARTINE/ Basil/ Ricotta Salata/18  
WHIPPED RICOTTA/Hot Honey/ Pickled Green Strawberries/Hazelnuts  
18  
SHRIMP CEVICHE/ Citrus/ Avocado/ Herbs/ Toast 22

#### LARGE

ROAST CARROT/White bean Puree/Pistachio Mint Pesto/ 19  
EGGPLANT PARM/ Ricotta/ Marinara/ Basil/20  
PORK SANDWICH/ Crispy Pork/ Charred Scallion Aioli/ Arugula /  
Pickles 21  
FRENCH DIP/ Braised Beef/ Caramelized Onion/ Gruyere/ Au Jus 22

#### FLATBREADS

MARGARITA/ Tomato/ Basil/ Fresh Mozzarella 16  
HIVE MIND/ Pepperoni/ Marinara/ Mozzarella/ Hot Honey 18  
WHITE TRUFFLE/ Ricotta/ Mozzarella/ Truffle 19  
SHRIMP& BACON/ Garlic Butter/ Mozzarella/ Bacon/ Chili Flakes 22

#### SWEETS

MACARONS/ assorted almond-meringue Cookies 10  
TRUFFLES/ Chocolate Ganache Confections 10  
RAINBOW BIRTHDAY CAKE/ Celebrate any Occasion 14

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## BY THE GLASS

### BUBBLES

Olivier Horiot Rosé des Riceys En Valingrain Pinot Noir 2017  
Coteaux Champenois- Aÿ 22  
Marguet Yuman 19 Blanc de Blancs Brut Nature Ambonnay y 28  
Jean Vesselle Oeil de Perdrix Brut Rosé Bouzy r 26  
Daniel Dumont Demi-Sec Rilly-la-Montagne 24  
Emmolo No. 6 Méthode Traditionnelle California 16

### WHITES

Bruno Cormerais Muscadet Sévre et Maine Clisson 2013 Loire 16  
Famille Vincent Marie-Antoinette Pouilly-Fuissé 2018  
Pouilly-Fuissé 20  
Heymenn-Löwenstein Schieferterrassen Riesling 2021 Mosel 14  
Mylonas Assyrtiko 2020 Greece 15  
Vignalta Sauvignon Blanc 2021 Italy 14

Rosé Domaine Les Mesclances Charmes Rosé 2021 Côtes du Provence  
15

### REDS

Bindella Fossolupaio Rosso di Montepulciano 2019 Tuscany 15  
Caymus Cabernet Sauvignon\*\* 2020 Napa Valley 28  
Domaine de Verquiére Plan de Dieu Côtes de Rhône 2020 Rhône 15  
Jean-Claude Ramonet Bourgogne 2019 Burgundy 32  
J.K. Carriere Clarion Pinot Noir NV Willamette Valley 15

### Beer

Bronx Brewery / American Pale Ale / NEW YORK / 10  
Victory "Prima" / German Style Pilsner / PENNSYLVANIA / 9  
Abita / Amber Ale / LOUISIANA / 10  
Three's Brewing "Hereafter" / LAGER / NEW YORK / 12  
Collective Arts "Life in the Clouds" / IPA / ONTARIO /  
10 Ommegang Witte / Wheat Ale / NEW YORK / 9  
Collective Arts "Stranger Than Fiction" / PORTER / ONTARIO / 11  
Athletic Brewing Co "Run Wild " / NON-ALCOHOLIC IPA / CALIFORNIA  
& CONNECTICUT / 9

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## Cider

Wölffer Rosé Cider / Apple / NEW YORK, NY / 15

Graft Back Country Cider / Apple / NEWBURGH, NY/ 13

Hudson North Cider / Toasted Pumpkin / Hudson Valley, NY/ 13

## Sherry

Emilio Lustau "Solera Reserva" / Fino Jarana / Tangy, Caramel,  
Long Finish / 13

Bodegas Gutiérrez Colosia / Jerez-Xérès-Sherry Amontillado /  
Light, Tart, Clean Finish / 15

Sangre y Trabajadero / Oloroso / Honeysuckle, Grass, Zing! / 14

Emilio Lustau "Solera Reserva San Emilio" / Pedro Ximénez /  
Raisins, Treacle / 16

## Port

Quinta do Noval / 10-Year-Old Tawny Port / DOURO, Portugal (NV)  
/ Rich, Dark Fruit, Honey / 16

Quinta do Noval / Black Reserve Ruby Port / DOURO, Portugal (NV)  
/ Ruby Red Fruit, Sweet Spice / 14

## Dessert Wines

Malvirà "Renesium Late Harvest" / Arneis / Piedmont, IT (NV) /  
Honeydew, Citrus, Vibrant / 17

Donnafugata "Ben Rye" / Passito / Pantelleria, IT 2018 / Bright,  
Pineapple, Blackberries / 21

Domaine de Rancy / Macabeu / Rivesaltes / FR 2001 / Nutty, Figs  
& Dates / 15

Tabarrini "Passito Montefalco" / Sagrantino / Umbria, IT 2011 /  
Sweet Jams, Dried Fruit, Chocolate/ 18

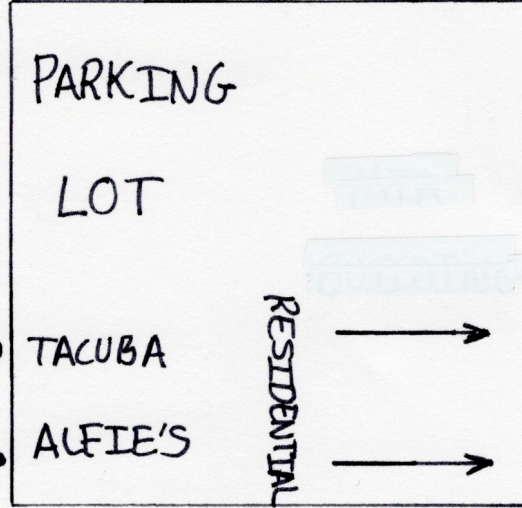
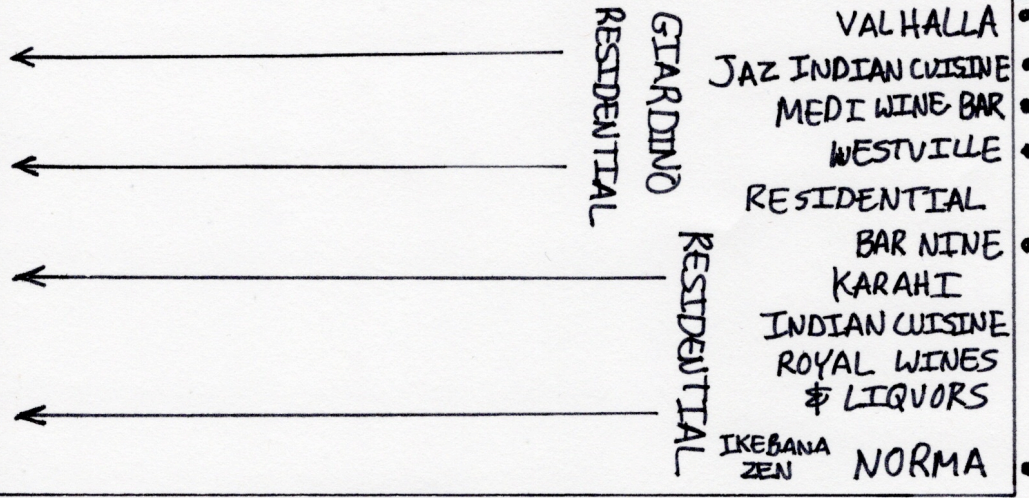
## Soda

Cola / Ginger Ale / Valencia Orange / Pomegranate / New York /  
7 Saratoga Springs / Sparkling Water /Maine / 8

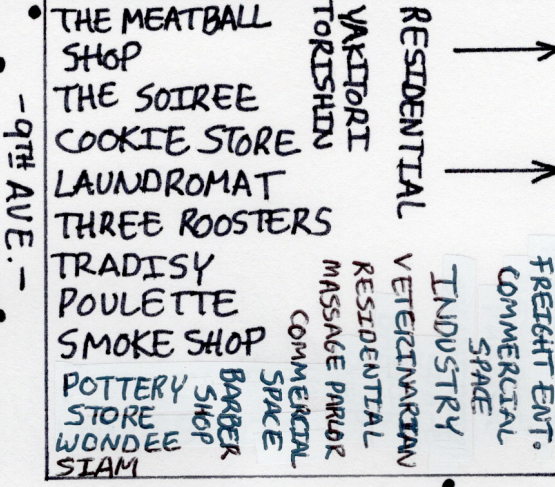
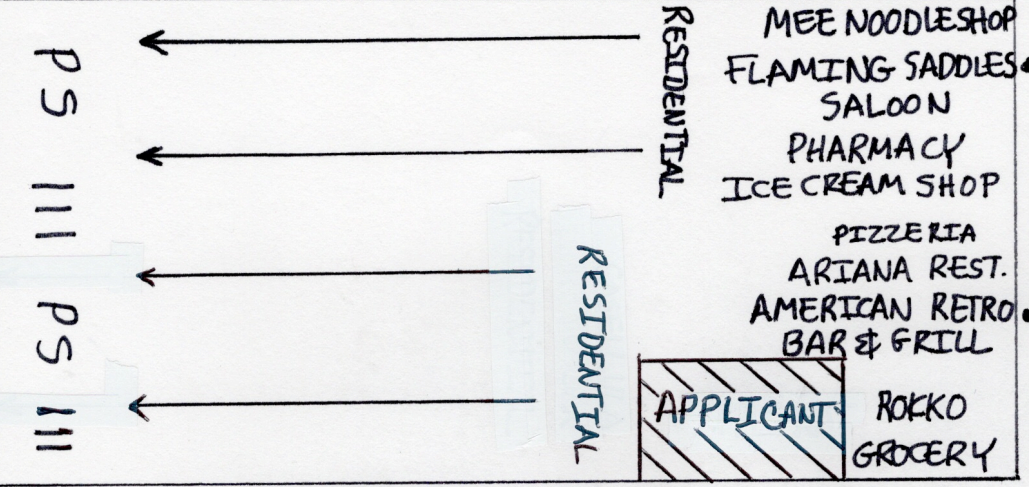


## Area Survey with List of Measurements

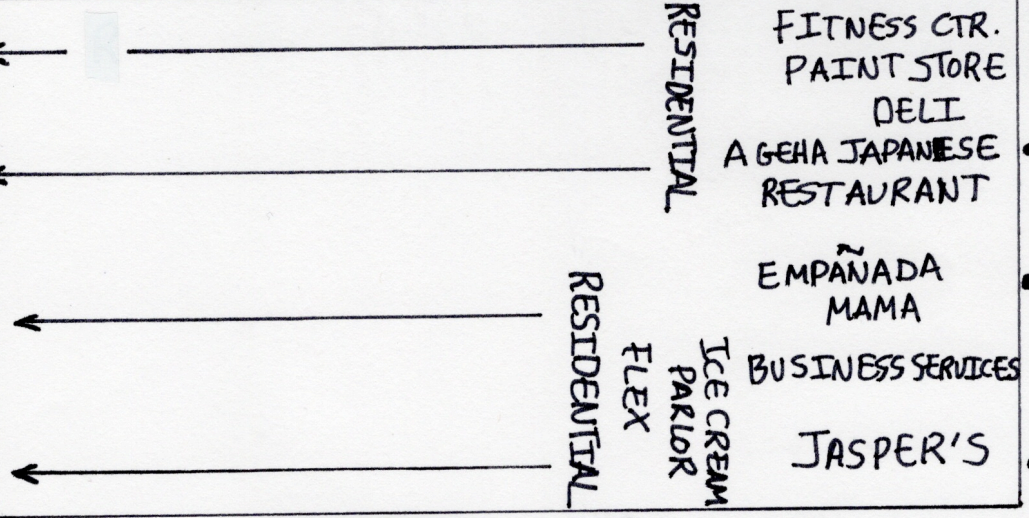
- W. 54TH ST. -



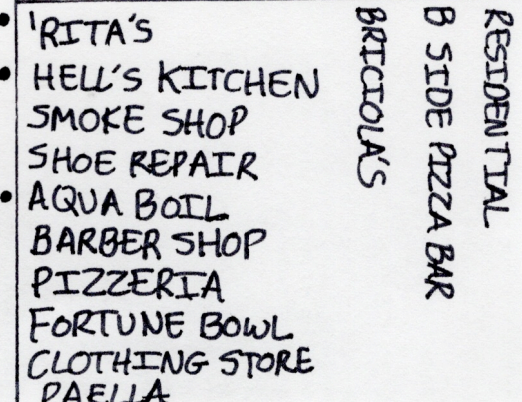
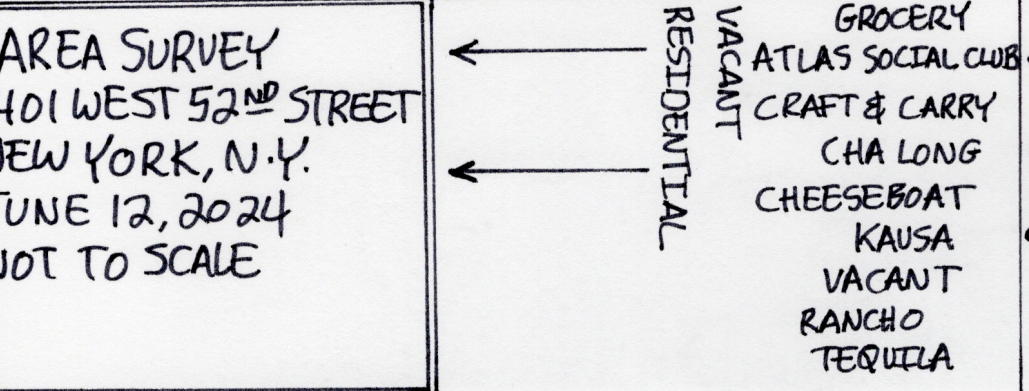
- W. 53RD ST. -



- W. 52ND ST. -



- W. 51ST ST. -



AREA SURVEY  
 401 WEST 52ND STREET  
 NEW YORK, N.Y.  
 JUNE 12, 2024  
 NOT TO SCALE

# Landess-Simon, Inc.

Legal & Commercial Photography

45 Lawlins Park  
Wyckoff, NJ 07481  
Phone: (201) 848-5652  
E-mail: landess@att.net  
landessphotographers.com

## RE: 401 WEST 52<sup>ND</sup> STREET

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1. American Retro Bar & Grill - 785 9<sup>TH</sup> Avenue - 69'
2. Flaming Saddles - 793 9<sup>TH</sup> Avenue - 168'
3. Empañada Mama - 765 9<sup>TH</sup> Avenue - 215'
4. McCoy's - 768 9<sup>TH</sup> Avenue - 217'
5. Ageha - 767 9<sup>TH</sup> - 174'
6. The Meatball Shop - 798 9<sup>TH</sup> Avenue - 245'
7. Ikebana Zen - 401 West 53<sup>RD</sup> Street - 259'
8. Alfie's - 800 9<sup>TH</sup> Avenue - 309'
9. Flex - 405 West 51<sup>ST</sup> Street -
10. Norma - 801 9<sup>TH</sup> Avenue - 268'
11. K Rico (Closed) - 772 9<sup>TH</sup> Avenue - 196'
12. Tacuba - 802 9<sup>TH</sup> Avenue - 330'
13. Aria - 369 West 51<sup>ST</sup> Street - 314'
14. Jasper's - 761 9<sup>TH</sup> Avenue - 252'
15. Yakitori Torishin - 362 West 53<sup>RD</sup> Street - 318'
16. Arriba Arriba - 762 9<sup>TH</sup> Avenue - 283'
17. Bar 9 - 807 9<sup>TH</sup> Avenue - 351'
18. Westville - 809 9<sup>TH</sup> Avenue - 369'
19. B Side Pizza Bar - 370 West 51<sup>ST</sup> Street - 368'
20. Rita's - 756 9<sup>TH</sup> Avenue - 350'

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Wyckoff, NJ 07481

Phone: (201) 848-5652

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landessphotographers.com

## RE: 401 WEST 52<sup>ND</sup> STREET

21. Bricola's - 370 West 51<sup>ST</sup> Street - 382'
22. Atlas Social Club - 753 9<sup>TH</sup> Avenue - 351'
23. Hell's Kitchen Restaurant - 754 9<sup>TH</sup> Avenue - 377'
24. Medi - 811-813 9<sup>TH</sup> Avenue - 384'
25. Cha Long - 749 9<sup>TH</sup> Avenue - 397'
26. Jaz Indian Cuisine - 813 9<sup>TH</sup> Avenue - 425'
27. Industry - 355 West 52<sup>ND</sup> Street - 414'
28. Cheeseboat - 747 9<sup>TH</sup> Avenue - 428'
29. Aqua Boil - 750 9<sup>TH</sup> Avenue - 450'
30. Giardino - 400 1/2 West 54<sup>TH</sup> Street - 461'
31. Kausa - 745 9<sup>TH</sup> Avenue - 451'
32. Valhalla - 815 9<sup>TH</sup> Avenue - 458'
33. Hush - 348 West 52<sup>ND</sup> Street - 478'

## CHURCHES & SCHOOLS

1. P.S. 111 - 440 West 53<sup>RD</sup> Street - 479'



MASSAGE  
PARLOR

COMMERCIAL  
SPACE

BARBER SHOP

WONDEE SIAM

TORRIBO RAMEN

RESIDENTIAL

HYDERABADI  
ZAIGA

LUCKY'S BURGERS

HARDWARE  
STORE

- 9TH AVE. -

GROCERY

APPLICANT

RESIDENTIAL

FITNESS  
CENTER

RESIDENTIAL

- W. 52ND ST. -

BLOCK PLOT  
401 WEST 52ND STREET  
NEW YORK, N.Y.  
JUNE 5, 2024  
NOT TO SCALE



## Public Interest Statement

## PUBLIC INTEREST STATEMENT / 500 FOOT LAW STATEMENT

The Red Stache LLC  
dba The Stache  
401 West 52<sup>nd</sup> Street aka 781 Ninth Avenue  
New York, New York 10019

The subject premises will be applying for a class change from its beer and wine license to a full liquor license for a bar located at 401 West 52<sup>nd</sup> Street between Ninth and Tenth Avenues in the Hell's Kitchen neighborhood in Manhattan. The casual wine bar has been opened since November 2023 to excellent reviews and the full liquor license will enhance its business model.

The beer and wine license application was approved at the Community Board May 2023. The former establishment at the space was Casellula restaurant that held a beer and wine license from 2007 to 2023.

The first floor has 10 tables with 37 seats with a 12' customer bar with 9 bar stools with 800 square feet. There is only background music on the first floor and the cellar is for storage only with 800 square feet. There will be exterior roadway seating with 10 tables with 40 seats with 352 square feet.

The hours of operation for the first floor are 12pm to 1230am Sunday to Wednesday, 12pm to 1am Thursday and 12pm to 2am Friday and Saturday. When Monday is a holiday (either Federal or a holiday like St. Patrick's Day) we will close at 2am on Sunday. The hours of operation for the exterior roadway seating are 12pm to 10pm Sunday to Thursday and 12pm to 11pm Friday and Saturday.

The bar features a menu with a variety of small plates including but not limited to a charcuterie board, a cheese board, a pork sandwich and French Dip together with flatbreads and desserts.

The two owners Theodore Arenas and Shaun Dunn have extensive experience in the hospitality industry. Mr. Arenas owns and operates Rise Bar NYC LLC as of November 2015 and The Spot Bar NYC LLC as of July 2021. Both venues hold full liquor licenses.

Shaun Dunn graduated from the Culinary Institute with a Bachelors of Professional Studies in 2008. He worked as a bar supervisor at Eleven Madison Park from 2008 to 2019. He was the general manager at Rise Bar from 2019 to 2022. He is now the general manager at The Red Stache.

Owner Theodore ("Ted") Arenas has been involved in the New York business community for decades, is well-established, respected as a forthright businessman, good neighbor and community leader. Ted Arenas will be actively involved in the management of the business.

Ted Arenas owned and operated Bar Tini located at 642 Tenth Avenue from September 2009 to 2011.

The applicant has a strong history of charity work and community support at his current venue Rise Bar and is dedicated to continuing this work at The Red Stache. Please see the following:

**Charities From 2017-2019**

True Colors United Fund  
Out Cycling Fearless Flyers  
Immigration Equality  
Rise held for LGBTQ YOUTH and Immigration equality raised over \$25,000 alone

**Other Charities and Community Partnerships**

Trinity Shelter  
HRC  
New York Gay Football League  
New York Recreational Sports  
New York Softball league  
The Haven  
Broadway Bares  
Tito's Stonewall fundraiser  
Bacardi Puerto Rico Earthquake relief  
CCA (Children's Craniofacial Association)  
Fundraiser for neighbor (Cameron Bell Mitchell)

The applicant met with the HK49-54 Block Alliance and the West 55<sup>th</sup> Street Block Association and both organizations voted to approve the class change application.

The following sub-sections of section 64 of the ABC Law specifically address the statutory requirements for the public convenience and advantage when there are three or more establishments with full liquor licenses within 500 feet of the applicant:

**(a) The number, classes and character of licenses in proximity to the location and in particular municipality or subdivision thereof.**

There are thirty-three establishments that hold full liquor licenses within 500' of the applicant. Twenty-two are restaurants and eleven are taverns.

The Hell's Kitchen neighborhood has been transforming into a fashionable location adding upscale eating and drinking establishments and retail shops for the last few decades. The Red Stache will prove to be another respectable and well operated establishment in the neighborhood where artists, local residents and tourists can gather for an enjoyable day or evening out for cocktails and light fare. Since The Red Stache has been opened since November 2023 adding a liquor license will enhance its business model.

**(b) Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies**

The applicant has a Letter of No Objection issued by The NYC Department of Buildings. The applicant has obtained all necessary inspections and permits, including but not limited to a Department of Health and Mental Hygiene permit and necessary Fire Department Inspections. The applicant further has obtained a NYS Certificate of Authority to Collect Sales Taxes and a Certificate of Assumed Name. The applicant will apply to The Department of Transportation for approval of its roadway seating.

**(c) Effect of the grant of the license on vehicular traffic and parking in proximity to the location**

Guests can take public transportation to the venue since there are a number of NYC buses and subways that are accessible to the area. Guests can also take NYC taxis and private car services. The venue will be a destination for residents of the New York City area, business professionals and tourists from nearby hotels. There is also one parking garage in the immediate area on Ninth Avenue and West 53<sup>rd</sup> Street. We do not anticipate that the approval and the granting of a full liquor license will cause a negative impact on vehicular traffic and parking in the area, especially

since the premises had been operating since 2007 and since the space is currently licensed as of November 2023.

**(d) The existing noise level at the location and any increase in noise levels that would be generated by the proposed premises**

The establishment will have background music only. The applicant obtained a sound report from a licensed acoustic engineer Accoustilog Inc which was submitted the Community Board for its beer and wine license application May 2023. The applicant has followed the recommendations of the report. The applicant has sealed with caulk electrical boxes where the box meets the sheetrock and ceiling holes have also been sealed. Ceiling and wall treatments using Kinetic Hardside Acoustical 1-inch panels were installed. As to the sound system there are 4 speakers distributed around the room on walls and not on the ceiling.

The approval and the granting of a full liquor license will not cause an unusual increase in noise levels at the premises since the location had been licensed since 2007 and is currently license as of November 2023.

**(e) The history of liquor violations and reported criminal activity at the proposed premises**

Upon information and belief and to the best of our knowledge there are no history of violations for the premises. To the best of our knowledge there are no other known histories of criminal activity at the premises.

In addition to the matters stated above, issuance of the instant license will promote the public interest in that it will be a positive contribution to the economy by way of the jobs maintained, continued wages paid, income, sales and other taxes collected, state and local license revenues, and maintenance of the local real estate tax base.

Accordingly, we believe approval of this removal application and issuance of an on-premises liquor license will promote the public interest and convenience. We therefore request that the Authority approve the application.



NYC Department of Buildings Property Profile  
Page with Letter of No Objection

NYC Department of Buildings  
Property Profile Overview

401 WEST 52 STREET MANHATTAN 10019 BIN# 1076208

9 AVENUE	781 - 781	Health Area	: 4700	Tax Block	: 1062
WEST 52 STREET	401 - 403	Census Tract	: 133	Tax Lot	: 29
		Community Board	: 104	Condo	: NO
		Buildings on Lot	: 1	Vacant	: NO

[View DCP Addresses...](#) [Browse Block](#)

---

[View Zoning Documents](#) [View Challenge Results](#) [Pre - BIS PA](#) [View Certificates of Occupancy](#)

---

**Cross Street(s):** 9 AVENUE, 10 AVENUE  
**DOB Special Place Name:**  
**DOB Building Remarks:**  
**Landmark Status:** **Special Status:** N/A  
**Local Law:** NO **Loft Law:** NO  
**SRO Restricted:** NO **TA Restricted:** NO  
**UB Restricted:** NO  
**Environmental Restrictions:** N/A **Grandfathered Sign:** NO  
**Legal Adult Use:** NO **City Owned:** NO

**Additional BINs for Building:** NONE  
**Additional Designation(s):** CLA - CLINTON PRESERVATION AREA A

**HPD Multiple Dwelling:** Yes

---

**Special District:** CL - CLINTON

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**This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, Coastal Erosion Hazard Area, or Special Flood Hazard Area. [Click here for more information](#)**

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**Department of Finance Building Classification:** C7-WALK-UP APARTMENT

**Please Note:** The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.



NYC Department of Buildings  
200 Broadway, New York, NY 10007

Patricia J. Lancaster, FAIA, Commissioner

Dileep Khedekar, P.E.  
Deputy Borough Commissioner  
Manhattan Borough Office, 3<sup>rd</sup> Fl.  
Phone: (212) 566-0019  
Fax: (212) 566-5575  
E-mail: [dileepk@buildings.nyc.gov](mailto:dileepk@buildings.nyc.gov)

November 17, 2006

New York State Liquor Authority  
Division of Alcoholic Beverage Control  
105 West 15<sup>th</sup> Street  
New York, New York 10027

RE: **LETTER OF NO OBJECTION**  
401 West 52<sup>nd</sup> Street  
Block: 1062; Lot: 29  
Manhattan

Ladies and Gentlemen:

The Department has No Objection to an Eating and Drinking Establishment, Use Group 6, for less than Seventy-Five (75) persons on the first floor for the above referenced premises.

However, any new construction must be filed with this Department.

This is based upon departmental records; Block: 1062; Lot: 29, and Sandborn Map, Alteration # 100512688 and 1040557164.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Khedekar", written over a horizontal line.

Dileep Khedekar, P.E.  
Deputy Borough Commissioner  
Manhattan

DK/gmt

Cc: Christopher M. Santulli, P.E. Borough Commissioner  
Tahmina Gaffar, Plan Examination  
LNO File  
Premises File