

# Manhattan Community Board 4

(All Fields Must Be Completed)

NYS Liquor License/DOT Dining Out Stipulations Application

<b>CORPORATION NAME</b> Rosa 18 Rest Corp		<b>DOING BUSINESS AS (DBA)</b> DON GIOVANNI	
<b>STREET ADDRESS</b> 214 10TH AVENUE		<b>CROSS STREETS</b> W 22ND / W 23RD	<b>ZIP CODE</b> 10011
<b>Applicant</b> <small>(Attach a list of all individuals that will be listed/associated with the license)</small>	<b>NAME:</b> KIM COHEN	<b>ATTORNEY REPRESENTATIVE</b>	<b>NAME:</b> MICHAEL KELLY
	<b>PHONE:</b> 917-656-0393		<b>PHONE:</b> 914-632-6036
	<b>EMAIL:</b> DONGIOVANNINY@GMAIL.COM		<b>EMAIL:</b> KELLYMLK136@GMAIL.COM
<b>MANAGER</b>	<b>NAME:</b> KIM COHEN	<b>LANDLORD</b>	<b>NAME:</b> AIDAN ZUCKER
	<b>PHONE:</b> 917-656-0393		<b>PHONE:</b> 212-760 2690
	<b>EMAIL:</b> DONGIOVANNINY@GMAIL.COM		<b>EMAIL:</b>
<b>APPLICATION TYPE</b> ( <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?		<input type="checkbox"/> YES <input type="checkbox"/> 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 Change/Method of Operation Change/Removal</b>	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?		<input type="checkbox"/> YES <input type="checkbox"/> NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input checked="" type="radio"/> Alteration	What is the current license # and expiration date?		# 03A0-23-130866 EXP: 1/31/2025
	Please list/describe the nature of all the changes and attach the plans: ADDING SIDEWALK SEATING TO EXISTING LIQUOR LICENSE		
<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 filed with the SLA? If yes, when? If no, when does applicant plan to file?		YES	<input checked="" type="radio"/> NO
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 foot radius of the establishment and the Public Interest Statement.		YES	<input checked="" type="radio"/> NO
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship 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

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

HOURS of Operation		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Indoors	12 PM - 1030 PM	12 PM - 1030 PM	12 PM - 1030 PM	12 PM - 11 PM	12 PM - 11 PM	12 PM - 11 PM	12 PM - 1030 PM
	Outdoors	12 PM - 10 PM	12 PM - 10 PM	12 PM - 10 PM	12 PM - 10 PM	12 PM - 11 PM	12 PM - 11 PM	12 PM - 10 PM
	Kitchen	12 PM - 1030 PM	12 PM - 1030 PM	12 PM - 1030 PM	12 PM - 1030 PM	12 PM - 11 PM	12 PM - 11 PM	12 PM - 1030 PM
	Music (indoors)	12 PM 1030 PM	12 PM 1030 PM	12 PM 1030 PM	12 PM 1030 PM	12 PM 11 PM	12 PM 11 PM	12 PM 1030 PM

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
INSIDE	74						
OUTSIDE (Roof/Top/Rear Yard/Patio/Terrace /Garden; within the premises)	N/A						
DOT Dining Out: Sidewalk Cafe	N/A	36	18	36			
DOT Dining Out: Roadway	/	/	/	/			

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

Will there be dancing?

YES

NO

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

YES

NO

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

YES

NO

Will security plan be implemented?

YES

NO

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

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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Where will applicants' own delivery bicycles be parked when not making deliveries?	NEXT TO THE RESTAURANT ON A BIKE RACK		
If applicant is using third party delivery service, where will third party delivery bicycles park?	IN STREET PARKING AREA		
Where will applicant store its garbage containers when not in use?	INSIDE TRASH AREA IN BASEMENT		
Where will applicant lay out garbage containers and at what time?	AFTER 8 PM ON SIDEWALK		

### LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	CHELSEA HISTORIC DISTRICT EXTENSION
Does the building have a Certificate of Occupancy ("C of O") or a Letter of No Objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	C of O
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO	
What is the zoning designation for this location?	RTB / C2-5		

### 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	
	# 2	
	# 3	
	# 4	
	# 5	
When did applicant post the notice that was provided?	4/28/25	
Where did applicant post the notice that was provided?	FRONT WINDOW + SIGN POSTS	
Please provide dates when applicant met with the groups listed above.	EMailed ENTIRE LIST	
Who was your contact person at each group you met with?		
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.	<input checked="" type="radio"/> YES	<input type="radio"/> 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	<input type="radio"/> 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
FIRST FLOOR	COOKING + SEATING	74	12 PM- 11 PM	12	24	Ø	1 BAR 9 SEATS	ALL HOURS BACKGROUND
CELLAR	STORAGE	—	12 PM- 11 PM	0	0	0	0	0

## BUILDING DESIGN

State the name and type of business previously located in the space.			
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	APPLICANT AT CURRENT LOCATION FOR OVER 15 YEARS
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 MCB4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	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	
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 comply with the NYC noise code?	<input checked="" type="radio"/> YES	NO	
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS	GARAGE DOORS	WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	YES	NO	N/A
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?	YES	NO	N/A
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	<input checked="" type="radio"/> NO	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	YES	<input checked="" type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	NO	
Will the establishment have an illuminated sign?	YES	<input checked="" type="radio"/> NO	
Will the establishment have a pole-supporting 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 PRIVATE PROPERTY – ROOFTOP, REAR YARD, TERRACE</b>			
Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo? If yes, which one(s)?	<input type="radio"/> YES	<input type="radio"/> NO	
Are the floorplans for the outdoor space(s) included?	<input type="radio"/> YES	<input type="radio"/> 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?	<input type="radio"/> YES	<input type="radio"/> NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant prohibit patrons from drinking in any outdoor space(s)?	<input type="radio"/> YES	<input type="radio"/> NO	
Will there be no amplified music, as per the law?	<input type="radio"/> YES	<input type="radio"/> NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree to post signs outside asking customers to respect the neighbors?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree to train staff to encourage a peaceful environment?	<input type="radio"/> YES	<input type="radio"/> NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants; apartments)	<input type="radio"/> YES	<input type="radio"/> NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input type="radio"/> YES	<input type="radio"/> NO	T

# DEPARTMENT OF TRANSPORTATION DINING OUT: SIDEWALK

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

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	NO	NA
If you answered no to the question above, jump to the next page			
Will the roadway structure extend on top of the curb or pedestrian refuge? By how much?	YES	NO	
Will the roadway structure have an ADA compliant ramp (not in the bike lane)?	YES	NO	
Will the roadway structure extend in the striped zone along the bike lane? By how much?	YES	NO	
Will the electric wires be brought over at the roof level?	YES	NO	
Will applicant dismantle and dispose of a shed that is no longer in use, along with its furniture?	YES	NO	
Will there be no music or amplifies sound in any outdoor seating, as per law?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	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 the Outdoor Dining Sidewalk & Roadway provide no standing space for drinking or smoking?	YES	NO	
Will the service and consumption of alcohol in the Outdoor Dining Sidewalk/Roadway only be via seated food service?	YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	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 applicant respect trees and tree pits and insure the health of the tree?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	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 the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	



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

- Sidewalk Cafe will not be enclosed in any way
- Umbrellas will not extend beyond the perimeter of the sidewalk cafe

*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.*

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

*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 June 4, 2025 full board meeting, with 44 members voting in favor of the recommendation, 0 members opposed, 0 members abstaining and 0 present but not eligible)	<input checked="" type="checkbox"/> Denial unless all stipulations agreed to by applicant owner are part of the method of operation <input type="checkbox"/> Denial <input type="checkbox"/> Approval
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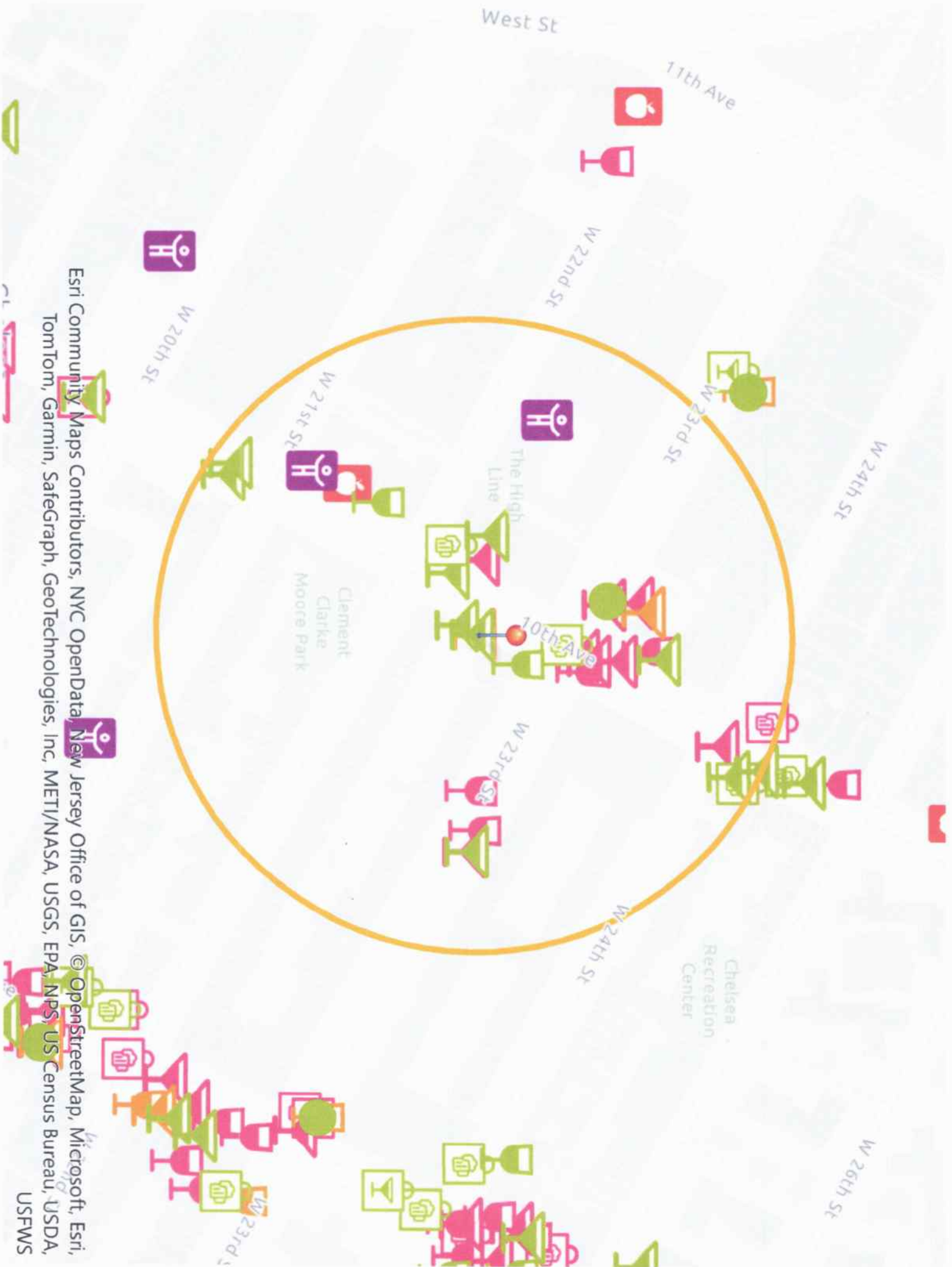
### MCB4 REPRESENTATIVES

 Nelli Gonzalez MCB4 Resident Representative	 Frank Holzhauer MCB4 Resident Representative	 Wendy Gonzalez MCB4 Resident Representative
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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 representatives and applicant. These stipulations supersede any oral statements, representations, or prior iterations in connection with this application.

SIGN HERE →	Kim Cohen PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	MAY 1, 2025 DATE
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This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

Proximity Report For		
Location	214 10th Ave, New York, New York, 10011	
Geocode	Latitude: 40.74730 Longitude: -74.00424	
Report Generated On	10/30/2024	

8 Closest Liquor Stores		
Name	Address	Distance
HUDSON YARDS LIQUORS INC License ID: 0100-23-124323 Legacy Serial No.: 1319647	557 C WEST 23RD ST NEW YORK, New York 10011	584 ft
MIDTOWN SPIRITS INC License ID: 0100-21-113776 Legacy Serial No.: 1329094	191 9TH AVE NEW YORK, New York 10011	839 ft
ALGA WINES & SPIRITS LTD License ID: 0100-22-118286 Legacy Serial No.: 1023563	221 9TH AVENUE NEW YORK, New York 10011	885 ft
WINE RHINO LLC License ID: 0100-23-126897 Legacy Serial No.: 1347836	140 10TH AVE NEW YORK, New York 10011	960 ft
DEATH AVE WINES CORP License ID: 0091-23-140044 Legacy Serial No.: 1339444	317 10TH AVE NEW YORK, New York 10001	1,540 ft
SUEBOB LIQUOR INC License ID: 0100-21-114461 Legacy Serial No.: 1023574	312 W 23RD STREET NEW YORK, New York 10011	1,673 ft
MWC RETAIL LLC License ID: 0100-21-114276 Legacy Serial No.: 1278244	606 W 28TH ST SUITE A SUITE A NEW YORK, New York 10001	1,738 ft

8 Closest Liquor Stores		
Name	Address	Distance
O&K WINE & LIQUOR INC License ID: 0100-23-124037 Legacy Serial No.: 1353670	292 8TH AVE NEW YORK, New York 10001	1,898 ft

Schools within 500 feet		
Name	Address	Distance
GUARDIAN ANGEL SCHOOL	193 10TH AVE NEW YORK, NY 10011	311 ft

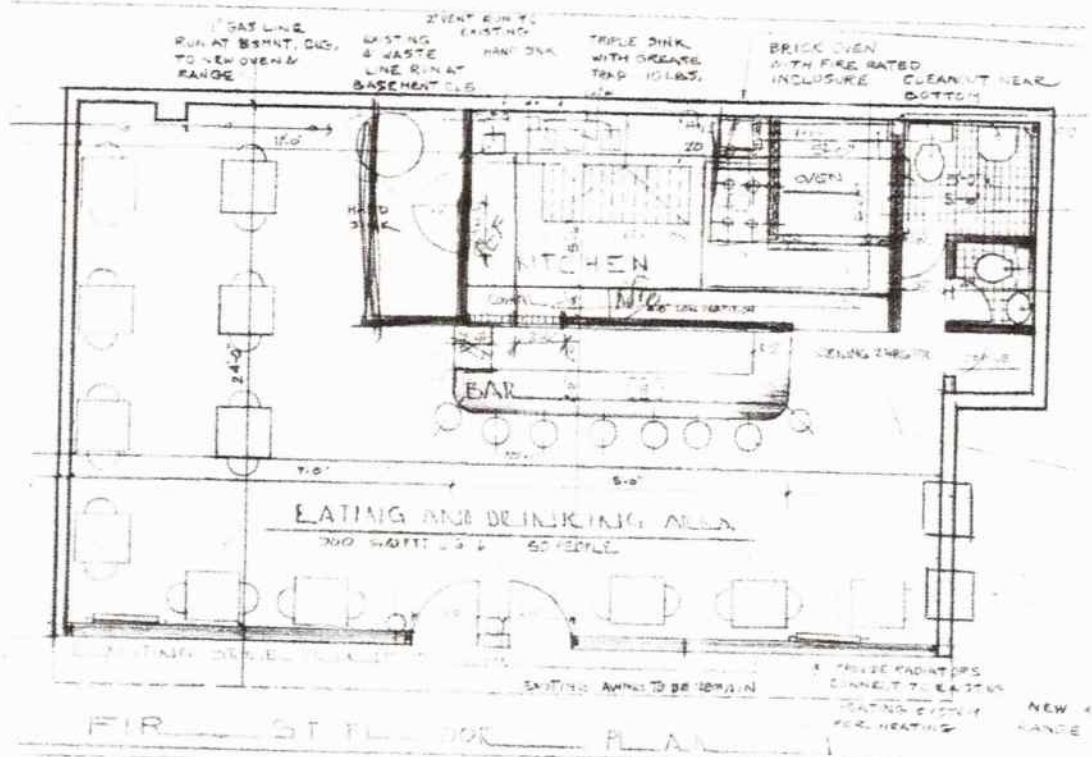
Churches within 500 feet		
Name		Distance
Revolution NY		359 ft
Chapel of the Guardian Angel		364 ft

Pending On Premises Liquor Licenses within 750 feet		
Name	Address	Distance
RODA 18 REST CORP Application ID: NA-0340-24-129047	214 10TH AVE New York, New York 10011 0	0 ft
SDFL LLC Application ID: NA-0340-24-104754	505-507 W 23rd St New York, New York 10011 0	270 ft

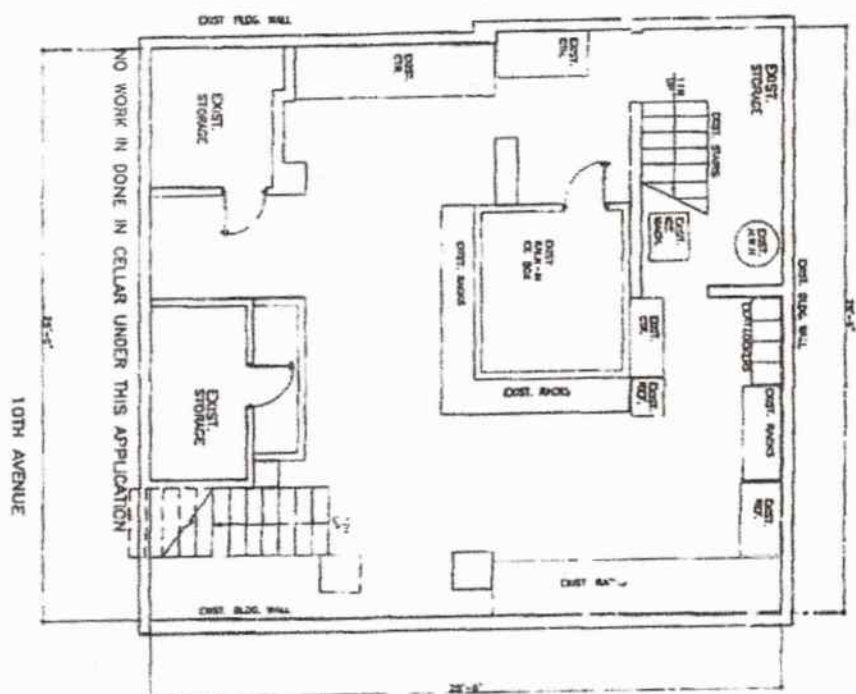
Active On Premises Liquor Licenses within 750 feet		
Name	Address	Distance
KEM REST INC License ID: 0340-23-130886 Legacy Serial No.: 1331331	214 10TH AVE NEW YORK, New York 10011	3 ft
210 EMPIRE LLC License ID: 0340-23-137619 Legacy Serial No.: 1298917	210 10TH AVE NEW YORK, New York 10011	32 ft

## Active On Premises Liquor Licenses within 750 feet

Name	Address	Distance
AUNT PAUL INC License ID: 0340-22-106968 Legacy Serial No.: 1149727	205 10TH AVE 22ND & 23RD STREETS NEW YORK, New York 10011	108 ft
MANHATTAN MAHARAJA LLC License ID: 0340-23-135327 Legacy Serial No.: 1283635	207 10TH AVE NEW YORK, New York 10011	160 ft
MERMAID CHELSEA LLC License ID: 0340-21-116830 Legacy Serial No.: 1320320	227 10TH AVE NEW YORK, New York 10011	291 ft
MAXVER LLC License ID: 0340-23-133592 Legacy Serial No.: 1302735	461 W 23RD ST NEW YORK, New York 10011	340 ft
FAT RADISH THREE LLC & TFR MANAGEMENT LLC, THE License ID: 0340-21-117583 Legacy Serial No.: 1319436	242 TENTH AVE SEE NOTES NEW YORK, New York 10001	455 ft
GENERAL THEOLOGICAL SEMINARY OF THE EPISCOPAL License ID: 0346-23-126666 Legacy Serial No.: 1196144	180 10TH AVE/DESMOND TUTU CTR 20TH & 21ST STREETS NEW YORK, New York 10011	468 ft
HIGH LINE HOTEL LLC & TENTH AVE HOTEL MANAGEMENT License ID: 0343-23-103264 Legacy Serial No.: 1268270	180 10TH AVE NEW YORK, New York 10011	469 ft
BOTTINO CORP License ID: 0340-23-131646 Legacy Serial No.: 1024846	246 248 10TH AVE NEW YORK, New York 10011	492 ft
PINYIN KITCHEN INC License ID: 0340-22-114467 Legacy Serial No.: 1262073	254 10TH AVE NEW YORK, New York 10001	567 ft
156 TENTH AVENUE RESTAURANT LLC License ID: 0340-23-131882 Legacy Serial No.: 1164847	156 10TH AVE AKA 460 W 20TH ST NEW YORK, New York 10011	719 ft







## SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Sidewalk Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

### Identify Clear Path Requirements:

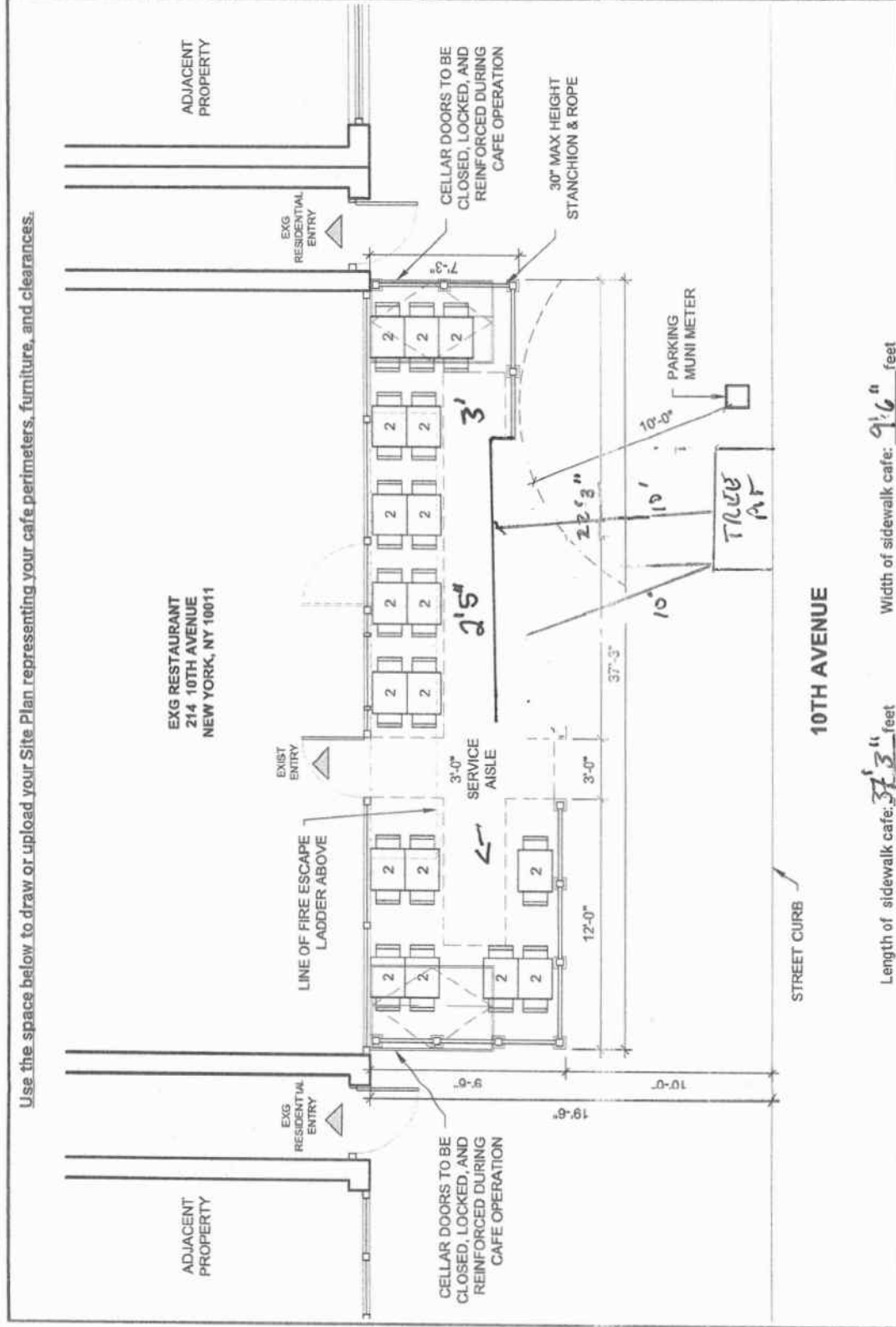
Clear path requirement for your sidewalk cafe can be found by identifying your corridor type on the DOT's Pedestrian Mobility Plan [Pedestrian Demand Map](#) on Open Data.

- ☐ C1- Global Corridor (12 feet Clear Path)  
☒ C2- Regional Corridor (10 feet Clear Path)  
☐ C3- Neighborhood Corridor (8 feet Clear Path)  
☐ C4- Community Connector (8 feet Clear Path)  
☐ C5- Baseline Street (8 feet Clear Path)

### Setup Area Identification:

- ☐ Please check this box if you plan to have outdoor dining located within private property. If so, indicate the property line in the site plan drawing below.  
☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.



Length of sidewalk cafe: 37'3" feet

Width of sidewalk cafe: 9'6" feet

## Sidewalk Cafe Site Plan Form

Applicant Name: Rosa's REST CORP

Restaurant Name: Don Giovanni

FSEP Number: 50163805

### Drawing Requirements

**Food service establishments, 1 frontage shown by:**

- Line representing space occupied in building
- Labels

**Street names:**

- Labels on each street

**Sidewalk shown as:**

- Line representing street curb
- Width measured from building line to curb line

**Primary building entrance shown as:**

- Label
- Distance from proposed setup

**Cafe perimeter shown as:**

- Line
- Length and width
- (Dashed line) representing Private Property Line

**Set-up furniture (tables, chairs, etc.) shown as:**

- Lines or symbols at approximate location within setup

**Sidewalk elements or objects shown as:**

- Lines or symbols
- Labels
- Distance from cafe perimeter

**Utility coverings shown as:**

- Symbols representing the approximate shape of the covering within the setup
- MANHOLE COVER
- UTILITY COVERING

## SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Leave box blank if not applicable.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

### Elements with minimum 15 feet clearance from sidewalk cafe:


☐ S01- Subway Stair: Open End \_\_\_\_\_ feet

### Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance \_\_\_\_\_ feet ☐ S04- MTA Curb Cut \_\_\_\_\_ feet

☐ S03- Exhaust Duct \_\_\_\_\_ feet ☐ S05- FDNY Curb Cut \_\_\_\_\_ feet

### Elements with minimum 8 feet clearance from sidewalk cafe:

☒ S06- Street Tree Bed  \_\_\_\_\_ feet ☐ S13- Newsstand \_\_\_\_\_ feet

☐ S07- Mailbox \_\_\_\_\_ feet ☐ S14- Streetlight \_\_\_\_\_ feet

☐ S08- LinkNYC Kiosk \_\_\_\_\_ feet ☐ S15- Bus Stop Pole \_\_\_\_\_ feet

☐ S09- Wayfinding Kiosk \_\_\_\_\_ feet ☐ S16- Fire Hydrant \_\_\_\_\_ feet

☐ S10- E-charging Station \_\_\_\_\_ feet ☐ S17- Bus Stop Shelter \_\_\_\_\_ feet

☒ S11- Parking Meter **10** feet ☐ S18- Traffic Signal \_\_\_\_\_ feet

☐ S12- Select Bus Service Fare Machine \_\_\_\_\_ feet

### Elements with minimum 5 feet clearance from sidewalk cafe:

☐ S19- CitiBike/Bike Share Station \_\_\_\_\_ feet ☐ S24- Emergency Exit Hatch \_\_\_\_\_ feet

☐ S20- Bike Corral \_\_\_\_\_ feet ☐ S25- Subway Stair: Closed End \_\_\_\_\_ feet

☐ S21- Micromobility Station \_\_\_\_\_ feet ☐ S26- Subway Elevator: Non-Entry \_\_\_\_\_ feet

☐ S22- Primary Building Entrance \_\_\_\_\_ feet ☐ S27- Siamese Connection \_\_\_\_\_ feet

☐ S23- Curb Cut \_\_\_\_\_ feet

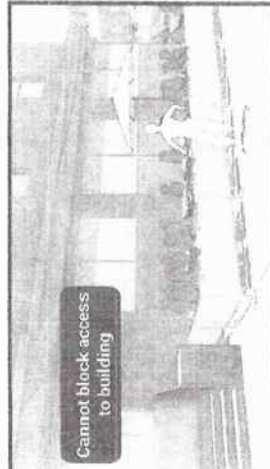
### Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure \_\_\_\_\_ feet

☐ S29- Transformer Vault \_\_\_\_\_ feet

### Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure \_\_\_\_\_ inches



## SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your sidewalk cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements by checking the box next to the associated requirement.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

### Materials Checklist:

\*Required\*

#### ☒ Perimeter Demarcation

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
- ☒ Maximum height is 2 feet 6 inches (excluding planting(s)).
- ☒ Not affixed to the sidewalk.

\*Optional- Only check the material categories you intend to use in your sidewalk cafe\*

#### ☐ Furnishings

- ☐ Lightweight and easily movable.
- ☐ Not affixed to the sidewalk.

#### ☐ Awnings (Physically attached to the building)

- ☐ Minimum 8 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Complies with the New York City Building Code and the requirements of the Landmarks Preservation Commission, as applicable.

#### ☐ Overhead Coverings/ Umbrellas

- ☐ Minimum 7 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
- ☐ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

#### ☐ Lighting and Electrical Connections

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Does not exceed 10 feet in height.
- ☐ Not attached to any City property, including street trees.
- ☐ Electrical work complies with the applicable requirements set forth in the DOT's rules and the New York City Electrical Code.

☐ Please check this box if you are submitting additional documents for review. Documents may include technical drawings prepared by a licensed professional.



Pizzas are Don Giovanni's specialty, with many different options to choose from. Baked in our old fashioned coal fired brick oven, the dough is thin, crisp, and topped with flavor. Fan favorites include our traditional Margherita Pizza, Quattro Formaggi, Pomodoro, and White Clam Pizza.

We can accommodate parties of all sizes or we can bring the party to you with our experienced catering staff. We do recommend that parties larger than six people call in advance to make reservations.

[READ MORE ABOUT OUR TIMES SQUARE LOCATION](#)

[READ MORE ABOUT OUR CHELSEA LOCATION](#)

## Menu

APPETIZERS & SOUPS SALADS FAMOUS BRICK OVEN PIZZA PASTA ENTREES HEROS

SIDES DESSERTS BEVERAGES COCKTAILS TO GO BEERS (MUST BE 21 TO PURCHASE)

WINES (MUST BE 21 TO PURCHASE) WEEKLY SPECIALS VEGAN & GLUTEN FREE



### Appetizers

Mussels in Marinara or Garlic & Oil Sauce	\$18.00
Bruschetta - Parmigiano Cheese Toasted W/Garlic, Chopped Tomatoes, Basil, Olive Oil	\$11.00
Burrata Mozzarella Pomodoro - Garden Tomatoes, Fresh Basil, Olive Oil	\$15.00
Portobello Mushrooms - Sautéed Spinach With Balsamic Vinegar (Gluten Free)	\$15.00
Fried Calamari (4th Street Location Only)	\$12.00
Mozzarella Sticks	\$11.00

<https://donjohnnys.com/locations/tbs-0-9703a5ef571a4403795a029404241>

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Margherita - Classic Piza, Tomato Sauce, Mozzarella	Small	Large
Pepperoni - Mozzarella, Tomato Sauce & Pepperoni	\$18.00	\$26.00
Pomodori - Fresh Mozzarella, Fresh Tomatoes, Basil	\$19.00	\$30.00
Quattro Formaggi (4 Cheeses) With Mozzarella, Ricotta, Gorgonzola & Parmesan	\$21.00	\$33.00
Genovese - Spinach, Basil, Onions, Garlic & Peppers	\$21.00	\$33.00
Pizza Di Carne - Meatballs, Sausage, Bacon	\$23.00	\$35.00
Rustica - Sausage, Spinach, Onions, Roasted Peppers	\$22.00	\$34.00
Californian - Spinach, Feta Cheese, Olives, Tomatoes & Garlic Anchovies Sauce	\$21.00	\$33.00
Caprina - Goat Cheese, Fig Spread, Pear, Angula & Truffle Oil	\$25.00	\$33.00
Bianca White Pizza - Ricotta, Mozzarella	\$18.00	\$29.00

### Pizza Toppings: Small Pizza (Whole Only) / Large Pizza And Half Large

Chicken:	\$3/ \$5	Extra Cheese	\$3/ \$5	Basil:	\$2/ \$4
Pepperoni:	\$3/ \$5	Feta Cheese:	\$3/ \$5	Garlic:	\$2/ \$4
Sausage:	\$3/ \$5	Ricotta Cheese:	\$2/ \$4	Onions:	\$2/ \$4
Bacon:	\$4/ \$6	Fresh Mozzarella:	\$4/ \$6	Spinach:	\$2/ \$4
Meatballs:	\$4/ \$6	Mushrooms:	\$2/ \$4	Peppers:	\$2/ \$4
Anchovies:	\$3/ \$5	Jalapeno:	\$2/ \$4	Olives:	\$2/ \$4

**In House Parties of 6 or More → 18% Gratuity Added** 358 West 44th Street, Between 8th & 9th Avenue - 212.581.4939  
**Open Daily:** 5:00 - 10:30 214 10th Avenue, Between 22nd & 23rd Street - 212.242.9054 **Open Daily:** 12:00 - 10:30 (Fri/Sat till 10:30) On rush hour and high season time, subject to min of \$45.00 per person



### Pasta

Gluten-free pasta available for \$3 extra!

Spaghetti or Penne - Tomato Sauce	\$18.00
Spaghetti or Penne - Garlic & Oil	\$14.00
Spaghetti or Penne - Lemon, Parmesan & Butter	\$14.00
Spaghetti or Penne - Meatballs, Meat Sauce Or Sausage	\$23.00
Spaghetti alla Carbonara - Bacon, Onions, Cream & Parmesan Cheese	\$23.00
Linguine Alfredo - Traditional Cream Sauce	\$21.00

<https://donjohnnys.com/locations/tbs-0-9703a5ef571a4403795a029404241>

4/14

Garlic Knots w/ Marinara sauce  
 Polenta in Garlic Sauce

\$11.00  
 \$25.00

### Soups Are Made Per Order:

Minestrone	\$11.00
Special Chicken Soup	\$11.00
Pasta Fagioli	\$11.00

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House Salad - Romaine, Cucumbers, Peppers, Tomatoes, Onions & Olives	\$12.00
Caesar Salad - Croutons Toasted in Garlic & Parmigiano Cheese	\$14.00
Mediterranean Salad - Chopped Tomatoes, Cucumbers, Peppers, Onions & Olives	\$12.00
Wild Baby Arugula And Pear Salad - Gorgonzola & Walnuts	\$12.00
Grilled Salmon Nicoise Salad - Our House Salad Plus Salmon Potatoes & Eggs	\$28.00

**\* Salad Add Ons:** Feta, Gorgonzola, Goat, Mozzarella Cheese - \$4, Chicken - \$7, Shrimp - \$9, Salmon - \$11 **10 \*Classic Heroes** Add side salad - \$7 Chicken Parmigiana, Eggplant Parmigiana, Meatball / Sausage \$18

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### Our Famous Brick Oven Pizza

9to substitutions | half and half combination on large # 1-10 is \$33

<https://donjohnnys.com/locations/tbs-0-9703a5ef571a4403795a029404241>

3/14

Handmade Fettuccini - Champignon Mushrooms & Creamy Truffle Sauce Handmade	\$23.00
Penne in Vodka Sauce	\$21.00
Penne del Medici - Chicken, Chopped Tomatoes, Peas in A Pink Sauce	\$24.00
Penne Special - Fresh Mozzarella, Breaded Eggplant, Tomatoes & Basil	\$22.00
Gnocchi Marinara	\$22.00
Gnocchi pesto	\$25.00
Linguine Pesto - Pesto Of Basil, Pignoli Nuts, Garlic & Olive Oil	\$22.00
Ravioli al Pomodoro - Cheese Ravioli in A Tomato Sauce Add Melted Mozzarella \$2	\$19.00
Ravioli al Anguilla - Lobster Ravioli in A Pink Sauce	\$22.00
Cheese Tortellini - In vodka Sauce	\$14.00
Linguine alla Vongolo - Red Or White Clam Sauce	\$25.00
Linguine Frutti Del Mare - Variety Of Seafood & Marinara Sauce	\$30.00

**Pasta Add-Ons:** Chicken \$7, Shrimp \$9, Salmon \$11, Meat Balls (2) \$7, Sausage \$7, Burrata Mozzarella \$10 Broccoli / Mushroom \$4, Gnocchi \$4, Handmade Fettuccini \$4, Side Red Sauce order \$2

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### Entrees

1Comes with spaghetti or penne	
Chicken Parmigiana - Marinara Sauce & Melted Mozzarella	\$26.00
Chicken Marsala - Mushrooms & Marsala Wine Sauce	\$25.00
Chicken Francese - Lemon White Wine Sauce	\$25.00
Eggplant Parmigiana - Breaded Eggplant, Mozzarella, Ricotta & Marinara Sauce	\$23.00
Salmon Fillet - Rosemary Roasted Potatoes & Broccoli (Pasta Not Included)	\$27.00
Honored Lasagna Italiana - Classic Homemade Lasagna	\$25.00

**Substitute:** Gnocchi \$4, Handmade Fettuccini \$4, Broccoli \$4, Vodka Sauce \$5, Meat Sauce \$6

<https://donjohnnys.com/locations/tbs-0-9703a5ef571a4403795a029404241>

5/14



# DEPARTMENT OF BUILDINGS CERTIFICATE OF OCCUPANCY

BOROUGH MANHATTAN

DATE: 067501979 NO. 79753

This certificate supersedes C.O. No. 79753

ZONING DISTRICT C 2-5

THIS CERTIFIES that the ~~new~~ altered ~~existing~~ building—premises located at  
470 West 23rd Street

Block 720 Lot 32

CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN

## PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOAD LBS. PER SQ. FT.	MAXIMUM NO. OF PERSONS PERMITTED	ZONING FLOORING OR OCCUPANCY REQUIREMENTS	BUILDING USE HABITABLE ROOMS	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
cellar	0.0.	-	-	-	-	-	Boiler, storage, motor room.
1st	100	<u>74</u> <u>15</u>	-	-	<u>6</u> <u>6</u>	-	Eating & Drinking Place One (1) store
2nd	40	-	<u>4</u>	<u>7</u>	<u>2</u>	-	Four (4) Class "A" apart- ments.
3rd	40	-	<u>4</u>	<u>7</u>	<u>2</u>	-	Four (4) Class "A" apart- ments.
4th	40	-	<u>4</u>	<u>7</u>	<u>2</u>	-	Four (4) Class "A" apart- ments.
5th	40	-	<u>4</u>	<u>7</u>	<u>2</u>	-	Four (4) Class "A" apart- ments.
5th	-	-	<u>2</u>	<u>4</u>	<u>2</u>	-	Two (2) Class "A" apartments
<p>TOTAL: Store, Eating &amp; Drinking Place and Eighteen (18) Class "A" Apartments Class "A" Multiple Dwelling Old-Code</p> <p>This certificate is predicated upon the final report of inspection dated October 25, 1979.</p> <p>Existing Sprinkler System Approved November 14, 1940.</p>							

OPEN SPACE USES \_\_\_\_\_

(SPECIFY—PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS  
A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED

THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS  
SPECIFICATIONS NOTED ON THE REVERSE SIDE.

*[Signature]*  
BOROUGH SUPERINTENDENT

*[Signature]*  
COMMISSIONER

THAT THE ZONING LOT ON WHICH THE PREMISES IS LOCATED IS BOUNDED AS FOLLOWS:

BEGINNING at a point on the South side of East 23rd Street  
distant 10th Avenue feet from the corner formed by the intersection of  
and East 23rd Street  
running thence East 24' feet; thence South 98'-9" feet;  
thence West 24' feet; thence North 98'-9" feet;  
thence feet; thence feet;  
thence feet; thence feet;  
to the point or place of beginning.

~~XXX~~ ALT. No. 246/78 DATE OF COMPLETION 10-20-79 CONSTRUCTION CLASSIFICATION Class 3-Non-Firep  
BUILDING OCCUPANCY GROUP CLASSIFICATION HEIGHT 6 STORIES, 60' FEET  
Commercial & Apartments

THE FOLLOWING FIRE DETECTION AND EXTINGUISHING SYSTEMS ARE REQUIRED AND WERE INSTALLED IN COMPLIANCE WITH APPLICABLE LAWS.

	YES	NO		YES	NO
STANDPIPE SYSTEM			AUTOMATIC SPRINKLER SYSTEM	X	
YARD HYDRANT SYSTEM					
STANDPIPE FIRE TELEPHONE AND SIGNALLING SYSTEM					
SMOKE DETECTOR					
FIRE ALARM AND SIGNAL SYSTEM					

STORM DRAINAGE DISCHARGES INTO:

A) SANITARY SEWER ☐ B) COMBINED SEWER ☐ C) PRIVATE SEWAGE DISPOSAL SYSTEM ☐

SANITARY DRAINAGE DISCHARGES INTO:

A) SANITARY SEWER ☐ B) COMBINED SEWER ☐ C) PRIVATE SEWAGE DISPOSAL SYSTEM ☐

LIMITATIONS OR RESTRICTIONS:

BOARD OF STANDARDS AND APPEALS CAL. NO. \_\_\_\_\_  
CITY PLANNING COMMISSION CAL. NO. \_\_\_\_\_  
OTHERS \_\_\_\_\_



JESSICA CHAIT  
Chair

JESSE BODINE  
District Manager

CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD No. 4  
424 W 33<sup>rd</sup> Street, Suite 580 New York, NY 10001  
tel: 212-736-4536  
<https://cbmanhattan.cityofnewyork.us/cb4/>

## PUBLIC NOTICE

Business Licenses and Permits Committee  
will discuss an application submitted by

**Don Giovanni**  
**214 10<sup>th</sup> Avenue**

A Dept. Transportation Dining Out  
Sidewalk Application:  
Tables: 18/Seats: 36

**DATE:** Tuesday, May 13, 2025

**TIME:** 6:30 PM

**PLACE:** **Hybrid Meeting:**



**Video/Phone Conference Registration:**  
<https://tinyurl.com/mcb4-blp-committee>

**In-Person:**  
**MCB4 Office**  
**424 W 33<sup>rd</sup> Street, Suite 580**

**To follow public health best practices,**  
**building protocols and due to limited**  
**space, we encourage all members of the**  
**public to participate remotely via Zoom. If**  
**you would like to attend in person, please**  
**email Assistant District Manager Nelly**  
**Gonzalez at [negonzalez@cb.nyc.gov](mailto:negonzalez@cb.nyc.gov) by**  
**10am, Monday, May 12th.**

We invite you to attend this meeting and learn more about this application.  
Alternately, you should email your comments by 12 p.m. Monday, May 12th or for  
more information, to Assistant District Manager Nelly Gonzalez  
[negonzalez@cb.nyc.gov](mailto:negonzalez@cb.nyc.gov).

*Posted according to the Administrative Code of the City of New York section 10-119. Please do not remove until after the above meeting date.*





2024 CHAT  
JAMES WONG  
District Manager

CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD No. 4  
424 W 33<sup>rd</sup> Street, Suite 580 New York, NY 10001  
tel: 212-736-4536  
<https://manhattan.cityofnewyork.us/mcb4>

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Posted according to the Administrative Code of the City of New York section 16  
119. Please do not remove until after the above meeting date.



Business License and Permit Commission  
will stamp an application submitted by:

Don Giovanni  
214 10<sup>th</sup> Avenue

Dept. Transportation Planning Unit  
Network Applications  
Tel Aviv, Israel, 6100

6:30 PM

Video/Phone Conference Registration:  
<https://tinyurl.com/mcb4-bfp> or <https://tinyurl.com/mcb4-bfp>



In-Person:  
MCB4 Office  
424 W. 13<sup>th</sup> Street, Suite 280

To follow public health best practices, building protocols and due to limited space, we encourage all members of the public to participate remotely via Zoom. If you would like to attend in person, please email Assistant District Manager Neely Gonzalez at [neegonzalez@dc.ny.gov](mailto:neegonzalez@dc.ny.gov) by 12pm Monday, May 18th.

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Step 2: *Apply the appropriate rule to the given base text, and then to the text in the next column and after that almost every text.*







JERROLD LARSEN  
JERROLD LARSEN  
District Manager

CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD No. 4  
424 W 33<sup>rd</sup> Street, Suite 580 New York, NY 10001  
Tel: 212-736-4136  
<http://manhattancommunityboard4.us>

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Posted according to the Administrative Code of the City of New York, section 10.  
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VITATIS

Case Number: FA0265334

Business Name: \_\_\_\_\_

Business Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_