

Manhattan Community Board 4

(All Fields Must Be Completed)

NYS Liquor License/DOT Dining Out Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
TAQUERIA LA MODERNA 1 LLC		TAQUERIA CONDESA	
STREET ADDRESS		CROSS STREETS	ZIP CODE
824 9TH AVENUE		54TH STREET	10019
Applicant (Attach a list of all individuals that will be listed/associated with the license)	NAME: LEONEL TOVAR BAIZAN	ATTORNEY/ REPRESENTATIVE	NAME: Maria Ayala
	PHONE: 347-267-6360		PHONE: 914-409-5550
	EMAIL: admin@taqueriacondesa.com		EMAIL: nyliquorlaw110@gmail.com
MANAGER	NAME: LEONEL TOVAR BAIZAN	LANDLORD	NAME: BAMJ Midtown Assests LLC, ARP Murray Midtown Assets & Murray Midtown Assests LLC
	PHONE: 347-267-6360		PHONE: 212-532-0171
	EMAIL: admin@taqueriacondesa.com		EMAIL: max@tristarmgmtllc.com
APPLICATION TYPE (☐ New York State Liquor License ☒ Dept. of Transportation Dining Out)			
☐ New	Has applicant owned or managed a similar business?	☒ YES	☐ NO
	What is/was the name and address of establishment?	Taqueria 86 Inc., 210W 94th Street, NY, NY 10025	
	What were the dates applicant was involved with this former premise?	03/2021	
☐ Corp Change/Class Change/Method of Operation Change/Removal	What is the license # and expiration date?	1336639 EXP. 10/31/2027-TAQUERIA 86 INC.	
	Is applicant making any alterations or operational changes?	☒ YES	☐ NO
	If alterations or operational changes are being made, please describe/list all changes.	APPLYING FOR OUTDOOR DINING /SIDEWALK CAFE	
☒ Alteration	What is the current license # and expiration date?	SERIAL #6077289 / EXPIRATION 09/30/2027	
	Please list/describe the nature of all the changes and attach the plans: APPLYING FOR SIDEWALK CAFE; PLANS ARE ATTACHED.		
METHOD OF OPERATION			
TYPE OF ALCOHOL	☒ Liquor/Wine/Beer & Cider ☐ Beer & Cider ☐ Wine/Beer & Cider		
ESTABLISHMENT TYPE	☒ Restaurant ☐ Cabaret ☐ Night Club ☐ Hotel ☐ Bar/Tavern ☐ Catering Establishment ☐ Adult Entertainment ☐ Wine Bar ☐ Dance Club ☐ Sports Bar ☐ Club (Fraternal Organization – Members Only)		
Has applicant filed with the SLA? If yes, when? If no, when does applicant plan to file?		☒ YES	☐ 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	☐ 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	☒ NO
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		☒ 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	3pm-10pm	12pm-10pm	12pm-10pm	12pm-10pm	12pm-11pm	12pm-11pm	12pm-10pm
	Outdoors	3pm-10pm	12pm-10pm	12pm-10pm	12pm-10pm	12pm-11pm	12pm-11pm	12pm-10pm
	Kitchen	3pm-10pm	12pm-10pm	12pm-10pm	12pm-10pm	12pm-11pm	12pm-11pm	12pm-10pm
	Music (indoors)	3pm-10pm	12pm-10pm	12pm-10pm	12pm-10pm	12pm-11pm	12pm-11pm	12pm-10pm
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	51	51	16	47	0	1	4	
OUTSIDE <i>(Rooftop/Rear Yard/Patio/Terrace /Garden; within the premises)</i>	NA							
DOT Dining Out: Sidewalk Cafe			17	34	NA			
DOT Dining Out: Roadway			NA					
How frequently will the owner(s) be at the establishment?					80%			
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?	YES	☒ NO	
Where will applicants' own delivery bicycles be parked when not making deliveries?	NO		
If applicant is using third party delivery service, where will third party delivery bicycles park?	Yes, alongside the parking DOT on the street		
Where will applicant store its garbage containers when not in use?	Inside restaurant		
Where will applicant lay out garbage containers and at what time?	End of the day, night		

LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	☒ NO	
Does the building have a Certificate of Occupancy ("C of O") or a Letter of No Objection?	☒ YES	NO	*Currently pending*
Is a Public Assembly permit required?	YES	☒ NO	
Are your plans filed with DOB?	☒ YES	NO	
What is the zoning designation for this location?	NYC District #2		

Community Notification/Relations

NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each, please list both the organization and individual you contacted.	# 1	*See attached email to various Block Association	
	# 2		
	# 3		
	# 4		
	# 5		
When did applicant post the notice that was provided?		05/21/2026	
Where did applicant post the notice that was provided?		On the front door of the restaurant	
Please provide dates when applicant met with the groups listed above.		Reached out to various block association on 05/21/2026 & 05/22/2026	
Who was your contact person at each group you met with?		*See attached Email to Block Association*	
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.		☒ YES	NO 347-267-6360
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant's jobs webpage?		☒ 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
Ground Floor	Dining	51	*See page 2 hours listed*	16	47	1	4	Background Recorded
Sidewalk Cafe	Outdoor Dining	36	*See page 2 hours listed*	18	36	0	0	Background Recorded

BUILDING DESIGN			
State the name and type of business previously located in the space.	EL CENTRO		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	☒ YES	☐ NO	EL CENTRO
Do you plan any changes to the existing façade? If yes, please describe.	☒ YES	☒ NO	
Has the applicant/owner(s) read MCB4 ADA Guidelines Memo?	☒ YES	☐ NO	
Is the entrance ADA Compliant?	☒ YES	☐ NO	
Do you plan any changes to the existing façade? If yes, please describe.	☒ YES	☒ NO	
Will applicant have a vestibule within the establishment?	☒ YES	☐ NO	
Will applicant use a storm enclosure?	☒ 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 comply with the NYC noise code?	☒ 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	
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	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	☒ YES	☐ NO	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	☒ YES	☐ NO	
Will the kitchen exhaust system extend to the roof?	☒ YES	☐ NO	
Will the establishment have an illuminated sign?	☒ YES	☒ NO	
Will the establishment have a pole-supporting canopy extending over the sidewalk?	☒ YES	☐ NO	
Where will the air conditioner be located? What type is it?	CENTRAL UNIT		
When was the air conditioner installed?	February 2025		

OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR YARD, TERRACE

Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?	YES	NO	NA
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	
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.	☒ 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	Applicant will allow patrons to drink on sidewalk cafe of the establishment
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?			NA

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)

- Any storm enclosure shall extend no further than 18" from building facade

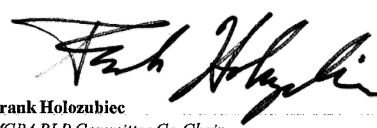
To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.

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: <i>(MCB4's recommendation is based on a vote taken at its</i> <u>7/22/26</u> <i>full board meeting, with</i> <u>40</u> <i>members voting</i> <i>in favor of the recommendation, 0 members opposed, 0</i> <i>members abstaining and 0 present but not eligible)</i>	☒ Denial unless all stipulations agreed to by applicant/owner are part of the method of operation ☐ Denial ☐ Approval
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MCB4 REPRESENTATIVES

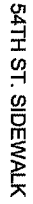
 Nelly Gonzalez MCB4 Assistant District Manager	 Frank Holozubiec MCB4 BLP Committee Co-Chair	 Wendy Gonzalez MCB4 BLP Committee Co-Chair
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APPLICANT AGREEMENT WITH THE COMMUNITY

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 →	Leonel Tovar Baizan	<i>Leonel T. Baizan</i>	05/27/2026
	PRINT NAME OF APPLICANT	SIGNATURE OF APPLICANT	DATE

9TH AVE. SIDEWALK



SCALE: 1/4" = 1'-0"

54TH ST.

DATE 04/16/26



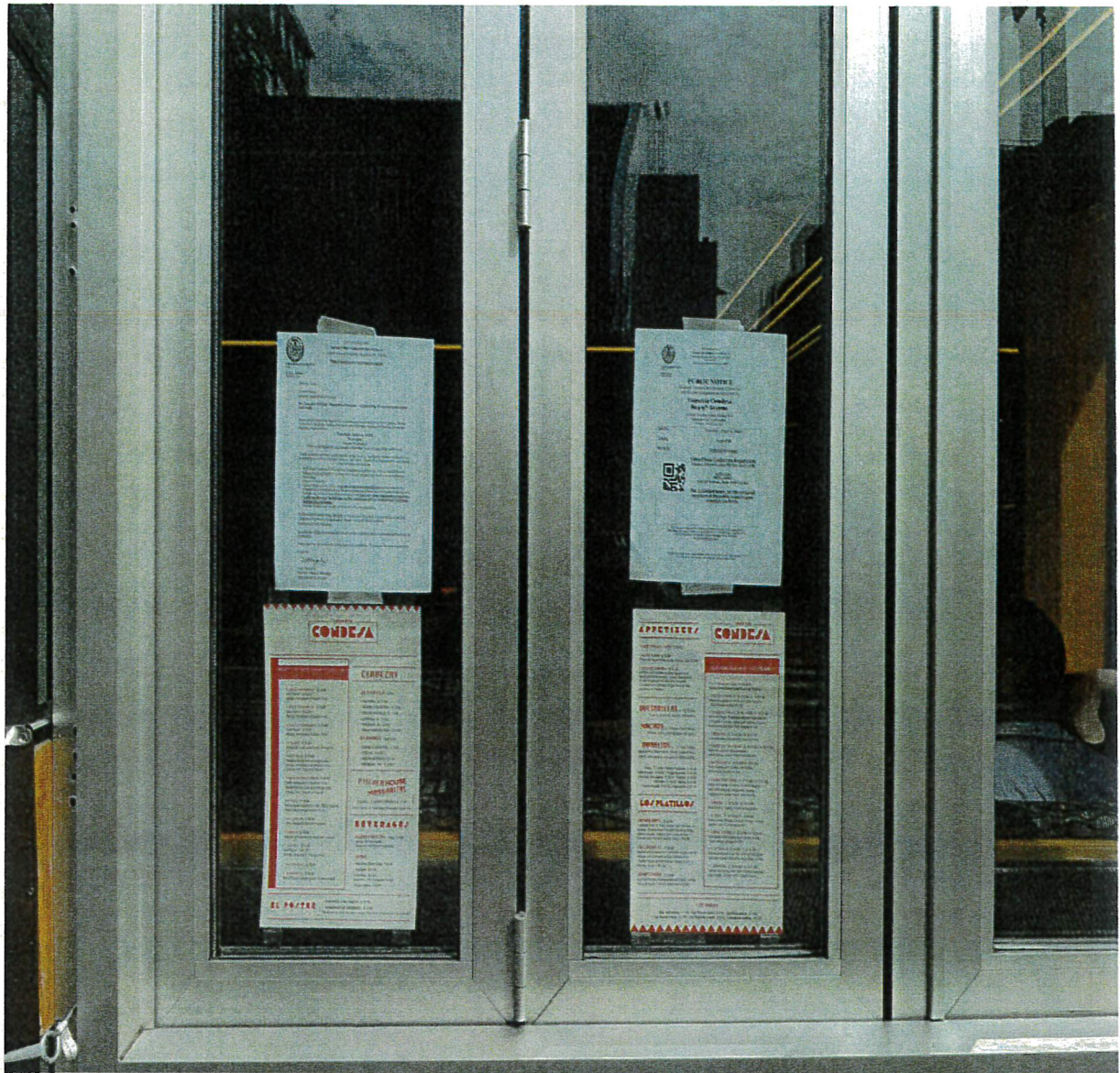
















Maria Ayala <nyliquorlaw110@gmail.com>

La Moderna Taqueria 1 LLC / DOT Dining Out Sidewalk Cafe /824 9th Avenue, NY NY 10019

2 messages

Maria Ayala <nyliquorlaw110@gmail.com>

Thu, May 21, 2026 at 5:21 PM

To: west43rdstreetnyc@gmail.com, west44thnyc@gmail.com, excom@chekped.com, info@clintonhousing.org, hk4546ba@gmail.com, marisared22@aol.com, rmarcano@clintonhousing.org, jrestuccia2@clintonhousing.org, john.mudd@usa.net, nkyriacou@yahoo.com, twocats1td@worldnet.att.net, larrymichaelroberts@gmail.com, aefearshk@earthlink.net, mariagnys@aol.com, rpimentel@commonground.org, dsage@commonground.org, gdclay@att.net, delores.rubin@att.net, briancottweber@gmail.com, ploeb315@aol.com, info@hcc-nyc.org, tenants350west51st@gmail.com, hk5051@gmail.com, west55ba@gmail.com, awm3333@me.com, john.waldman@redcross.org, acernitz@gmail.com, jessbondy@aol.com, hellskba@gmail.com

Cc: "Cc: Mark Stumer" <mstumer@newyorklawyers.org>, kathleentreat123@gmail.com, briancottweber@gmail.com, rjbenfatto@hyhkalliance.org, peggychane@gmail.com, pgouris@hyhkalliance.org, "Gonzalez, Nelly (CB)" <negonzalez@cb.nyc.gov>, Leonel Baizan <leonel2874@gmail.com>, cressidac@gmail.com, ljames@hcc-nyc.org, admin@taqueria86.com

La Moderna Taqueria 1 LLC, currently operating a full Mexican restaurant is applying for a Sidewalk Cafe with the DOT there is a public hearing scheduled for Tuesday, June 9, 2026 a zoom webinar.

See attached notice.

Thank you for your attention to this matter.

Leonel Baizan, Owner
La Moderna Taqueria 1, LLC
Tel: 347-267-6360
Email: admin@taqueriacondesa.com
nyliquorlaw110@gmail.com

**Public Hearing Sidewalk Cafe.pdf**

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Maria Ayala <nyliquorlaw110@gmail.com>

La Moderna Taqueria 1 LLC / DOT Dining Out Sidewalk Cafe /824 9th Avenue, NY NY 10019

2 messages

Maria Ayala <nyliquorlaw110@gmail.com>

Fri, May 22, 2026 at 3:38 PM

To: rjbenfatto@hyhkalliance.org, pgouris@hyhkalliance.org, kathleentreat123@gmail.com, mcgee79@aol.com, excom@chekpeds.com, info@clintonhousing.org, jrestuccia2@clintonhousing.org, rmarcano@clintonhousing.org, bkelley@clintonhousing.org, West43rdStreetNYC@gmail.com, mptenants@gmail.com, marisared22@aol.com, west44thnyc@gmail.com, twocatsltd@worldnet.att.net, hk4546ba@gmail.com, w47th48thblock@gmail.com, mariagnys@aol.com, rpimentel@commonground.org, dsage@commonground.org, nkyriacou@yahoo.com, gdclay@att.net, delores.rubin@att.net, brianscottweber@gmail.com, john.mudd@usa.net, info@hcc-nyc.org, ploeb315@aol.com, west55ba@gmail.com, hk5051@gmail.com, tenants350west51st@gmail.com, hudson.tenants@hotmail.com, awm3333@me.com, jessbondy@aol.com, john.waldman@redcross.org, HellsKBA@gmail.com, cressidac@gmail.com, peggychane@gmail.com, ljames@hcc-nyc.org

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