



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**CHRISTINE BERTHET**  
Chair

**ROBERT J. BENFATTO, JR.**  
District Manager

July 31, 2014

Dennis Rosen  
Chairman  
New York State Liquor Authority  
80 S. Swan Street, 9<sup>th</sup> Floor  
Albany, New York 12210

**Re: An Entity To Be Formed Of Which Kurt Kalm Is A Principal  
d/b/a Senor Mickey's**  
*790 11th Avenue (West 54th/West 55th Streets)*

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) requests that the State Liquor Authority **take no action** on the application for an On-Premise Liquor License by An Entity To Be Formed Of Which Kurt Kalm Is A Principal d/b/a Senor Mickey's pending a determination by New York City planning that the governing zoning would permit an eating and drinking establishment such as that proposed by the applicant to operate at this location.

As outlined in the enclosed letter dated July \_\_, 2014 from MCB4 to the NYC Department of Housing Preservation and Development (DHPD), there are serious zoning and land use issues surrounding whether the applicant's proposed establishment is permitted by the relevant zoning, as well as whether the applicant could be permitted to use the outdoor space contemplated in its application. The proposed establishment would be located on the ground floor of a 396-unit Mitchell-Lama rental housing development - a space that, to the best of our knowledge, has never previously housed an eating and drinking establishment. The applicant's lease must be approved by the DHPD. As set out in the enclosed letter, MCB4 recommended that the DHPD not approve the proposed lease to the applicant because the contemplated use does not meet governing zoning and other criteria. Numerous tenants in the building at issue have also made their objections and

concerns regarding the applicant known to MCB4 at multiple MCB4 meetings.

Accordingly, MCB4 requests that the State Liquor Authority take no action on this application until there is a determination that zoning permits the use contemplated by the application and the DHPD has approved the applicant's lease for the premises at issue.

Thank you for your attention and cooperation with this application.

Sincerely,



Christine Berthet  
Chair



Paul Seres  
Co-Chair  
Business License &  
Permits Committee



Frank Holozubiec  
Co-Chair  
Business License &  
Permits Committee