

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT		DOING BUSINESS AS (DBA)	
Tum Tum BKK Corp.		Yum Yum Bangkok	
STREET ADDRESS		CROSS STREETS	
650-652 9 th Avenue		45 th & 46 th Street	
OWNER	NAME:	Peter Kwanchiapruck	ATTORNEY
	PHONE:	917-747-5759	NAME:
	FAX:		Stanley Chin
MANAGER	PHONE:		PHONE:
	FAX:		212-625-3474
			FAX:
			212-233-2019
LANDLORD	NAME:		NAME:
	PHONE:		650 9th Ave LLCP
	FAX:		PHONE:
			P.O. Box 6356, Hillsborough NJ 08844
			FAX:

DESCRIPTION OF BUSINESS

Establishment Type:

Bar/Tavern
 Bed & Breakfast
 Eating Place Beer
 Cabaret
 Night Club
 Hotel
 Restaurant

Catering Establishment
 Club (Fraternal Organization – Members Only)

Other (Explain):

Method of Operation:

Restaurant
 Dance Club
 Sports Bar
 Adult Entertainment
 Wine Bar
 Pizzeria
 Cafe

Other (Explain):

License Type:

On-Premise
 Wine
 Beer
 Wine & Beer

APPLICATION TYPE <i>(check one)</i>	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO	
		What is/was the name of establishment?			
		What is/was the address of the establishment?			
		What were the dates the applicant was involved with this former premise?			
	<input checked="" type="radio"/> Transfer	What is the prior license #?	1174475		
		What is the expiration date on the prior license?	July 31, 2014		
		Are you making any alterations or operational changes?	YES	NO	
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>			
	<input type="radio"/> Alteration	What is the current license #?			
		What is the expiration date on the current license?			
<i>Please describe the nature of the alterations and attach the plans</i>					

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	
	Music	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	
	Kitchen	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	12 p.m. – 1a.m.	
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Bars	Number of Seats	Number of Tables	
	90	90	38	84	0	1	6	0	0	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					<input checked="" type="checkbox"/> 1-2	<input type="checkbox"/> 3-4	<input type="checkbox"/> 5+			
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="checkbox"/> NO	N/A			
Will applicant have bottle service?					YES	<input checked="" type="checkbox"/> NO	N/A			
Will you be hosting private parties and promotional events?					YES	<input checked="" type="checkbox"/> NO	N/A			
Will outside promoters be used?					YES	<input checked="" type="checkbox"/> NO	N/A			
Will the security plan submitted be implemented?					YES	NO	<input checked="" type="checkbox"/> N/A			
Will State certified security personnel be used?					YES	NO	<input checked="" type="checkbox"/> N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	<input checked="" type="checkbox"/> N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	NO	<input checked="" type="checkbox"/> N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input checked="" type="checkbox"/> NO	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	<input checked="" type="checkbox"/> N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="checkbox"/> YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					<input checked="" type="checkbox"/> YES	NO	N/A			
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ	None				
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="checkbox"/> YES	NO	N/A			
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="checkbox"/> YES	NO	N/A			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					<input checked="" type="checkbox"/> YES	NO	N/A			

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="checkbox"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="checkbox"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="checkbox"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="checkbox"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	<input checked="" type="checkbox"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input checked="" type="checkbox"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="checkbox"/> N/A

LOCATION & ZONING

Primary Zoning District:	C6-21	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	<input checked="" type="checkbox"/> N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	<input checked="" type="checkbox"/> N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="checkbox"/> YES	NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="checkbox"/> NO	N/A
Are your plans filed with DOB?	YES	NO	<input checked="" type="checkbox"/> N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="checkbox"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="checkbox"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

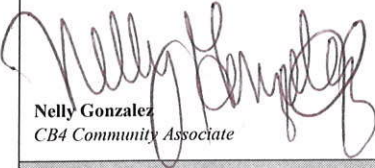
Blank area for additional stipulations.

Manhattan Community Board 4 (MCB4) recommends:

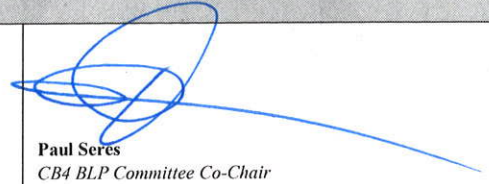
Denial unless all agreed to by applicant is part of the method of operation

Denial Approval

CB4 REPRESENTATIVES


Nelly Gonzalez
CB4 Community Associate

Lisa Daglian
CB4 BLP Committee Co-Chair


Paul Seres
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

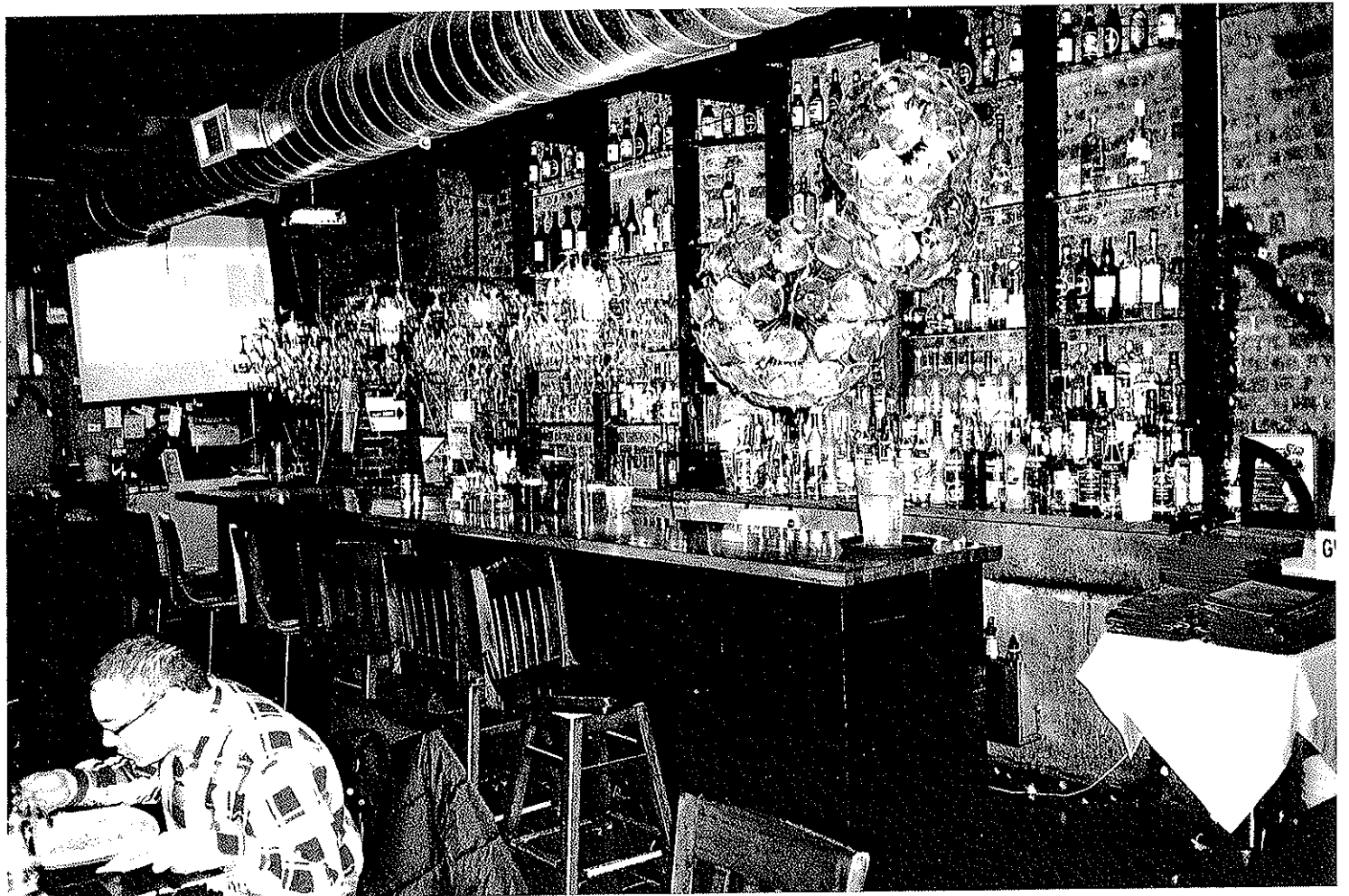
SIGN HERE →



SIGNATURE OF APPLICANT

**Tuesday,
February 12, 2013**

DATE





YUM YUM TOO
LUNCH SPECIAL*

Menu

Entrée including Noodle Entrée
comes with choice of 2 choose from
below (2 out of 4)

Soup

Spicy Shrimp or Chicken Coconut

Salad

Thai Salad with Peanut Sauce Dressing

Appetizers

Spring Rolls or Steamed Spinach Dumpling

Drinks

Soda, Thai Ice Tea or Thai Ice Coffee

(No Substitution please)

Using Credit Card for \$10 or more
will be greatly appreciated

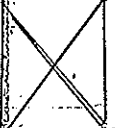
FOOD MARKET
 679 9th AVE. HELLS KITCHEN BAR OP
 ICE CREAM
 CHELSEA GRILLE OP
 675 9th AVE ZIGOLINIS BAR OP
 WINE LIQ STORE
 GALAXY REST OP

CLEANERS
 DELI
 FRAME STORE
 BARBER
 AT+T
 OP YUM YUM BANGKOK
 HOUR GLASS TAVERN
 RITZ TAVERN
 TARE HOUSE REST
 FIRE BIRD REST.
 OP OP OP OP

W. 46 ST.

N
 W — E — S
 ZEN PALACE RW
 MERCURY BAR OP
 THAI RESTAURANT
 SANDWICH SHOP
 EMBERS BAR + REST OP
 SOUTHERN HOSPITALITY REST-BAR OP

9TH AVE

OP YUM YUM BANGKOK 3 658 9th AVE
 OP 9th AVE SALOON 656 9th AVE
 OP CARA MIA REST. 654 9th AVE
 OP  YUM YUM BANGKOK CORP 650-652 9th AVE
 WIRELESS AT+T
 LOCKSMITH
 SHOE REPAIR
 JUICE STORE
 NAILS
 PIZZA
 DELI

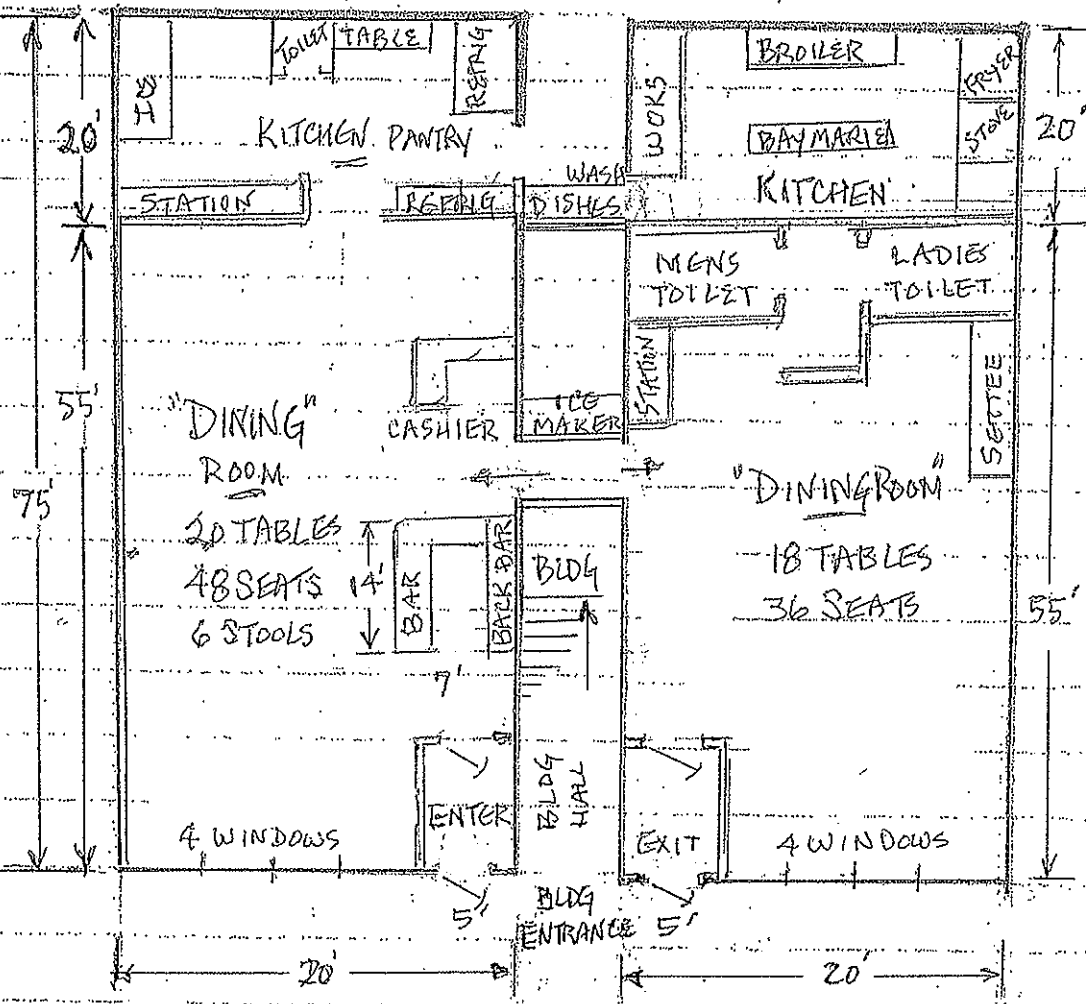
W. 45 ST.

SIMELN DELI
 PIZZA
 BOCCA DUBBARDI RW
 TARTINA REST
 INDONESIA REST
 TURKISH REST
 BAKERY
 PIZZA
 LA ALLENGRIA REST OP

OP FIVE NAPKIN BAR/GRILLE
 OP TRATORIA REST
 FILM STORE
 DENTIST
 OP MARSEILLE REST

W. 44 ST.

TUM TUM BKK CORP.
 dba Yum Yum Bangkok
 650-652 9th Ave.
 New York City, N.Y.



652 9th AVE

650 9th AVE

TUM TUM BKK CORP.
 dba Yum Yum Bangkok
 650-652 9th Ave.
 New York City, NY 10036

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

500 FOOT RULE STATEMENT

Applicants for on premises liquor licenses must complete this section (Not required for on premises beer or wine application)

If the location is subject to the 500 foot rule, and no other exception applies, the license cannot be issued unless the State Liquor Authority makes an affirmative finding that it is in the public interest to issue the license.

The provisions of Section 64, 64-a, 64-c and 64-d of the ABC Law require the Authority to consult with the municipality or community board prior to granting a license for **ANY ON PREMISES LIQUOR ESTABLISHMENTS** where such premises is located within 500' of three or more similarly licensed premises. The Authority is further required to conduct a public hearing, upon notice to the applicant and the municipality or the community board.

The proposed premises: Check the appropriate box below:

- PREMISES IS NOT WITHIN A 500' RADIUS OF THREE OR MORE ESTABLISHMENTS HOLDING ON PREMISES LIQUOR LICENSES.
- PREMISES IS WITHIN A 500' RADIUS OF THREE OR MORE ESTABLISHMENTS SELLING LIQUOR FOR ON PREMISES CONSUMPTION. IF SO, YOU MUST COMPLETE THE WRITTEN STATEMENT BELOW AND SUBMIT THE NAMES AND ADDRESSES OF THE ESTABLISHMENTS WITHIN THE 500' RADIUS, UNLESS THE PREMISES HAS BEEN CONTINUOUSLY LICENSED ON OR PRIOR TO NOVEMBER 1, 1993.
- NOT APPLICABLE - PREMISES HAS BEEN CONTINUOUSLY LICENSED ON OR PRIOR TO NOVEMBER 1, 1993
- NOT APPLICABLE - POPULATION UNDER 20,000

YOU MUST PROVIDE THE NAMES OF ALL ON PREMISES LIQUOR ESTABLISHMENTS LOCATED WITHIN 500' OF THE PROPOSED PREMISES

IMPORTANT:

If premises is within a 500' radius of three or more establishments holding on premises liquor licenses and has not been continuously licensed since November 1, 1993 and the population is under 20,000 you must,

SUBMIT A WRITTEN STATEMENT EXPLAINING IN DETAIL WHY YOU BELIEVE ISSUANCE OF THE LICENSE WOULD BE IN THE PUBLIC INTEREST.

FAILURE TO SUBMIT THIS INFORMATION MAY RESULT IN DISAPPROVAL OF THE LICENSE APPLICATION.

THE SELLER OF this restaurant (Yum Yum Bangkok Corp) has operated a "Thai" restaurant, with an On Premises Liquor License since 2006, Serial #1174475, specializing in Thai Bangkok Cuisine. This is a first class, sit down restaurant with a small bar, and is a neighborhood favorite, featuring good food, great ambiance and reasonable prices.

The cuisine, Bangkok Thai, the menu, shall remain the same, and the new owner was a former employee of this restaurant, with over 10 years of restaurant experience. He is an American Citizen who was born and raised in Thailand but has lived and operated restaurants in the US for over 10 years.

Although there are 20 On Premises Liquor license within 500 feet of this location (this area has historically been known as "restaurant row") the issuance of an On Premises Liquor license is a "replacement" and not a new, additional license.



STANLEY CHIN

Attorney at Law

100 Lafayette Street
Suite 301
New York City, NY, 10013
(212) 625-3474
Fax (212) 233-2019

FAX (212)947-9512

Jan.8th,2013

Manhattan Community Board #4
330 W.42nd Street 26th Fl.
New York, NY, 10036

MAIL

Attn: Ms. Nellie - Liquor License Committee -

Re: Tum Tum BKK Corp
650-652 9th Ave.
New York, NY, 10036

Dear Ms. Nellie:

We spoke of this Sale/Transfer of On Premises Liquor License from:
Yum Yum Bangkok Corp -to- Tum Tum BKK Corp.

Enclosed is copy of community Board Notice mailed to your Board on
12/20/2012.

Please FAX me your Questionnaire (212) 233-2019 so that I can complete my
application for your Board Meeting on 2/12/2013.

Very truly yours,

Stanley Chin
STANLEY CHIN

cc: Peter Kuan - - - -