

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT KIABACCA CONCEPTS CORP.		DOING BUSINESS AS (DBA) KIABACCA PIZZA + BEER		
STREET ADDRESS 639 10th AVENUE		CROSS STREETS 45th AND 46th		
OWNER	NAME: DAN McLAUGHLIN	ATTORNEY	NAME: TERRY FLYNN	
	PHONE: 917-742-6819		PHONE: 718-945-1000	
	FAX: 212-239-8067		FAX: 718-318-6162	
MANAGER	NAME:	LANDLORD	NAME: GIAIMO + GIAIMO	
	PHONE: T/B/D		PHONE: 212-757-8888	
	FAX:		FAX:	
DESCRIPTION OF BUSINESS				
Establishment Type:		<input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): <u>PIZZA PUB</u>		
Method of Operation:		<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="radio"/> Other (Explain): <u>PIZZA PUB WITH TABLE + BAR SERVICE</u>		
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES <input type="radio"/> NO	
		What is/was the name of establishment?	LANSLOWNE + PONY	
		What is/was the address of the establishment?	599 + 63 10th AVE	
		What were the dates the applicant was involved with this former premise?	2006 – PRESENT	
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES <input type="radio"/> 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	11:30AM-4AM	_____	_____	_____	_____	_____	_____	_____	→
	Music	NO	_____	_____	_____	_____	_____	_____	_____	_____
	Kitchen	11:30AM-2AM	_____	_____	_____	_____	_____	_____	NOON → 2AM	
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	
	75	74	APS 16	APX 40	0	1	16	0	0	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	74 GROUND FLOOR		
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="radio"/> NO	N/A			
Will applicant have bottle service?					YES	<input checked="" type="radio"/> NO	N/A			
Will you be hosting private parties and promotional events?					YES	<input checked="" type="radio"/> NO	N/A			
Will outside promoters be used?					YES	<input checked="" type="radio"/> NO	N/A			
Will the security plan submitted be implemented?					YES	NO	<input checked="" type="radio"/> N/A			
Will State certified security personnel be used?					YES	NO	<input checked="" type="radio"/> N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	NO	<input checked="" type="radio"/> 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	<input checked="" type="radio"/> NO	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="radio"/> 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="radio"/> N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	NO	N/A			
If you plan to have music, what type(s)?			<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> DJ	<input checked="" type="radio"/> COMPUTER / INTERNET				
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="radio"/> 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="radio"/> YES	NO	N/A	NEW SOUND PROOFING INSTALLED BY LANDLORD		
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="radio"/> YES	NO	N/A			

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> 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="radio"/> 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="radio"/> 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="radio"/> 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="radio"/> 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="radio"/> 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="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:	C2-5	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	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="radio"/> YES	NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	N/A
Are your plans filed with DOB?	YES	NO	<input checked="" type="radio"/> N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	44th ST. BLOCK ASSN.	
	# 2	PS 51 525 W. 44th ST.	
	# 3	PS 212 MIDTOWN West School	

ADDITIONAL INFORMATION: (Applicant Use)

See Appendix A.

ADDITIONAL NOTES: (Office Use Only)

APPENDIX A

Manhattan Community Board 4

Liquor License Stipulation Application

Appendix A

NAME: KIABACCA PIZZA & BEER

Both counter and table seating.

Specializing in 12" personal pies.

Rotating selection of American Craft Beers

Featuring Wine & Sangria "On-Tap"

Limited hard liquor sales.

Take-Out Only.

No delivery. No bikes or annoying bike racks.

No outdoor seating.

As part of our lease, we have negotiated that the landlord shall sound-proof the newly renovated building as per the specs we provide. Our methods of sound-proofing have been very effective in our other licensed establishments and we will work closely with the landlord to make sure the work is done properly.

Preliminary Floor Plan Provided. *** Subject to change

Owned and operated by Patrick Hughes and Dan McLaughlin who have years of experience operating in CB4.

Manhattan Community Board 4 (MCB4) recommends:

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

CB4 REPRESENTATIVES


Nelly Gonzalez
CB4 Community Associate


Lisa Daghian
CB4 BLP Committee Co-Chair


Paul Sires
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

12/11/13
DATE

X



1/14/14



WYS DESIGN
ARCHITECTS
PROFESSIONAL P.C.
100 WEST 47TH STREET
NEW YORK, NY 10036
PHONE: 212-757-7575
FAX: 212-757-7576
WWW.WYSDESIGN.COM

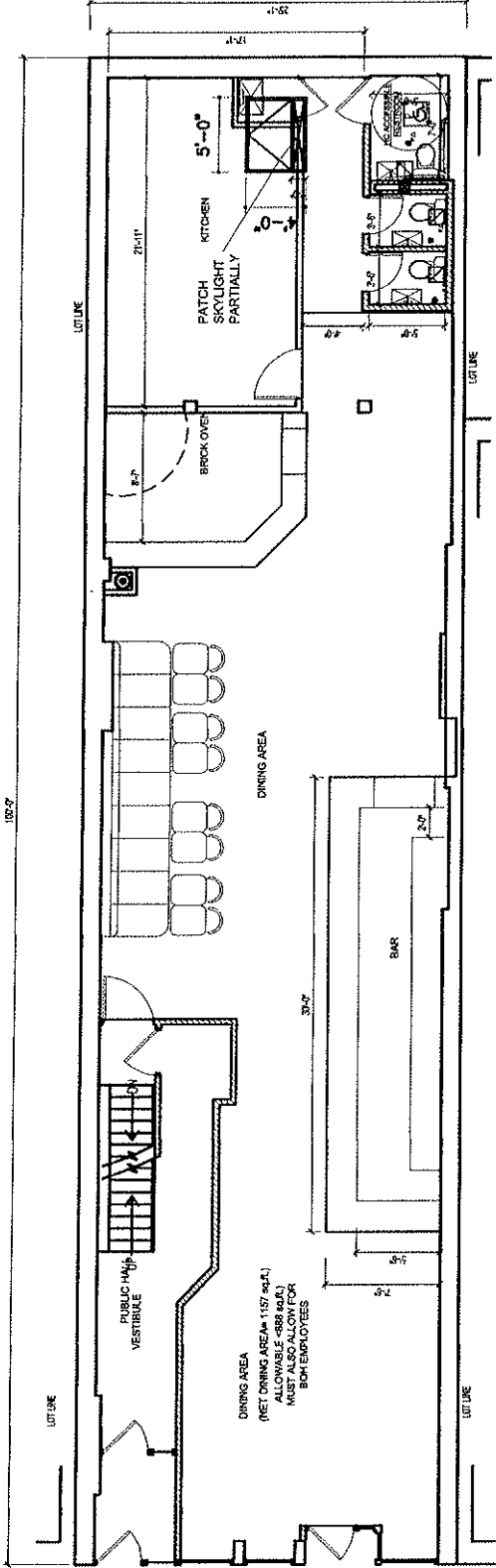
NOTES:
1. THESE CHANGES FOR REVISION 1 ARE TO BE APPLIED TO ALL SHEETS OF THIS SET UNLESS INDICATED OTHERWISE.
2. THE ARCHITECT'S INTENT IS TO PROVIDE THE INFORMATION FROM THE ARCHITECT'S DRAWINGS AND SPECIFICATIONS ARE INSTRUMENTS OF SERVICE TO THE CLIENT AND NOT A CONTRACT.
3. © 2013 Triad Design Collaborative, Inc.

NO.	DATE	DESCRIPTION
09/11/2013	REVISION 1	AS NOTED
12/1/2013	100% FILING SET	AS NOTED
2/1/2013	50% FILING SET	AS NOTED
8/1/2011	PRELIMINARY	AS NOTED

PROJECT:
ALTERATIONS AT
639 10TH AVENUE
NEW YORK, NY 10036

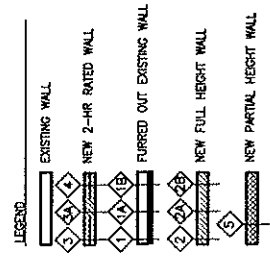
REVISION:
GROUND FLOOR AND CELLAR
CONSTRUCTION PLAN

PROJECT NO. TR-1211
DRAWN BY: EJ
CHECKED BY: JU
DATE: 12/02/2013
SCALE: AS NOTED



NOTES:

1. GENERAL CONTRACTOR TO PROVIDE FIRE STOPPING AT ALL PERIMETER WALLS AND CEILING.
2. CONTRACTOR TO CHALK OUT ALL WALLS, COUNTERTOPS, EQUIPMENT, ETC. & COORDINATE WITH ARCHITECT PRIOR TO COMMENCING CONSTRUCTION.
3. CONTRACTOR TO INSTALL NEW CEILING, WALL AND FLOOR FINISHES.
4. SEE DWG A-007 FOR PARTITION TYPES.
5. GENERAL CONTRACTOR TO PROVIDE ALL ACCESS DOORS AS REQUIRED.



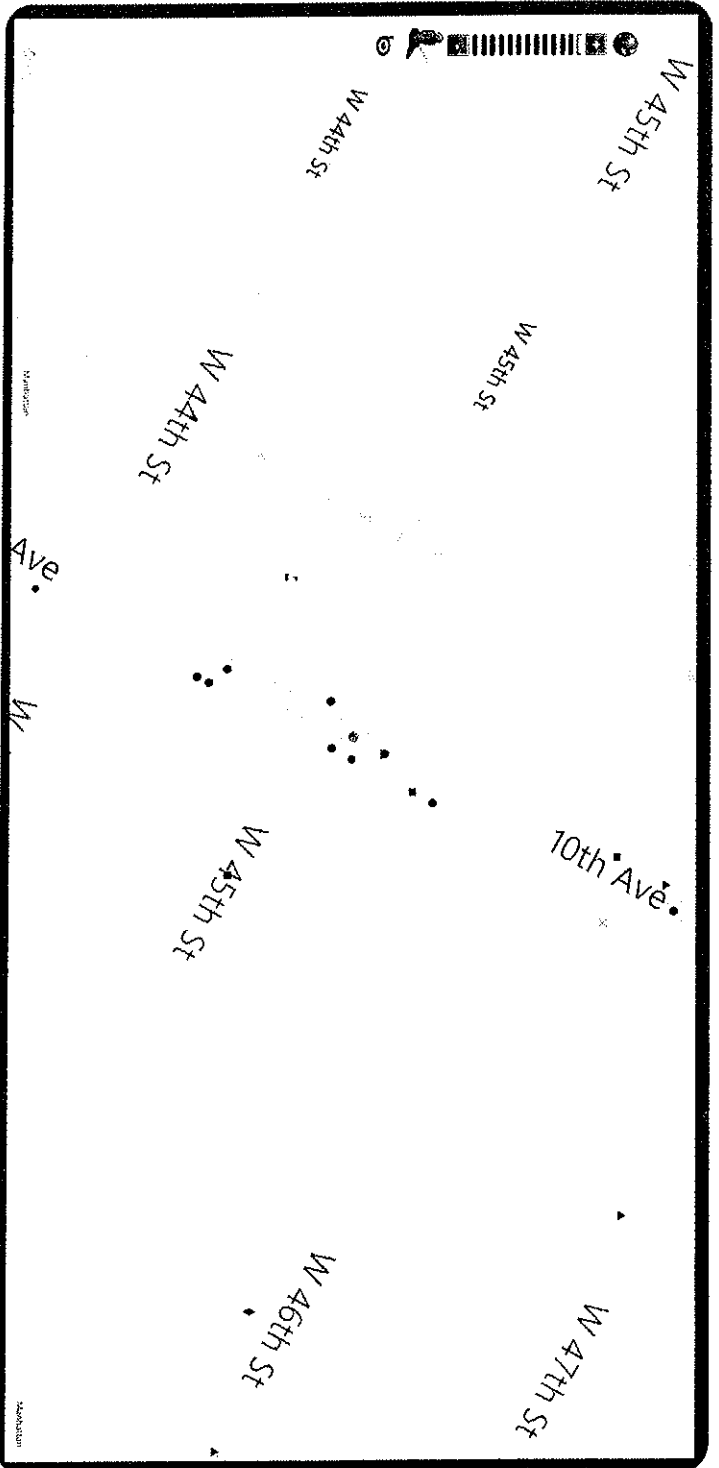
INTERIOR & STOREFRONT ALTERATIONS:
 EXISTING GROUND FLOOR & CELLAR FLOOR,
 COMMERCIAL SPACE.
 EXISTING USE GROUP: 5 TO REMAIN
 NO CHANGE IN USE, EGRESS OR
 OCCUPANCY UNDER THIS APPLICATION.

1 PROPOSED GROUND FLOOR PLAN
SCALE: 1/8" = 1'-0"

639 10th Avenue

Legend

On-Premises Licenses	
●	On-Premises Liquor
▲	On-Premises Wine and Beer
■	On-Premises Beer
Off-Premises Licenses	
●	Off-Premises Liquor
▲	Off-Premises Wine
■	Off-Premises Beer
Miscellaneous Licenses	
●	Amusement
▲	Amusement
■	Amusement
Other Licenses	
●	On-Premises Liquor
▲	On-Premises Wine and Beer
■	On-Premises Beer
●	Off-Premises Liquor
▲	Off-Premises Wine
■	Off-Premises Beer
●	Amusement
▲	Amusement
■	Amusement
Other	
+	Schools
-	Zones
□	Common E. Service
□	Public Places
□	Churches



Disclaimer: The NYS Liquor Authority is not responsible for the accuracy of maps or data obtained from third party sources.

Proximity Report for Location:

January 14, 2014

639 10TH AVE, New York, 10036

* 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.

Closest Liquor Stores

Name	Address	Approx. Distance
GRACE WINE & SPIRITS INC	610 10TH AVENUE	345 ft
42 & 10TH SPIRITS LTD	507 W 42ND STREET	840 ft
NINTH AVENUE VINTNER LTD	669 9TH AVENUE	925 ft
ADRIATIC WINE & LIQUOR LLC	714 10TH AVENUE	1005 ft
GRAND CRU WINE & SPIRITS INC	560 11TH AVE	1185 ft
589 NINTH AVENUE CORP	589 9TH AVENUE	1220 ft
RAY & FRANK LIQUOR STORE INC	706 9TH AVENUE	1235 ft

Churches within 500 Feet

Name	Approx. Distance
------	------------------

Schools within 500 Feet

Name	Address	Approx. Distance
PS/IS 51 ELIAS HOWE SCHOOL	520 W 45TH ST	170 ft

On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
LUX BAR & LOUNGE LLC	642 10TH AVENUE	25 ft
ANNALYN OPERATING CORP	640 10TH AVENUE	25 ft
HELL'S CHICKEN LLC	641 10TH AVE	35 ft
SD HOSPITALITY CORP	637 10TH AVENUE	40 ft
SHEBA ETHIOPIAN RESTAURANT INC	650 10TH AVENUE	105 ft
WMW RESTAURANT GROUP LLC	628 10TH AVE	140 ft
KIWIS HISTORICAL BUILDING LTD	626B 10TH AVENUE	150 ft
10TH AVENUE GROUP INC	626 10TH AVE	165 ft
HELL'S KITCHEN CREAM & SUGAR INC	626A 10TH AVENUE, STORE C	165 ft
667 TENTH AVENUE CORP	667 10TH AVE	360 ft
PIO PIO OCHO INC	604 10TH AVE	440 ft
ANEJO LLC	668 10TH AVE	470 ft
599 TENTH AVENUE CORP	599 10TH AVE	480 ft
WEST SIDE STEAKHOUSE LLC	597 10TH AVENUE	510 ft
CANARD INC	503 W 43RD STREET	555 ft
MR BIGGS BAR & GRILL INC	596 10TH AVE	565 ft
DIVISION ONE MANAGEMENT GROUP INC	500 W 43RD ST	590 ft

Name	Address	Approx. Distance
PHYSICAL ONION LLC	697 10TH AVE	640 ft
FAIRYTALES LOUNGE CORP	500 W 48TH STREET	720 ft

Pending Licenses within 750 Feet

Name	Address	Approx. Distance
VERITAS STUDIOS INC	527 W 45TH ST	455 ft
NANO ENDEAVOR LLC	691 10TH AVE	580 ft
BEST WESTERN GOURMET CORP	686 10TH AVE	750 ft

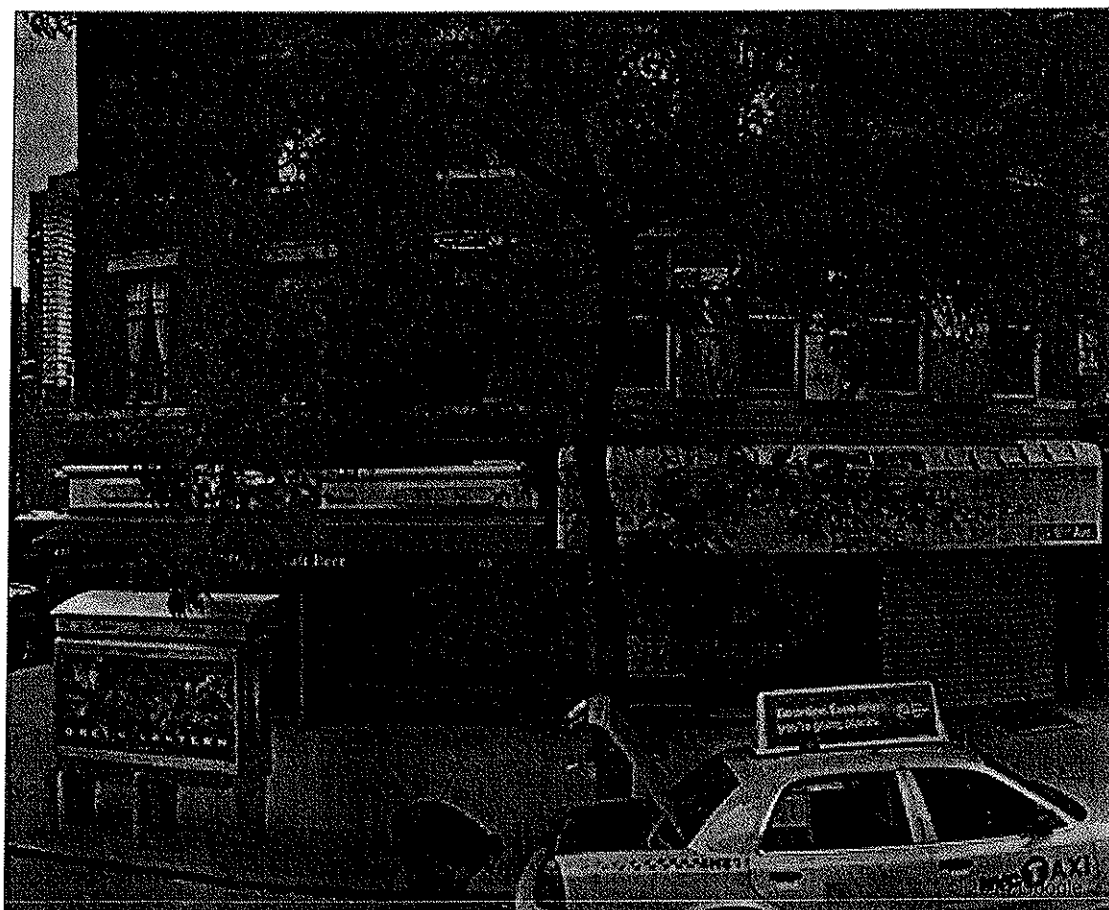
Unmapped licenses within zipcode of report location

Name	Address
CLONMEL RESTAURANT CORP	W 44TH ST BLDG 557 12TH AVE
RAPERA LLC	MTRPLTN OPR HOUSE AKA 1540 BWY
WORLD YACHT LLC	41ST ST AT THE HUDSON RIVER

Google

Address 638 10th Avenue

Address is approximate



West 44th Street Better Block Association

Mailing Address:

447 West 44th Street, Apt. 1
New York, NY 10036

Website: www.west44nyc.com

Email: west44nyc@gmail.com

Phone: 212-479-7920

January 13, 2013

Dear Community Board 4

330 West 42nd Street

26th Floor

New York, NY 10036

United States of America

Dear Community Board 4,

The West 44th Street Better Block Association (the "BBA") held a email vote the week of December 20th, 2013 to determine our view on Kiabacca's proposed new establishment on 639 10th Ave. The BBA voted in favor of supporting Kiabacca's application as presented in their application dated 12/11/13. Dan McLaughlin has been a very good neighbor. He always promptly responds to any situations with his establishments (Pony Bar and Lansdowne Road). Dan also actively participates in our block association and helps participate in community activity. We have found Dan and his establishments a pleasure to have in the neighborhood.

The BBA appreciates the applicant's consistent adherence to their application guidelines and willingness to meet and discuss the BBA's concerns. We hope that the applicant's application for Kiabacca on 630 10th Ave will be granted.

Very truly yours,

Jesse B Clinton

President

West 44th Street Better Block Association