

Manhattan Community Board 4

Unenclosed Sidewalk Café Stipulations Application

APPLICANT Nicholas Zippilli	ADDRESS 597 10th Avenue		
DOING BUSINESS AS (DBA) West Side Steakhouse	CROSS STREETS W. 43rd & W 44th Street	OWNER: Nicholas Zippilli	
DESCRIPTION OF APPLICATION Applying for an unenclosed sidewalk café application with 19 tables & 37 seats		LAWYER:	DCA LICENSE NUMBER: 1428086
ON SITE CONTACT: (Name, position & phone number): Nicholas Zippilli – 212-564-4803		SLA LICENSE NUMBER: 1240741	

Side-walk café hours of Operation	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
		1130am – 1030 pm	1130am – 1030 pm	1130am – 1030 pm	1130am – 1030 pm	1130am – 11 pm	1130am – 11 pm
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12

SEATING & TABLES	DESCRIPTION		NOTES
	SEATS	TABLES	
	37	19	

OPERATIONAL ISSUES

Will you follow the rule prohibiting speakers for music in the outdoor space?	<u>YES</u>	NO	N/A	
Will you close all French doors and sliding windows when any interior amplified music is played (per law)?	<u>YES</u>	NO	N/A	
The sidewalk café will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<u>YES</u>	<u>NO</u>	N/A	
Will you be serving alcohol on the sidewalk? If so, will you have waiter service as required by DCA?	<u>YES</u>	NO	N/A	
The service and consumption of alcohol on the sidewalk café will be only via seated food service.	<u>YES</u>	NO	N/A	
The sidewalk café will not provide standing space for drinking or smoking.	<u>YES</u>	NO	N/A	
Will the outdoor furniture be removed when not in use?	<u>YES</u>	NO	N/A	
Will the applicant be using delivery bicycles? If so, explain where you will store them since you'll have a sidewalk café.	<u>YES</u>	NO	N/A	Will be stored at the existing bike rack in front of the restaurant
Do you intend to use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	<u>YES</u>	<u>NO</u>	N/A	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<u>YES</u>	NO	N/A	

SOUND ISSUES

Will applicant 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	N/A
Will applicant 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	N/A

CAFÉ DESIGN

Is the sidewalk a minimum of 12 feet? Subtracting the width of the proposed sidewalk café from the width of the entire sidewalk, do you at least leave 8 feet of clearance?	YES	NO	N/A
Is there a minimum clearance of 8 feet between the sidewalk café and all sidewalk obstructions including parking meters, traffic signs and installed City-sanctioned street furniture (current DCA regs exempt those items)?	YES	NO	N/A
Is there a minimum clearance of 8 feet between the sidewalk café and the tree trunk of a tree with a flush grate (regs exempt trees with flush grates)?	YES	NO	N/A
Is there a minimum clearance of 4 feet between the sidewalk café and subway grating to be consistent with ADA standards (regs require 3 ft)	YES	NO	N/A
Is there a minimum clearance of 3 feet between a sidewalk café and a residential building entrance (regs do not apply to residences)?	YES	NO	N/A
Is there a minimum 3 feet wait service aisle to ensure no public space is used by the café to service its clientele?	YES	NO	N/A
Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?	YES	NO	N/A
If applicant decides to apply for alterations, as defined by SLA or DCA (as applicable), he/she will reappear before CB4 to describe these alterations.	YES	NO	N/A

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

- Applicant will submit amended plans to reflect 6 top on southern end and 4 top & 2 top on the northern boundary
- No other change in the method of operation

ADDITIONAL STIPULATIONS: (Office Use Only)

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

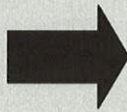

Lisa Daglian
CB4 BLP Committee Co-Chair


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, June 12, 2012

DATE