

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

| | | | |
|---|--|---|-------------------------------------|
| CORPORATION NAME <i>Be Bamba Group LLC</i> | | DOING BUSINESS AS (DBA) <i>La mano</i> | |
| STREET ADDRESS <i>265 W 20TH ST</i> | | CROSS STREETS <i>7TH & 8TH AVE'S</i> | ZIP CODE <i>10011</i> |
| OWNER <small>(Attach a list of all the people that will be associated listed with the license)</small> | NAME: <i>Jorge Guzman</i> | ATTORNEY/ REPRESENTATIVE | NAME: <i>Michael Kelly</i> |
| | PHONE: <i>(646) 509-5435</i> | | PHONE: <i>(914) 632-6036</i> |
| | EMAIL: <i>Santor.ent@gmail.com</i> | | EMAIL: <i>KELLYMLK136@gmail.com</i> |
| MANAGER | NAME: <i>Same</i> | LANDLORD | NAME: <i>Falcon Holding LLC</i> |
| | PHONE: | | PHONE: <i>(212) 838-1255</i> |
| | EMAIL: | | EMAIL: |
| APPLICATION TYPE (Check One) | | | |
| <input type="radio"/> New | Has applicant owned or managed a similar business? | | YES NO |
| | What is/was the name and address of establishment? | | |
| | What were the dates applicant was involved with this former premise? | | |
| <input type="radio"/> Transfer | What is the prior license # and expiration date? | | |
| | Is applicant making any alterations or operational changes? | | YES NO |
| | If alterations or operational changes are being made, please describe/list all changes. | | |
| <input checked="" type="radio"/> Alteration | What is the current license # and expiration date? | | <i>1290530 11/30/17</i> |
| | Please list/describe the nature of all the changes and attach the plans: <i>addition of a sidewalk cafe with 4 tables & 8 seats</i> | | |
| METHOD OF OPERATION | | | |
| TYPE OF ALCOHOL | <input type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer | | |
| ESTABLISHMENT TYPE | <input type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization - Members Only) | | |
| Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file? | YES | <input checked="" type="radio"/> NO | |
| Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement. | YES | <input checked="" type="radio"/> NO | |
| Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule. | YES | <input checked="" type="radio"/> NO | |
| Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments? | <input checked="" type="radio"/> YES | NO | |

OPERATIONAL DETAILS (* Closing time will be when establishment is vacated of all patrons)

| | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | SUNDAY |
|---------------------------------------|----------|----------|-----------|----------|----------|----------|----------|
| HOURS* <i>(Indoor Only)</i> | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm |
| Operation | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm |
| Kitchen | 8am-10pm | 8am-10pm | 8am-10pm | 8am-10pm | 8am-10pm | 8am-10pm | 8am-10pm |
| Music | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm | 8am-11pm |

If you plan to have music, what type(s)? (Circle all that apply)

BACKGROUND LIVE MUSIC DJ JUKE BOX KARAOKE

OCCUPANCY

| | 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 Stand-Up Bar |
|---|--|--|------------------|-----------------|-----------------------------|-------------------------|---------------------------------|
| INSIDE | 74 | 35 | 9 | 26 | 1 | 0 | 0 |
| OUTSIDE <i>(Other than sidewalk cafe)</i> | N/A | N/A | N/A | N/A | N/A | N/A | N/A |
| SIDEWALK CAFE | 8 | 8 | 1 | 1 | | | |

How many floors are there? What is the capacity for each floor? 3 4 1 - 35

How frequently will the owner(s) be at the establishment? Daily

| | | | |
|--|-----|-------------------------------------|-----|
| Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing? | YES | <input checked="" type="radio"/> NO | |
| Will applicant have bottle or table service for beverage alcohol? | YES | <input checked="" type="radio"/> NO | |
| Will you be hosting private, promotional or corporate events? | YES | <input checked="" type="radio"/> NO | |
| Will outside promoters be used on a regular basis? If yes please describe. | YES | <input checked="" type="radio"/> NO | |
| Will you have a security plan? If, yes please attach. | YES | <input checked="" type="radio"/> NO | |
| Will security plan be implemented? | YES | <input checked="" type="radio"/> NO | |
| Will State certified security personnel be used? | YES | <input checked="" type="radio"/> NO | |
| Will New York Nightlife Association and NYPD Best Practices be followed? | Yes | <input checked="" type="radio"/> NO | |
| Will applicant be using delivery bicycles? If yes, how many? | YES | <input checked="" type="radio"/> NO | |
| Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law? | YES | NO | N/A |
| Where will delivery bicycles be stored during the day when not in use? | N/A | | |

| LOCATION & ZONING | | |
|---|--------------------------------------|-------------------------------------|
| Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards? | YES | <input checked="" type="radio"/> NO |
| Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection? | <input checked="" type="radio"/> YES | NO |
| Is a Public Assembly permit required? | YES | <input checked="" type="radio"/> NO |
| Are your plans filed with DOB? | YES | <input checked="" type="radio"/> NO |

| 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 |
| | # 2 | |
| | # 3 | |
| | # 4 | |
| | # 5 | |
| Please provide dates when applicant met with the groups listed above. | | |
| Who was your contact person at each group you met with? | | |
| When did applicant post the notice that was provided? | | 4/24/17 |
| Where did applicant post the notice that was provided? | | Front window |
| Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided. | <input checked="" type="radio"/> YES | NO Jorge (646) 509-5435 |
| Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage? | <input checked="" type="radio"/> YES | NO |

BUILDING DESIGN

| | | | |
|---|--------------------------------------|-------------------------------------|-----------------------------------|
| State the name and type of business previously located in the space. | Cafe | | |
| Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business. | <input checked="" type="radio"/> YES | <input type="radio"/> NO | applicant 12/15 to present |
| Do you plan any changes to the existing façade? If yes, please describe. | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant have a vestibule within the establishment? | YES | <input checked="" type="radio"/> NO | |
| Will applicant use a storm enclosure? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant comply with the NYC noise code? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will the establishment have any of the following: (circle all that apply) | FRENCH DOORS | GARAGE DOORS | <u>WINDOWS THAT CAN BE OPENED</u> |
| Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings? | YES | <input checked="" type="radio"/> 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? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will the kitchen exhaust system extend to the roof? | YES | <input type="radio"/> NO | N/A |
| Will the establishment have an illuminated sign? | YES | <input checked="" type="radio"/> NO | |
| Will the establishment have a canopy extending over the sidewalk? | YES | <input checked="" type="radio"/> NO | |
| Where will the air conditioner be located? What type is it? | EXISTING | | |
| When was the air conditioner installed? | 2015 | | |

| OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFE | | | |
|--|--------------------------------------|-------------------------------------|-----|
| Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)? | <input type="radio"/> YES | <input checked="" type="radio"/> NO | |
| Are the floorplans for the outdoor space(s) included? | <input type="radio"/> YES | <input type="radio"/> NO | N/A |
| Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days? | <input type="radio"/> YES | <input type="radio"/> NO | N/A |
| Will the service and consumption of alcohol in any outdoor space only be via seated food service? | <input type="radio"/> YES | <input type="radio"/> NO | N/A |
| Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)? | <input type="radio"/> YES | <input type="radio"/> NO | N/A |
| Will there be no amplified music, as per the law? | <input type="radio"/> YES | <input type="radio"/> NO | N/A |
| If amplified sound is played inside the establishment, will windows and doors be closed? | <input type="radio"/> YES | <input type="radio"/> NO | N/A |
| Will applicant agree to post signs outside asking customers to respect the neighbors'? | <input type="radio"/> YES | <input type="radio"/> NO | N/A |
| Will applicant agree to train staff to encourage a peaceful environment? | <input type="radio"/> YES | <input type="radio"/> NO | N/A |
| Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments) | <input type="radio"/> YES | <input type="radio"/> NO | N/A |
| Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors? | <input type="radio"/> YES | <input type="radio"/> NO | N/A |

OUTDOOR ITEMS – SIDEWALK CAFÉ

| | | | |
|--|--------------------------------------|-------------------------------------|---------------------|
| Has the applicant/owner(s) read MCB4 Sidewalk Café Policy? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant be applying for a sidewalk café now or in the future? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Is applicant in this application seeking to include a sidewalk café in its liquor license? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans. | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | 10 PM close nightly |
| Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant mark the perimeter of the café on the sidewalk? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will the service and consumption of alcohol in the sidewalk café only be via seated food service? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will the sidewalk café not provide standing space for drinking or smoking? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department? | <input type="radio"/> YES | <input checked="" type="radio"/> NO | |
| Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |
| Will applicant use umbrellas? | <input type="radio"/> YES | <input checked="" type="radio"/> 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? | <input checked="" type="radio"/> YES | <input type="radio"/> NO | |

ADDITIONAL STIPULATIONS: (Office Use Only)

- There will be no barriers/dividers around sidewalk cafe
- Sidewalk cafe will be closed and vacated of all patrons no later than 10p.m. Sundays - Thursdays and 11p.m. Fridays and Saturdays
- One table of the two table pairing will be eliminated. Cafe will consist of only three tables with two seats each against building facade
- Will submit revised plans by 5/31/17

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

ADDITIONAL STIPULATIONS: (Office Use Only), *Continued*

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

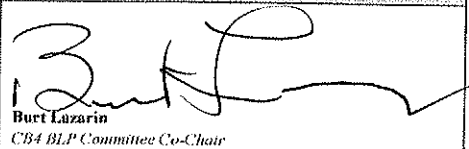
Manhattan Community Board 4 (MCB4) recommends:

- Denial unless all stipulations agreed to by applicant/owner are part of the method of operation
 Denial Approval

CB4 REPRESENTATIVES


Kelly Gonzalez
CB4 Assistant District Manager


Frank Holozubiec
CB4 BLP Committee Co-Chair


Burt Luzzari
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

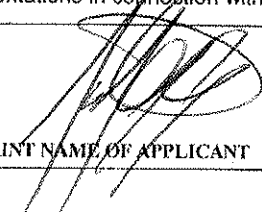
Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of 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 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

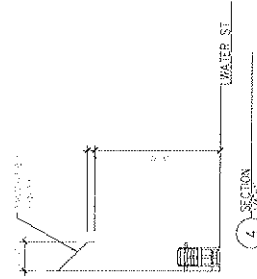
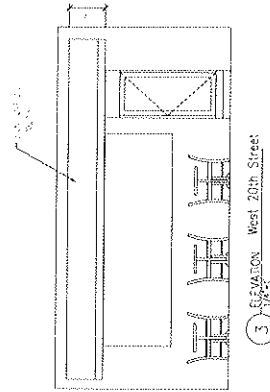
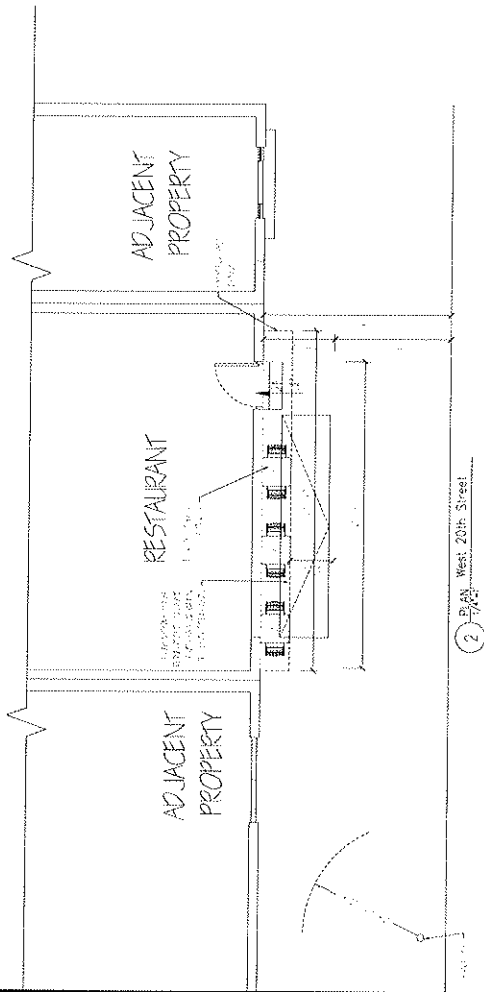
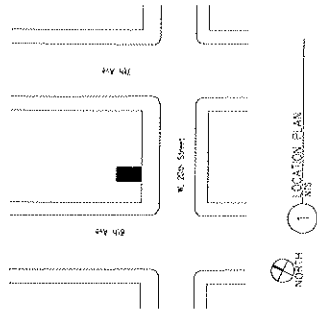
SIGN HERE →

PRINT NAME OF APPLICANT

SIGNATURE OF APPLICANT

DATE

 Jorge Gutierrez 5/9/17



| | |
|--|------------------------------|
| DRAWING NAME | COMMUNITY BOARD # 4 |
| SITE AND PLAN VIEW OF UNENCLOSED SIDEWALK CAFE | BLOCK # 770 LOT # 1 |
| By: Barbra Group LLC | # OF TABLES: 3 # OF SEATS: 6 |
| 265 W. 20th Street | CAFE AREA: 108 SQ. FT. |
| NEW YORK, NY 10011 | |
| APPLICATION DATA | |
| SEAL | DATE |
| SCALE | DATE |
| DATE | DATE |
| DATE | DATE |

Digitally signed by Jim Tauby
 Date: 2017.05.15 10:18:51 -04'00'

