

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT Cite De Paris LLC STREET ADDRESS 310 West 53 rd Street, New York, N.Y. 10009		DOING BUSINESS AS (DBA) Etc. Bar and Grill CROSS STREETS 8 th and 9 th Avenue				
OWNER	NAME:	Richard Kramisen	ATTORNEY	NAME:	Mitchell Segal, Esq.	
	PHONE:	(201) 461-7975		PHONE:	(212) 388-9444	
	FAX:	(201) 567-9896		FAX:	(516) 706-6631	
MANAGER	NAME:	Stefan Rizea	LANDLORD	NAME:	310-318 Midtown Equities LLC	
	PHONE:	(212) 315-3065		PHONE:	(212) 315-3065	
	FAX:	(212) 315-3813		FAX:	(212) 315-3813	
DESCRIPTION OF BUSINESS						
Establishment Type:	<input 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 checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input type="radio"/> Other (Explain): Bar/Arcade					
Method of Operation:	<input checked="" 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 type="radio"/> Other (Explain): Bar/Arcade					
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer <i>WINE & BEER ONLY</i>					
APPLICATION TYPE <i>(check one)</i>	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?		YES	<input checked="" type="radio"/> 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 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?		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>						

Plp

OPERATIONAL ISSUES

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS	Operation	11:30 a.m. - 1:00 a.m.	11:30 a.m. - 1:00 a.m.	11:30 a.m. - 1:00 a.m.	11:30 a.m. - 2:00 a.m.	11:30 a.m. - 2:00 a.m.	11:30 a.m. - 2:00 a.m.	11:30 a.m. - 1:00 a.m.
	Music	11:30 a.m. - 1:00 a.m.	11:30 a.m. - 1:00 a.m.	11:30 a.m. - 1:00 a.m.	11:30 a.m. - 2:00 a.m.	11:30 a.m. - 2:00 a.m.	11:30 a.m. - 2:00 a.m.	11:30 a.m. - 1:00 a.m.
	Kitchen	11:30 a.m. - 12:00 a.m.	11:30 a.m. - 12:00	11:30 a.m. - 12:00 a.m.	11:30 a.m. - 1:00 a.m.	11:30 a.m. - 1:00 a.m.	11:30 a.m. - 1:00 a.m.	11:30 a.m. - 12:00 a.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	85	15-16	60-66	1	1	11	0	0

How many floors are there? What is the capacity for each floor? (please respond in space provided)	1-2	3-4	5+	First Floor - 60 Cellar Floor - 30		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	YES	NO	N/A			
Will applicant have bottle service?	YES	NO	N/A			
Will you be hosting private parties and promotional events?	YES	NO	N/A			
Will outside promoters be used?	YES	NO	N/A			
Will the security plan submitted be implemented?	YES	NO	N/A			
Will State certified security personnel be used?	YES	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	YES	NO	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	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	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	N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?	YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	YES	NO	N/A			

If you plan to have music, what type(s)?	BACKGROUND	LIVE MUSIC	DJ
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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.	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?	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 storefront.)	YES	NO	N/A

OUTDOOR ITEMS

Will applicant use the rooftop, rear yard or any outdoor space?	YES	<u>NO</u>	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	<u>N/A</u>
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	<u>N/A</u>
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<u>N/A</u>
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	<u>N/A</u>
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	<u>N/A</u>
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<u>N/A</u>

LOCATION & ZONING

Primary Zoning District:	Multi-Use	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<u>YES</u>	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<u>YES</u>	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.	<u>YES</u>	NO	N/A
Is a Public Assembly permit required?	YES	<u>NO</u>	N/A
Are your plans filed with DOB?	YES	<u>NO</u>	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	Community Board # 4 - NYC	
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

The owner of this restaurant is the owner of several buildings within the community.

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

- THERE WILL BE NO USE OF ANY OUTDOOR SPACE.
- APPLICANT WILL NOT SEEK TO HAVE A SIDE WALK CAFE.
- NO DELIVERIES AND NO DELIVERY BICYCLES.
- DOORS TO BACKYARD & ALLEY WILL NOT BE USED AT ANY TIME AND WILL BE CLOSED AT ALL TIMES.
- APPLICANT ~~WILL~~ WILL PROVIDE CONTACT INFORMATION OF ~~A~~ MANAGER-LEVEL STAFF TO NEAR-BY RESIDENTS & COMMUNITY.
- ALL WINDOWS & FRENCH DOORS WILL BE CLOSED AT ALL TIMES.

~~WILL MAKE ATTEMPTS~~

①

- WILL MAKE ATTEMPTS
TO COORDINATE GARBAGE
PICK-UP & CROWN
CONTROL WITH TWO
NEIGHBORING ESTABLISHMENTS
- PREMISES WILL BE CLOSED &
VACATED OF PATRONS
NO LATER MIDNIGHT
NIGHTLY.

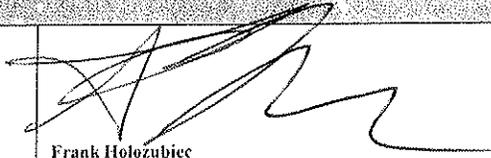
Manhattan Community Board 4 (MCB4) recommends:

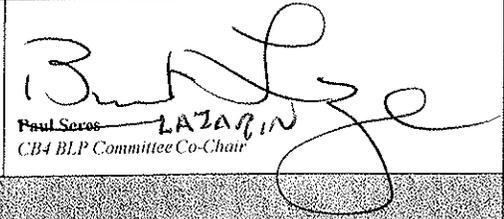
Denial unless all agreed to by applicant is part of the method of operation

Denial Approval

CB4 REPRESENTATIVES

Nelly Gonzalez
CB4 Assistant District Manager


Frank Holozubiec
CB4 BLP Committee Co-Chair

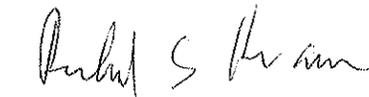

Paul Soros
CB4 BLP Committee Co-Chair

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

5/12/15
DATE

ETC

- Brunch/Lunch : Assorted omelets, Sandwich of the day, Chicken/Burger sliders
- French toast stuffed with tomato, onion, bacon or your choice of stuffing

Starters

- Mini muffaletta bites
- Fried pickles
- Spaetzle with onions topped with broiled cheese (roulette)
- Breaded toasted pirogue
- Giant potato pancake with cinnamon apple sauce
- Rubeen rolls – spring rolls “Rubeen” style
- French onion soup, Soup of the day
- Salad with daily cheese specialty
- Bavarian pretzel with beer cheese and mustard

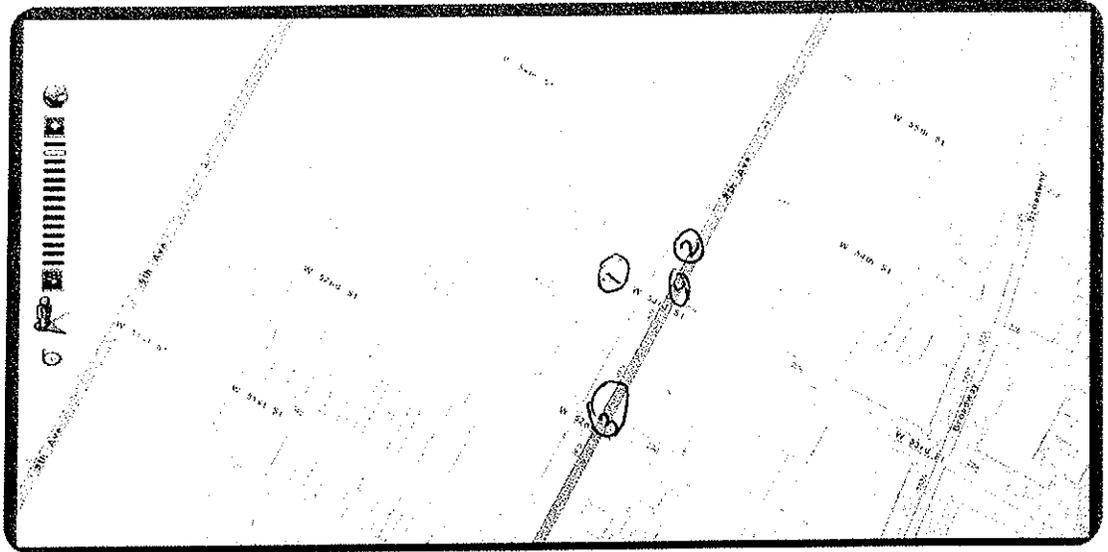
Main

- Savory strudel stuffed with beef/onions
- Coq Au Vin
- Goulash with angus beef
- Fried meat platter
 - Meat and beer samples
- Chicken and waffles
- Beef stroganoff with mixed mushroom
- Strip steak with red wine sauce
- Hanger steak with baked sweet potato
- Vegetarian Ratatouille
- Toasted Ravioli with cheese or meat
- Mussels and frites

On Premises Liquor Licenses w/in 500 feet ETC Bar and Grill

Legend

LEGEND



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

- ① 310 West 53rd Street - ETC Bar & Grill
- ② 903 8th Avenue - Da Tommaso Ristorante
- ③ 888 8th Avenue - Cosmic Diner
- ④ 900 8th Avenue - 8th Avenue Karaoke Duet

500 FOOT HEARING PUBLIC INTEREST STATEMENT

CITE DE PARIS doing business as ETC BAR & GRILL

310 West 53rd Street, New York New York 10009

1. The Premises: ETC BAR & GRILL is located at 310 West 53rd Street, between 8th and 9th Avenues in the Special District of Clinton in Manhattan. It has been used as a restaurant for several years. The Applicant is affiliated with the owner of the building in which it is housed. The Applicant's owner also owns and is developing several other buildings in Clinton and is an important member of the community. In keeping with the residential and business makeup of the area the Applicant wants to add a full liquor bar to the international cuisine from a variety of countries that ETC BAR & GRILL will serve.
2. Positive Impact: Over its existence the businesses of Clinton has had a positive impact on the community through the generation of additional revenue and employment of residents of the community. The variety of its businesses and particularly its restaurants has had a positive impact on the quality of the neighborhood and its residents' quality of life. Applicant seeks an on premises liquor license to add its international menu offering to the neighborhood.
3. The 500 Foot Standard: ABC Law 64(7)(f) states that no retail license for on-premises consumption may be granted to any establishment within 500 feet of three or more premises licensed and operating with on premises liquor licenses unless after consultation with the community board or municipality, it determines that the approval and issuance of said license is in the best interest of the public. Factors to be considered are (a) the number, classes and character of licenses in proximity to the location within the municipality or community board's geographic area; (b) evidence that all necessary permits have been obtained from the state and any governing bodies; (c) the effect the granting of the license would have on vehicular traffic and parking; (d) the effect the granting of the license would have on noise level at the premises; (e) the history of liquor violations and criminal activity reported at the proposed location; and (f) any other relevant factors emanating from laws or regulations affecting public convenience , advantage and interest in the community.

4. Explanation of Factors: (a). The number, classes and character of licenses in proximity to the location within the municipality or community board's geographic area: Applicant's premises located at 310 West 53rd Street is part of a mixed use building the Applicant's Managing Member owns. This location has been operating as a retail establishment and restaurant for several years. As such Applicant is merely reopening an existing establishment which will be operated more professionally than the prior establishment.

The closest establishment to Applicant serves only wine and beer. Measuring point of entry to point of entry by walking measurement and Yahoo Maps walking directions' utility reveals that there are 3 on premises liquor license establishments within 500 feet of the Applicant's premises entrance to the respective establishments' entrances'. The three establishments are a diner located on 8th Avenue that has a small amount of liquor held at their counter which does not appear to be a big part of their business, a Karaoke bar located in the basement on 8th Avenue and a bar located within an Italian restaurant which is also located on 8th Avenue. Most of the other establishments located within two blocks are located on the avenues and are in excess of 500 feet from the Applicant using the above mentioned methods. Although the GIS Mapping system located on the State Liquor Authority's site lists more on premises liquor licensed establishment within 500 feet from Applicant, the measurements are not from entrance to entrance, the Liquor Authority does not opine to the measurement and they are not within 500 feet of the Applicant using the above stated measurement methods.

Applicant's establishment will be serving a diverse international cuisine, will have no delivery and will be a true full service restaurant. The restaurant will be open from 11:30 a.m. daily and will close at 1:00 a.m. from Sunday through Wednesday and at 2:00 a.m. Thursday through Saturday.

(b). Evidence that all necessary permits have been obtained from the state and any governing bodies: Applicant is a responsible businessman and property owner that complies with all laws and regulations. The Applicant's premises is compliant with an effective certificate of occupancy and has all necessary zoning and building department licenses and will have the proper health department and business licenses prior to opening.

(c). The effect the granting of the license would have on vehicular traffic and parking: West 53rd Street between 8th and 9th Avenue is not saturated with retail establishments and in fact currently has only a couple of retail locations. Additionally there is a large parking lot situated across the street from the Applicant's premises. Applicant's establishment is geared toward the neighborhood, is not a large establishment, has a maximum occupancy of 90 people and will not

create any traffic or parking problems. The Applicant's premises expects similar volume of traffic that the former establishment has had and there is no reason to expect any change in traffic patterns, parking or noise level. It is expected that a majority of the patrons will come from the neighborhood. Additionally the Applicants premises can be easily accessed by subway or bus service.

(d). The effect the granting of the license would have on noise level at the premises: Applicants premises will not seek a sidewalk café permit and will have no outdoor dining/drinking for its patrons. Its noise level will be minimal as it only intends to play background music and will not have any live music or karaoke. It will not have dancing, will not seek a cabaret license and will be a full service restaurant. Patrons will not be allowed to hang out and loiter outside.

(e) The history of liquor violations and criminal activity reported at the proposed location; Applicant is a full service restaurant that seeks to service families, young professional adults and travelers that will like the diversification of its' international cuisine. It does not intend to be a pub with loud music. The owner and his manager will spend 50 - 60 hours per week there and the Applicant's owner owns the building where the premises are located. Applicant is not a mere tenant in the building but rather has invested substantial monies within the community. Applicant will follow industry best practices.

There is no disciplinary history reported from the prior licensee of this location.

(f). Any other relevant factors emanating from laws or regulations affecting public convenience , advantage and interest in the community: The area of Clinton is diverse and Applicant's restaurant desires to serve this diverse clientele with food and drinks that would appeal to its ethic, domestic and international residents.

For the above stated reasons we feel that a liquor license for Applicant's location is in the public interest and respectfully request and desire Community Board # 4's support in Applicant's application. Thank you.

