

Manhattan Community Board 4

Unenclosed Sidewalk Café Stipulations Application

APPLICANT SWA Architecture PLLC		ADDRESS 705 9th Avenue, New York, NY 10019	
DOING BUSINESS AS (DBA) Otto's Tacos		CROSS STREETS West 48th & West 49th Street	OWNER Otto Cedeno
DESCRIPTION OF APPLICATION Unenclosed sidewalk cafe license			LAWYER

ON SITE CONTACT: (Name, position & phone number): Otto Cedeno - (646) 820-7016	LICENSE NUMBER:
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Side-walk café hours of Operation	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	12 - 12	12 - 12	12 - 12	12 - 12	12 - 11	12 - 11	12 - 11
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12

SEATING & TABLES	DESCRIPTION		NOTES
	SEATS	TABLES	
	12	6	

OPERATIONAL ISSUES

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

OTHER / NOTES:

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.).

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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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.

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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CAFE 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?

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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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)?

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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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)?

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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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)

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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Is there a minimum clearance of 3 feet between a sidewalk café and a residential building entrance (regs do not apply to residences)?

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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Is there a minimum 3 feet wait service aisle to ensure no public space is used by the café to service its clientele?

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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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.

<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A
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ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

SIDEWALK CAFE WILL BE CLOSED &
VACATED NO LATER THAN
11 PM FRIDAY/1st AND 11:25
PM ALL OTHER NIGHTS

- Applicant will ensure that
8 FEET OF SIDEWALK REMAIN
FREE FOR PEDESTRIANS, ~~AND BICYCLES~~
& REGARDLESS OF CONSTRUCTION
OR CONSTRUCTION FENCING.

ADDITIONAL STIPULATIONS: (Office Use Only)

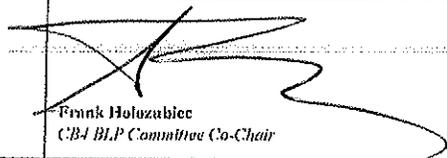
- Will submit revised sidewalk
CAFE PLANS BY 6/25/15
REFLECTING ONLY 2 TABLES FOR
~~4~~ 4 (WITH 8 SEAT TOTAL) AND
1 TABLE FOR 2 (WITH 2 SEAT)
ALL AGAINST BUILDING FACADE,
- NO DIVISIONS, FENCING, PLANTING,
OR OTHER OBSTRUCTIONS PARALLEL
TO NINTH AVE.
- ONLY DIVISIONS WILL BE ON NORTH
& SOUTH ENDS OF THE SIDEWALK
CAFE, NO LONGER THAN
WIDTH OF CAFE.

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

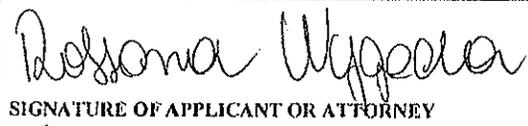

Paul Seves
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

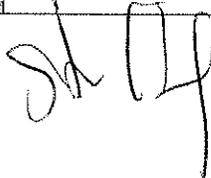
Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

SIGN HERE



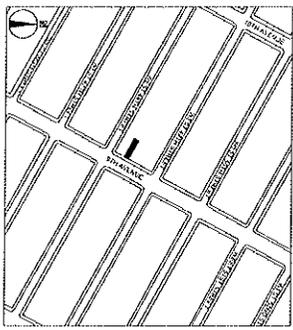

SIGNATURE OF APPLICANT OR ATTORNEY

5/20/15
DATE



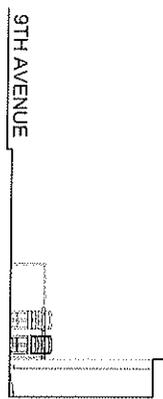
6/9/15

- NOTE**
1. THE EXTERIOR CORNERS OF THE BORDER OF THE SPACE AUTHORIZED TO BE OCCUPIED BY AN UNREINFORCED SIDEWALK CAFE SHALL BE MARKED ON THE SIDEWALK BY A LINE PAINTED WITH WHITE LATEX. THE MARKING SHALL BE 2" WIDE AND 1/4" HIGH. THE MARKING SHALL BE 2' LONG ON EACH SIDE OF THE CAVE BORDER FROM THE POINT WHERE THE SIDWALK CAFE BORDERS AN ANGLED CORNER, OR 3' MARK THE ENTIRE ARC OF A CURVED CORNER FROM THE POINT WHERE THE ARC INTERSECTS WITH THE STRAIGHT PORTION OF THE SIDEWALK CAFE BORDER.
 2. THE CLEARANCE FROM THE CORNERS OF THE SIDEWALK CAFE'S, PARKING METERS, TRAFFIC SIGNS, AND TREES WHICH HAVE GRANTINGS FLUSH TO THE GRADE, WITHOUT FENCED OR GUARDS, SHALL NOT COUNT AS OBSTRUCTIONS.
 3. NO BEER, ALCOHOLIC OR SPIRITUOUS LIQUORS SHALL BE SERVED ON THE SIDEWALK CAFE PREMISES OR AT ANY TABLE THEREON, UNLESS PERMITTED UNDER A LICENSE ISSUED BY THE NEW YORK STATE LIQUOR AUTHORITY.
 4. A SIMPLE MENU NO LARGER THAN THREE SQUARE FEET MAY BE POSTED IN THE SIDEWALK CAFE, SO THAT IT MAY BE READ FROM THE STREET.



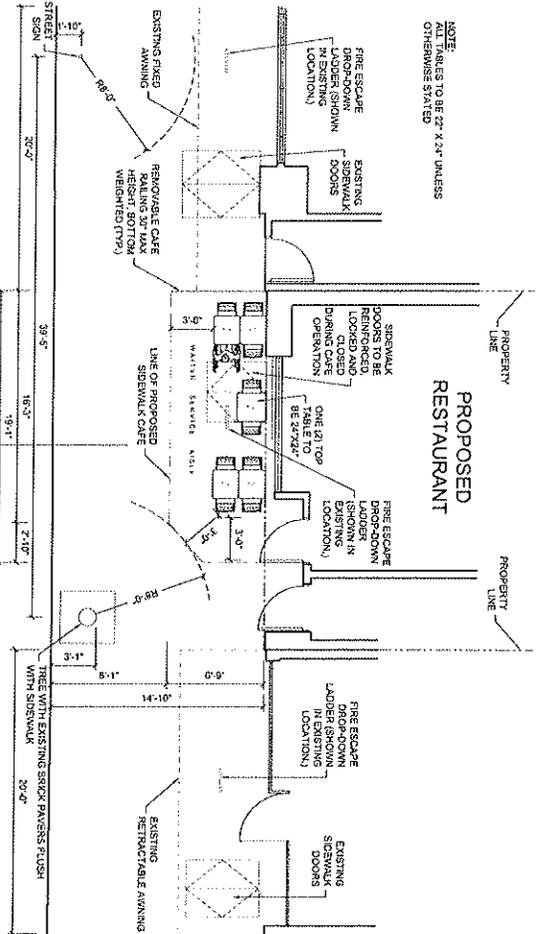
1. SITE MAP
1/4" SCALE

FIRE ESCAPE PROPOSED DOWN LADDER (SHOW IN LOCATION)

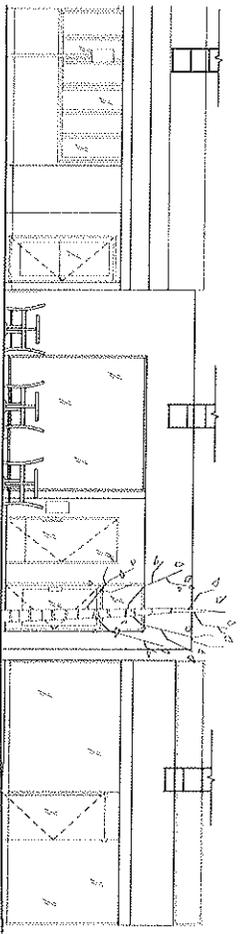


3. PROPOSED SECTION
1/4" SCALE

NOTE
ALL TABLES TO BE 24" X 24" UNLESS OTHERWISE STATED



2. PROPOSED PLAN
1/4" SCALE



4. PROPOSED ELEVATION
1/4" SCALE

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SWA

THE OFFICE OF S. STEVE WYSGODA
ARCHITECTURE AND INTERIOR DESIGN

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MOUNTAIN TOP, NY 11763
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WWW.SWADENY.COM

PROJECT NO. 12-001
DATE: 03-20-12
DRAWING BY: C. J. W.
CHECKED BY: S. S. W.
SCALE: AS SHOWN

A-001.00

DCA #: _____
LULRP #: _____
COMMUNITY BOARD #: 104
BLOCK #: 1058 LOT #: 31
OF TABLES: 3 # OF SEATS: 10
CAFE AREA: 125 SQ. FT.

UNREINFORCED SIDEWALK CAFE FOR
OC VENUES
TACOS, LLC
705 9TH AVENUE
NEW YORK, N.Y. 10019

DRAWING TITLE
**PROPOSED PLAN,
ELEVATION, SECTION
AND SITE PLAN**

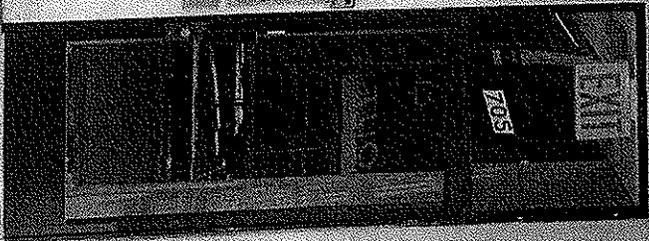
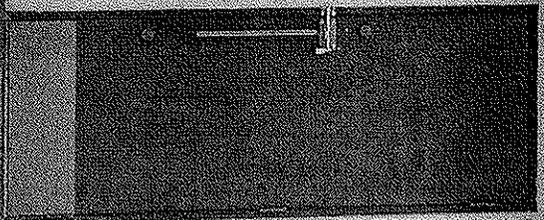
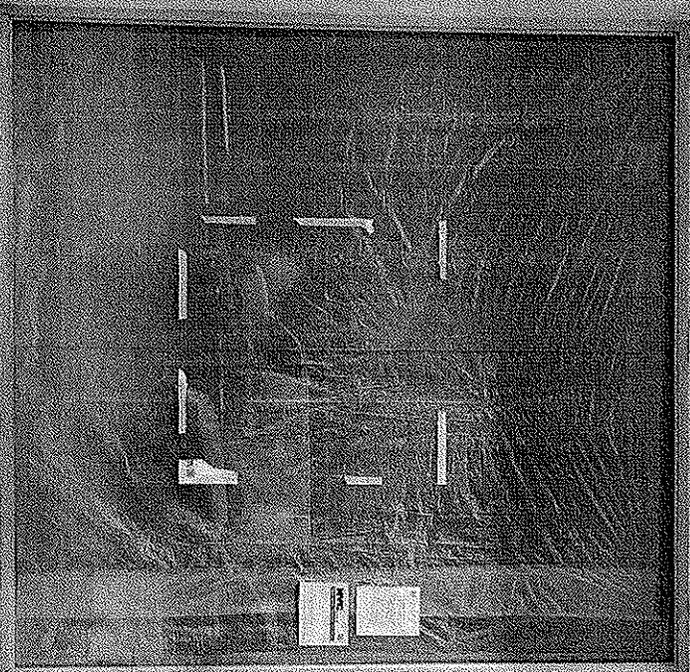
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RETAIL/RESTAURANT FOR LEASE

212.792.2613

JOSHUA SIEGELMAN



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PARTY IN
PARTY IN

WINTER RELEASE

FAMILY SEASON

WINTER

