



THE CITY OF NEW YORK  
 MANHATTAN COMMUNITY BOARD 3  
 59 East 4th Street - New York, NY 10003  
 Phone: (212) 533-5300 - Fax: (212) 533-3659  
 www.cb3manhattan.org - info@cb3manhattan.org

Gigi Li, Board Chair

Susan Stetzer, District Manager

**Community Board 3 Liquor License Application Questionnaire**

Please bring the following items to the meeting:

**NOTE: ALL ITEMS MUST BE SUBMITTED FOR APPLICATION TO BE CONSIDERED.**

- Photographs of the inside and outside of the premise.
- Schematics, floor plans or architectural drawings of the inside of the premise.
- A proposed food and or drink menu.
- Petition in support of proposed business or change in business with signatures from residential tenants at location and in buildings adjacent to, across the street from and behind proposed location. Petition must give proposed hours and method of operation. For example: restaurant, sports bar, combination restaurant/bar. (petition provided)
- Notice of proposed business to block or tenant association if one exists. You can find community groups and contact information on the CB 3 website: [http://www.nyc.gov/html/mancb3/html/sla/community\\_groups.shtml](http://www.nyc.gov/html/mancb3/html/sla/community_groups.shtml)
- Photographs of proof of conspicuous posting of meeting with newspaper showing date.
- If applicant has been or is licensed anywhere in City, letter from applicable community board indicating history of complaints and other comments.

Check which you are applying for:

- new liquor license       alteration of an existing liquor license       corporate change

Check if either of these apply:

- sale of assets       upgrade (change of class) of an existing liquor license

Today's Date: May 5, 2014

**If applying for sale of assets, you must bring letter from current owner confirming that you are buying business or have the seller come with you to the meeting.**

Is location currently licensed?  Yes  No    Type of license: On Premises Liquor

If alteration, describe nature of alteration: Name and Menu/convert bsmt serv. bar to patron bar modify layout in basement

Previous or current use of the location: Restaurant

Corporation and trade name of current license: Project 6, LLC

**APPLICANT:**

Premise address: 167 Orchard Street, New York NY 10002

Cross streets: Corner of Stanton and Orchard

Name of applicant and all principals: Robert Shamlian, David Moon, Franie Vivico

Trade name (DBA): The Derby

**PREMISE:**

Type of building and number of floors: Commercial 3 floors

Will any outside area or sidewalk cafe be used for the sale or consumption of alcoholic beverages? (includes roof & yard)  Yes  No If Yes, describe and show on diagram: \_\_\_\_\_

**Sidewalk Cafe**

Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any back or side yard use?  Yes  No What is maximum NUMBER of people permitted? 150

Do you plan to apply for Public Assembly permit?  Yes  No Have PA

What is the zoning designation (check zoning using map: <http://gis.nyc.gov/doitt/nycitymap/> - please give specific zoning designation, such as R8 or C2):

C4-4A

**PROPOSED METHOD OF OPERATION:**

Will any other business besides food or alcohol service be conducted at premise?  Yes  No

If yes, please describe what type: \_\_\_\_\_

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) Mon-Fri: 5m to 4am, Sat-Sun 11am-4am (with option to open for lunch weekdays)

Number of tables? 35 Number of seats at tables? 115

How many stand-up bars/ bar seats are located on the premise? 2 / 35 stools \_\_\_\_\_  
(A **stand up bar** is any bar or counter (whether with seating or not) over which a patron can order, pay for and receive an alcoholic beverage)

Describe all bars (length, shape and location): both L-shaped, main fl. 18' and bsmt 10'

Does premise have a full kitchen  Yes  No?

Does it have a food preparation area? Yes No (If any, show on diagram)

Is food available for sale?  Yes  No If yes, describe type of food and submit a menu

What are the hours kitchen will be open? all hours to 1 hour of closing

Will a manager or principal always be on site?  Yes  No If yes, which? Both at different times

How many employees will there be? 15

Do you have or plan to install  French doors  accordion doors or  windows?

Will there be TVs/monitors?  Yes  No (If Yes, how many?) option to show special events on occasion

Will premise have music?  Yes  No no permanent installation

If Yes, what type of music?  Live musician  DJ  Juke box  Tapes/CDs/iPod

If other type, please describe DJ downstairs only

What will be the music volume?  Background (quiet)  Entertainment level

Please describe your sound system: speaker amp , ipod, etc.

Will you host any promoted events, scheduled performances or any event at which a cover fee is charged? If Yes, what type of events or performances are proposed and how often? No cover

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans. (Please do not answer "we do not anticipate congestion.")  
Door security- keep patrons in front orderly--manage any line if any

Will there be security personnel?  Yes  No (If Yes, how many and when) 1-2 as needed  
Weekends or when required- keep sidewalk orderly-ask patrons to be quiet and courteous

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans.  
Sound proofing, keep sidewalk clear-maintain background music levels, post signs,  
Do you  have or  plan to install sound-proofing?

#### **APPLICANT HISTORY:**

Has this corporation or any principal been licensed previously?  Yes  No

If yes, please indicate name of establishment: Fat Baby, Spitzer's Corner, Los Feliz

Address: 126 Ludlow, Community Board # 3

Dates of operation: Since 2005

**If you answered "Yes" to the above question, please provide a letter from the community board indicating history of complaints or other comments.**

Has any principal had work experience similar to the proposed business?  Yes  No If Yes, please attach explanation of experience or resume.

Does any principal have other businesses in this area?  Yes  No If Yes, please give trade name and describe type of business Fat Baby, Spitzer's Corner, Los Feliz

Has any principal had SLA reports or action within the past 3 years?  Yes  No If Yes, attach list of violations and dates of violations and outcomes, if any.

Attach a separate diagram that indicates the location (**name and address**) and total number of establishments selling/serving beer, wine (B/W) or liquor (OP) for 2 blocks in each direction. Please indicate whether establishments have On-Premise (OP) licenses. Please label streets and avenues and identify your location. Use letters to indicate **Bar, Restaurant**, etc. The diagram must be submitted with the questionnaire to the Community Board before the meeting.

**LOCATION:**

How many licensed establishments are within 1 block? 5 on same block - 20 1blk both directions

How many On-Premise (OP) liquor licenses are within 500 feet? 32

Is premise within 200 feet of any school or place of worship?  Yes  No

**COMMUNITY OUTREACH:**

Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups. Also use provided petitions, which clearly state the name, address, license for which you are applying, and the hours and method of operation of your establishment at the top of each page. (Attach additional sheets of paper as necessary).

***We are including the following questions to be able to prepare stipulations and have the meeting be faster and more efficient. Please answer per your business plan; do not plan to negotiate at the meeting.***

1.  I agree to close any doors and windows at 10:00 P.M. every night?
2.  I will not have  DJs,  live music,  promoted events,  any event at which a cover fee is charged,  scheduled performances,  more than \_\_\_\_ DJs/ promoted events per \_\_\_\_,  more than \_\_\_\_ private parties per \_\_\_\_
3.  I will play ambient recorded background music only. Upstairs
4.  I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
5.  I will not seek a change in class to a full on-premise liquor license. Or  my business plan is to seek an upgrade at a later date.
6.  I will not participate in pub crawls or have party buses come to my establishment.
7.  I will not have a happy hour. Or  Happy hour will end by 8 ~~But no present plans for happy hour.~~
8.  I will not have wait lines outside.  There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.
9.  Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.



167 Orchard Street, New York, NY

167 Orchard St, New York, NY 10002

Explore this area



Above Allen

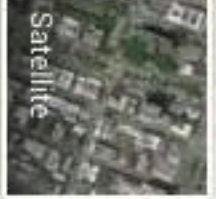
Blue Ribbon  
Sushi Izakaya

Rooster Gallery

Georgia's Eastside BBQ  
+Ravi



Share



Latin American  
Enterprise Services

ted

Rayuela

PEOPLE

Ccrrs Management

Allen St

Stanton St

Allen St

Charm NYC Hat Shop

Teddyboy

All Over Window  
Cleaning Services

Nick & Son Clothing

Belfaf Fabrics

Self Edge

3Sixteen

Shut Skates

Stanton St

Orchard St

167 Orchard St

ATM Network, Inc

Anastasia Photo

Snack Dragon

Taco Shack II

Todd's Mill

Stanton Social

Pimps & Pinups

Sakamai

Lois Eastlund

Ludlow St

Stanton St

Annabe

Souvlaki GR

E & S Wholesome Foo

Yumi Kim LES

San Loco

Pianos

Bowery Presents

El Nueo Amanecer

Assembly New York

Ludlow Guitars

Obsessive Compulsive  
Cosmetics

The Total Movement

Ulli Rest Corporation

Tre

Taverna Di Bacco

MISSINNA

Grit N Glory

Massimo Salon, Inc

B. Tiff New York

Konditori

Hoodie Shop

Above Allen

Dogs & Brews

A Casa Fox

The Meatball Shop

Epstein's Bar

Pro Appliances

Bluestockings

Tiengarden

Y Gallery

Le Salon d' Art

Mission Cantina

Oofu

Ludlow Bar

No Fun

Little Muenster

ODD

Taquitoria

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# Proximity Report for Location:

May 5, 2014

167 ORCHARD ST, New York, 10002

\* 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
FLYNN MCCLURE INC	100 STANTON ST	80 ft
SALGIRAH CORP	141 ESSEX ST	510 ft
EAST HOUSTON STREET WINE & LIQUOR INC	250 E HOUSTON ST	925 ft
KK & HZ LLC	101 ALLEN ST	1085 ft
JADE FOUNTAIN LIQUOR CORP	123 DELANCEY STREET	1110 ft
TURTLE DOVE LLC	28 30 CLINTON ST	1215 ft
JCCSM INC	45 1ST AVE	1240 ft

## Churches within 500 Feet

Name	Approx. Distance
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## Schools within 500 Feet

Name	Address	Approx. Distance
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## On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
GHVILLE INC	167 ORCHARD ST 2ND & 3RD FL	20 ft
GHVILLE INC	167 ORCHARD ST	20 ft
PROJECT 6 LLC	167 ORCHARD ST 1ST FLOOR	20 ft
162 ORCHARD CORP	162 ORCHARD ST	65 ft
168 ORCHARD ST PARTNERS	168 170 ORCHARD ST	70 ft
A CASA FOODS LLC	173 ORCHARD ST	95 ft
95 STANTON STREET REST INC	95 STANTON ST	95 ft
ORCHID STREET ENTERPRISES LLC	174 ORCHARD STREET	100 ft
THE MEATBALL SHOP	84 STANTON ST	115 ft
STANTON RESTAURANT CORP	82 STANTON STREET	120 ft
ORCHARD STREET RESTAURANT LLC	187 ORCHARD STREET	140 ft
FOOD ON ORCHARD LLC	191 ORCHARD ST	155 ft
TERRITORY 99 INC	99 STANTON STREET	160 ft
BARRAZA FOODS INC	198B ORCHARD STREET	185 ft
200 PROOF LLC	200 A ORCHARD STREET	190 ft
MCFNY LLC	154 ORCHARD ST	195 ft
161 LUDLOW FOOD LLC	161 LUDLOW ST	225 ft
SAKAMAI LLC	157 LUDLOW ST	230 ft

Name	Address	Approx. Distance
ORCHARD FOODS INC	152 ORCHARD STREET	230 ft
LOCO 111 INC	105 STANTON ST	245 ft
OWLINGS INC	152 LUDLOW STREET	250 ft
158 LUDLOW REST LLC	158 LUDLOW STREET	255 ft
DISH 165 INC	165 ALLEN STREET	260 ft
GREY ASSOCIATES LLC	165 167 LUDLOW STREET	260 ft
STEPS LLC	163 ALLEN STREET	270 ft
HAT RESTAURANT LLC	108 STANTON STREET	280 ft
MFM BRANDY LLC	157 ALLEN ST	310 ft
JERSEY BOYS LLC	173 LUDLOW ST	320 ft
BRACKLUINN REST INC	137 LUDLOW STREET	340 ft
PUB 138 INC	138 LUDLOW STREET	360 ft
CODA DI BUE LLC	78 84 RIVINGTON ST	375 ft
ALLEN OPERATING COMPANY LLC & ORCHARD ST REST LLC	190 ALLEN STREET	375 ft
ULLI RESTAURANT CORP	178 LUDLOW STREET	385 ft
UBER CAFFE LLC	116 STANTON ST	385 ft
KENROCK ENTERPRISES LLC	192 ALLEN ST	420 ft
KELTIC LOUNGE INC	132 LUDLOW ST	435 ft
ROCKWOOD MUSIC CORP	194 ALLEN ST STORE B5, B6	460 ft
A HALIBUT INC	138 ORCHARD ST	460 ft
MILLER'S NEAR & FAR LLC	65 RIVINGTON ST	465 ft
DOWNTOWN LLC THE	107 RIVINGTON ST	485 ft
ROCKWOOD ENTERTAINMENT INC	196 ALLEN ST B4	495 ft
3B RESTAURANT CORP	217 ELDRIDGE ST	500 ft
NYLA CAFE LLC	126 LUDLOW ST	500 ft
GUAPO BODEGA LLC	146 ESSEX STREET	510 ft
MUNDO NEW YORK INC	205 ALLEN ST AKA 159 E HOUSTON	515 ft
CAMILLE PRODUCTIONS LLC	110 RIVINGTON STREET	515 ft
137 ESSEX ST RESTAURANT INC	137 ESSEX STREET	520 ft
RAYNICK CORP	205 ALLEN ST	530 ft
JACOB & KELLY INC	235 ELDRIDGE ST	530 ft
ZOE BROWN BEAR LLC	245 ELDRIDGE ST	535 ft
NYCJB S LLC	112 RIVINGTON STREET	535 ft
AEGIS HOLDING HOUSTON LLC	175 177 E HOUSTON ST	540 ft
247 LUV NYC LLC	247 ELDRIDGE ST	540 ft
LA PALA LLC	184 198 ALLEN ST	540 ft
133 ESSEX RESTAURANT LLC	133 ESSEX ST	555 ft
LJ EAST HOUSTON LLC	201 E HOUSTON ST	560 ft
SAFF INC	249 ELDRIDGE STREET	565 ft
131 ORCHARD STREET RESTAURANT LLC	131 ORCHARD ST	590 ft
PENNSYLVANIA JAYCOX INC	118 RIVINGTON STREET	590 ft
EHD RESTAURANT II LLC	120 RIVINGTON ST	630 ft
S W MONTE INC	217 E HOUSTON ST	630 ft
FOURTHGEN LLC	127 ORCHARD ST	660 ft
ALPHA 129 REST LLC	127 129 ORCHARD STREET	660 ft
RIVINGTON CAFE CORP	123 RIVINGTON STREET	660 ft
ESX GROUP INC	225 E HOUSTON ST	660 ft

Name	Address	Approx. Distance
122-124 RIVINGTON CORP	122-124 RIVINGTON ST.	665 ft
CALLE CATORCE LLC	157 E HOUSTON ST	670 ft
BG BAR INC	113 LUDLOW ST	675 ft
SWOON CORP	121 ESSEX ST	685 ft
SOHO NEW YORK LODGING LLC	151 E HOUSTON ST	700 ft
BRANNONS SANDWICH SHOP LLC	119 ESSEX ST	720 ft
12 FIRST AVE RESTAURANT CORP	76 E 1ST ST	725 ft
120 ESSEX MARKET LLC	120 ESSEX STREET	725 ft
MPDRAW LLC	109 LUDLOW STREET	735 ft

### Pending Licenses within 750 Feet

Name	Address	Approx. Distance
WHYNOT ORCHARD LLC	175 ORCHARD ST	100 ft
STANTON SURF CLUB LLC	99 STANTON ST	145 ft
ROTANA SMOKE SHOP CORP	188 ORCHARD ST	320 ft
ALEGRE ORCHARD LLC	146 ORCHARD ST	325 ft
SOHO-LUDLOW INC	139 LUDLOW ST	330 ft
177 LUDLOW FRANCHISE LLC	177 LUDLOW ST	350 ft
SWEET CHICK LES LLC	178 LUDLOW ST	370 ft
LUDLOW HOTEL OPERATING LLC & LUDLOW HOTEL FOOD	180 184 LUDLOW ST	425 ft
BRIDGE & TUNNEL LLC	66 68 RIVINGTON ST	435 ft
JMDR 127 LUDLOW LLC	127 LUDLOW ST	470 ft
SOUTH CENTRAL RESTAURANT LLC	151 ESSEX ST	470 ft
HERMES B NY LLC	189 EAST HOUSTON ST	540 ft
159 HUNTINGTON HOLDINGS INC	159 E HOUSTON ST	660 ft

### Unmapped licenses within zipcode of report location

Name	Address
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