

# Manhattan Community Board 4

## Unenclosed Sidewalk Café Stipulations Application

APPLICANT <b>Pickle LLC</b>	ADDRESS <b>85 Tenth Avenue</b>
DOING BUSINESS AS (DBA) <b>Willow Road</b>	CROSS STREETS <b>West 15th and 16th Streets</b>
DESCRIPTION OF APPLICATION <b>SLA Alteration/DCA Sidewalk Cafe application. Applicant wishes to obtain a sidewalk cafe permit from the DCA allowing for 9 tables and 18 chairs and alcoholic beverage service thereat.</b>	
OWNER:	
LAWYER:	<b>Ferrari and Ferrari LLP</b>
DCA LICENSE NUMBER:	
SLA LICENSE NUMBER:	<b>1266677</b>
ON SITE CONTACT: (Name, position & phone number): <b>William Malnati - Secretary (646) 649-2339</b>	

*Handwritten notes:*  
 10:00 AM, 1:00 PM, 1:00 PM, 1:00 PM, 11:00 PM, 11:00 PM, 11:00 PM, 11:00 PM  
 CMM

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

SEATING & TABLES	DESCRIPTION		NOTES
	SEATS	TABLES	
	18	9	

### OPERATIONAL ISSUES

Question	YES	NO	N/A	Answer
Will you follow the rule prohibiting speakers for music in the outdoor space?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Will you close all French doors and sliding windows when any interior amplified music is played (per law)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Not Applicable
The sidewalk café will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<del>No 1AM Friday/Saturday</del> Midnight all other days
Will you be serving alcohol on the sidewalk? If so, will you have waiter service as required by DCA?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes
The service and consumption of alcohol on the sidewalk café will be only via seated food service.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes
The sidewalk café will not provide standing space for drinking or smoking.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes- It will not provide standing space
Will the outdoor furniture be removed when not in use?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes
Will the applicant be using delivery bicycles? If so, explain where you will store them since you'll have a sidewalk café.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	No
Do you intend to use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	No
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Yes

*Handwritten note:*  
CMM

**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	Not applicable. The building is commercial use only.
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	Yes

**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	Yes
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	Yes
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	Not Applicable - No trees nearby
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	Not applicable-no grating
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	Not applicable - no residential buildings nearby
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	Yes
Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?	YES	NO	N/A	Yes
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	Yes

**ADDITIONAL INFORMATION: (Applicant Use)**

**ADDITIONAL NOTES: (Office Use Only)**

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

- Applicant agrees to the hours of operation for the sidewalk cafe as follows:
  - 11 A.m. to 10 p.m. Monday – Thursday
  - 11 A.m. to 11 p.m. Friday – Saturday
  - 12 p.m. to 10 p.m. Sunday.

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 Assistant District Manager

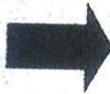
  
Frank Holozubice  
CB4 BLP Committee Co-Chair

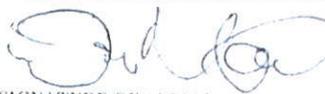
  
Paul Sarno  
CB4 BLP Committee Co-Chair

**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

4/24/14  
DATE



5/13/14





