



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JOHN WEIS
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

September 17, 2010

Jonathan Mintz
Commissioner
City of New York
Department of Consumer Affairs
42 Broadway
New York, NY 10004

Re: Pio Pio Ocho Inc d/b/a Pio Pio Restaurant
604 Tenth Avenue (43rd/44th)

Dear Commissioner Mintz:

Manhattan Community Board 4 (MCB4) recommends denial of a transfer of a full liquor license and UNENCLOSED sidewalk café permit for Pio Pio Ocho Inc d/b/a Pio Pio Restaurant unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- Hours of operation will be no earlier than 11:00 am and no later than 11:00 pm, 7 days per week. The same hours apply to the sidewalk café.
- The applicant is not applying for a cabaret license with this current application.
- There will be 8 tables outdoors with 18 seats in the outdoor café. Hours of operation of the sidewalk café will end at 10 pm on weeknights and 11 pm on weekends.
- The applicant stated they will have background music playing in the restaurant, but no amplified sound outdoors.
- Applicant will mark the sidewalk boundaries according to the approved plans submitted to the DCA for the sidewalk café space.
- There will be no French doors and/or windows that open to the street front.
- Delivery bikes will be stored within the sidewalk café permit area close to the wall at the South most end of the building on Tenth Avenue.
- Applicant will not install a storm vestibule enclosure that will project more than 18 inches as per DOB code. Storm enclosures can only be used between November 15th and April 15th.
- Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally it will be compliant with NY DOB code.

A signed copy of the stipulations agreed to by the applicant is enclosed. This is a restaurant establishment and will have a capacity of no more than 214 with 60 tables and 200 seats inside. There will also be one stand up bar with 20 seats. This application is only for a transfer of ownership/company structure.

Sincerely,



John Weis
Chair
Manhattan Community Board
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Chuck Spence
Co-Chair
Business License & Permits
Committee - North