

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME NEW YORK BURGER 10TH AVE INC		DOING BUSINESS AS (DBA) NEW YORK BURGER CO	
STREET ADDRESS 470 WEST 23RD ST		CROSS STREETS 9TH + 10TH AVE	ZIP CODE 10011
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: SPIROS ZISIMATOS	ATTORNEY/ REPRESENTAIVE	NAME: ROBERT ROMANO
	PHONE: 212-229-1404		PHONE: 914-500-3196
	EMAIL: info@newyorkburgerco.com		EMAIL: ROMANOLAW@GMAIL.COM
MANAGER	NAME: CHRISTOS ZISIMATOS	LANDLORD	NAME: 470 WEST 23 ASSOCIATES
	PHONE: 646-361-8836		PHONE: 718-298-4412
	EMAIL: christos@newyorkburgerco.com		EMAIL:
APPLICATION TYPE <i>(Check One)</i>			
<input checked="" type="checkbox"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
	What is/was the name and address of establishment?	NEW YORK BURGER CO - 678 6TH AVE NYC 2005 - PRESENT SPEEDY'S CAFE - 1271 BROADWAY NYC THE HAROLD - 1271 BROADWAY NYC 2014 - PRESENT	
	What were the dates applicant was involved with this former premise?	ALL THREE STORES ARE STILL OPEN WITH ACTIVE SLA LICENSES	
<input type="checkbox"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input type="checkbox"/> Alteration	What is the current license # and expiration date?		
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer		
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization – Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	YES	<input checked="" type="radio"/> NO	
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)

HOURS* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11AM - 11PM	11AM - 11PM	11AM - 11PM	11AM - 11PM	11AM - 11PM	11AM - 11PM	11AM - 10:30PM
	Kitchen	11AM - 10PM	11AM - 10PM	11AM - 10PM	11AM - 10PM	11AM - 10PM	11AM - 10PM	11AM - 9:30PM
	Music	11AM - 11PM	11AM - 11PM	11AM - 11PM	11AM - 11PM	11AM - 11PM	11AM - 11PM	11AM - 10:30PM
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> DJ	<input type="radio"/> JUKE BOX	<input type="radio"/> KARAOKE	

OCCUPANCY

	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 Stand-Up Bar
INSIDE	74	20	9	26	0	0	0
OUTSIDE <i>(Other than sidewalk café)</i>							
SIDEWALK CAFÉ	54 - ENCLOSED CAFE	54	19	46			

How many floors are there? What is the capacity for each floor? **BASEMENT (0) AND 1ST FLOOR (74)**

How frequently will the owner(s) be at the establishment? **The owner will be on premise daily**

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?	YES	<input checked="" type="radio"/> NO	
Will applicant have bottle or table service for beverage alcohol?	YES	<input checked="" type="radio"/> NO	
Will you be hosting private; promotional or corporate events?	YES	<input checked="" type="radio"/> NO	
Will outside promoters be used on a regular basis? If yes please describe.	YES	<input checked="" type="radio"/> NO	
Will you have a security plan? If yes please attach.	YES	<input checked="" type="radio"/> NO	
Will security plan be implemented?	YES	<input checked="" type="radio"/> NO	
Will State certified security personnel be used?	YES	<input checked="" type="radio"/> NO	
Will New York Nightlife Association and NYPD Best Practices be followed?	YES	<input checked="" type="radio"/> NO	
Will applicant be using delivery bicycles? If yes, how many?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	3
Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Where will delivery bicycles be stored during the day when not in use?	BIKES WILL BE STORED INSIDE THE RESTAURANT WHEN NOT IN USE		

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	CHELSEA
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	
Are your plans filed with DOB?	YES	NO	N/A

Community Notification/Relations			
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1		
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.	SEE ATTACHED		
Who was your contact person at each group you met with?			
When did applicant post the notice that was provided?			
Where did applicant post the notice that was provided?			
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/> YES	NO	646-361-8836
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/> YES	NO	

The community board questionnaire has been sent to the following block/tenant associations:

- 100 West 19th/20th/21st/22nd Streets Block Association
- 100 West 19th/20th/21st/22nd Streets Block Association
- 200 West 19th/20th/21st/22nd/23rd Streets Block Association
- 300 West 21st/22nd/23rd Streets Block Association
- 400 West 21/22/23 Streets Block Association
- Elliot-Chelsea Houses Tenant Association
- Elliot-Chelsea Houses Tenant Association
- London Terrace Gardens

BUILDING DESIGN			
State the name and type of business previously located in the space.	RESTAURANT / SAME NAME (NEW YORK BURGER CO)		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	NY FAST GOURMET PREMIER LLC
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	YES	<input checked="" type="radio"/> NO	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input type="radio"/> FRENCH DOORS	<input type="radio"/> GARAGE DOORS	<input checked="" type="radio"/> WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	<input checked="" type="radio"/> NO	
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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have an illuminated sign?	YES	<input checked="" type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	UNITS ARE ON THE ROOF. THEY ARE FUJITSU SPLIT UNIT ASU30RLX		
When was the air conditioner installed?	2010		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	<input checked="" type="radio"/> NO	<i>[Handwritten signature]</i>
Are the floorplans for the outdoor space(s) included?	YES	NO	N/A
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	N/A
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	N/A
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO	N/A
Will there be no amplified music, as per the law?	YES	NO	N/A
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	N/A
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	N/A
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	N/A
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	N/A
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

OUTDOOR ITEMS – SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	<input checked="" type="radio"/> YES	NO	
Will applicant be applying for a sidewalk café now or in the future?	<input checked="" type="radio"/> YES	NO	WE ARE APPLYING FOR AN ENCLOSED SIDEWALK CAFE PERMIT
Is applicant in this application seeking to include a sidewalk café in its liquor license?	<input checked="" type="radio"/> YES	NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	<input checked="" type="radio"/> YES	NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	<input checked="" type="radio"/> YES	NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	<input checked="" type="radio"/> YES	NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk cafe?	<input checked="" type="radio"/> YES	NO	
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	N/A - ENCLOSED SIDEWALK CAFE
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	<input checked="" type="radio"/> YES	NO	
Will the sidewalk café not provide standing space for drinking or smoking?	<input checked="" type="radio"/> YES	NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	<input checked="" type="radio"/> NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	N/A - ENCLOSED SIDEWALK CAFE
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	YES	NO	N/A - ENCLOSED SIDEWALK CAFE
Will applicant use umbrellas?	YES	<input checked="" type="radio"/> NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?	<input checked="" type="radio"/> YES	NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

- Applicant will be applying for a DOT bike corral on SE of 10th & 23rd, on 10th Avenue

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

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

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

Manhattan Community Board 4 (MCB4) recommends:

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation

Denial Approval

CB4 REPRESENTATIVES

Nelly Gonzalez
CB4 Assistant District Manager

Frank Holozubiec
CB4 BLP Committee Co-Chair

Burt Lazarin
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

SIGN HERE →

PRINT NAME OF APPLICANT

SPيروس ZISIMATOS

SIGNATURE OF APPLICANT

DATE

2/12/14

CERTIFICATE OF OCCUPANCY

BOROUGH MANHATTAN

DATE: OCT 30 1979 NO. 79753

This certificate supersedes C.O. No. 79753

ZONING DISTRICT C 2-5

THIS CERTIFIES that the ~~new~~ altered ~~existing~~ building—premises located at
470 West 23rd Street

Block 720 Lot 32

CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN

PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOAD LBS PER SQ FT	MAXIMUM NO OF PERSONS PERMITTED	ZONING DWELLING OR ROOMING UNITS	BUILDING USE HABITABLE ROOMS	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
cellar	0.0.	-	-	-	-	-	Boiler, storage, motor room.
1st	150	74 15	-	-	6 6	-	Eating & Drinking Place One (1) store
2nd	40	-	4	7	2	-	Four (4) Class "A" apart- ments.
3rd	40	-	4	7	2	-	Four (4) Class "A" apart- ments.
4th	40	-	4	7	2	-	Four (4) Class "A" apart- ments.
5th	40	-	4	7	2	-	Four (4) Class "A" apart- ments.
5th	-	-	2	4	2	-	Two (2) Class "A" apartment
<p>TOTAL: Store, Eating & Drinking Place and Eighteen (18) Class "A" Apartments Class "A" Multiple Dwelling Old-Code</p> <p>This certificate is predicated upon the final report of inspection dated October 25, 1979.</p> <p>Existing Sprinkler System Approved November 14, 1949.</p>							

OPEN SPACE USES _____

(SPECIFY—PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

**NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS
A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED**

Proximity Report for Location:

June 28, 2016

470 W 23 St, New York, NY, 10011

* 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
IN A GLASS LLC	156 10TH AVENUE, SOUTH STORE	800 ft
ALGA WINES & SPIRITS LTD	221 9TH AVENUE	850 ft
MIDTOWN SPIRITS INC	177 9TH AVE UNIT C	1020 ft
SUEBOB LIQUOR INC	312 W 23RD STREET	1660 ft
MWC RETAIL LLC	606 W 28TH ST SUITE A	1690 ft
FORAGERS WINES CHELSEA LLC	231 8TH AVE	1765 ft
ADB&SAB LLC	554 W 30TH ST	1975 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
210 TENTH AVENUE LLC	210 212 10TH AVE	100 ft
AZ HOLDING CORPORATION	225 10TH AVE	115 ft
RED CAT LLC,THE	227 10TH AVENUE	155 ft
505-23 BAR INC	505-507 WEST 23RD STREET	170 ft
AUNT PAUL INC	205 10TH AVE	180 ft
MANHATTAN MAHARAJA LLC	207 10TH AVE	210 ft
LDV 23 LLC	461 W 23RD ST	305 ft
242 TENTH AVENUE LLC	242 10TH AVE	340 ft
BOTTINO CORP	246 248 10TH AVE	415 ft
PINYIN KITCHEN INC	254 10TH AVE	490 ft
ARAMARK EDUCATIONAL SERVICES LLC AND THE GENERAL	180 10TH AVE/ DESMOND TUTU CTR	550 ft
HIGHLINE HOTEL LLC & TENTH AVENUE HOTEL MANAGEMENT	180 10TH AVE	550 ft

Pending Licenses within 750 Feet

Name	Address	Approx. Distance
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Unmapped licenses within zipcode of report location

Name	Address
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470 West 23rd Street
at 10th Avenue
212.255.0400

678 6th Avenue
Between 21st & 22nd St
212.229.1404

www.newyorkburgerco.com

Choice of All Natural Angus Beef or All Natural Turkey
100% BUNS, PICKLES, SAUCE, CHEESE, ONIONS

CLASSIC BURGERS

NEW YORK BURGER

NEW YORK CHEESEBURGER
cheddar, american, swiss, jack or blue

TURKEY BURGER

SKYSCRAPER (Double Patty!)

MINI BURGER DEAL (Served with Fries)

BLACK BEAN BURGER (Vegetarian)
avocado + carrots + sprouts

SPECIALTY BURGERS

CHELSEA BURGER
applewood smoked bacon + cheddar + 1000 island

BOWERY BURGER
onion rings + cheddar + chipotle honey

FLATIRON BURGER
poblanos + grilled onions + jack + bbq

SOHO BURGER
portobello + grilled onions + swiss + new york burger sauce ^(TM)

TRIBECA BURGER
applewood smoked bacon + blue cheese + avocado

TOPPINGS

red peppers + portobello + poblano
applewood smoked bacon + avocado
red onions + pickles

cheese
grilled onions + jalapenos

HAND CUT SIDES

IDAHO FRIES
SWEET POTATO FRIES
CHILI CHEESE FRIES (Seasonal)
FRESH ASPARAGUS FRIES with Thyme Aioli
BUTTERMILK ONION RINGS
SIDE SALAD
MANGO-JICAMA SLAW

SANDWICHES + MORE

GRILLED CHICKEN
marinated in fresh herbs + thyme aioli

SPICY CRISPY CHICKEN
buttermilk fried chicken + chipotle honey sauce

COBB GRILLED CHICKEN
applewood smoked bacon + avocado + blue cheese sauce

SLAW CHICKEN
mango-jicama slaw + avocado

SAUCE BAR

new york burger sauce ^(TM) + bbq + 1000 island + chipotle honey + basil pesto
creamy horseradish + maple dijon + chili pepper ketchup

order online: newyorkburgerco.com

SANDWICHES + MORE *continued...*

BUTTERMILK CHICKEN TENDERS

BUTTERMILK CHICKEN TENDERS + FRIES

HOT DOG (Sauerkraut or Relish)

CHILI DOG (Seasonal)

FRESH SALADS

Add a Protein:

GRILLED CHICKEN +

CRISPY CHICKEN +

VEGGIE PATTY +

HEARTY GARDEN SALAD balsamic dressing
organic mesclun + kale + romaine + fresh garden vegetables

CAESAR SALAD caesar dressing
romaine hearts + shaved parmesan + homemade croutons

COBB SALAD blue cheese dressing
applewood smoked bacon + avocado + blue cheese

GREEK ISLES SALAD lemon & oregano dressing
roasted red peppers + kalamata olives + feta

THAI SALAD spicy thai peanut dressing
fresh mango + crispy asian noodles + cilantro + mint

TROPICAL SALAD fat free balsamic dressing
fresh mango + avocado

TUSCAN SALAD balsamic vinaigrette
roasted red peppers + portobello + olives + fresh mozzarella

CRISPY CHICKEN SALAD spicy chipotle honey dressing
avocado + cheddar + poblanos

CHILI (seasonal)

choice of 2 chili toppings

ALL NATURAL ANGUS BEEF CHILI (Seasonal)

ALL NATURAL TURKEY AND BLACK BEAN CHILI (Seasonal)

NEW MEXICO CHILI SALAD
garden salad + chili + cheddar + sour cream (Seasonal)

BEVERAGES

COCA COLA FREESTYLE
BOTTLED DRINKS
BOTTLED SPRING WATER
HOMEMADE ICED TEA
HOMEMADE LEMONADE

BEER + WINE

DRAFT BEER
PITCHER- 48 oz.
BOTTLE BEER
RED WINE
WHITE WINE

SHAKES + FLOATS

SHAKES (16oz)

vanilla bean + belgian chocolate + black & white
mint chip + oreo cookie + strawberry

MALTS +

ICE CREAM FLOATS

combine your favorite ice cream and soda for a
delicious treat!

WHAT WE'RE MADE OF:

Our main ingredients include love, passion and a healthy
measure of obsession.

That's why we use all-natural Angus beef, chicken and turkey.
No preservatives. No hormones. No antibiotics. No compromises.

Our meat is never frozen. Our fries are freshly cut. Our onion
rings are homemade. We even make our own dipping sauces
and salad dressings.

Because it's made to order, our fast food is a little slower.
But it's worth a few extra New York minutes.



Catering Available

order online: newyorkburgerco.com