

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

| | | | |
|---|----------------------------|--|-------------------------------------|
| APPLICANT Pho 66 Inc. | | DOING BUSINESS AS (DBA) Pho 66 | |
| STREET ADDRESS 673 9 th Avenue | | CROSS STREETS W 46 th & W 47 th Street | |
| OWNER | NAME: Greg Hugunin | REPRESENTATIVE | NAME: Elke Hofman |
| | PHONE: 917-771-6533 | | PHONE: 212-478-9100 |
| | FAX: 212-487-9100 | | FAX: 212-487-9131 |
| MANAGER | NAME: | LANDLORD | NAME: Pioneer Management Co. |
| | PHONE: | | PHONE: 212-496-7322 |
| | FAX: | | FAX: |

DESCRIPTION OF BUSINESS

Establishment Type:

Bar/Tavern
 Bed & Breakfast
 Eating Place Beer
 Cabaret
 Night Club
 Hotel
 Restaurant

Catering Establishment
 Club (Fraternal Organization – Members Only)

Other (Explain):

Method of Operation:

Restaurant
 Dance Club
 Sports Bar
 Adult Entertainment
 Wine Bar
 Pizzeria
 Cafe

Other (Explain):

License Type:

On-Premise
 Wine
 Beer
 Wine & Beer

| | | | | |
|---|---|--|-----------------|----|
| APPLICATION TYPE (check one) | <input type="radio"/> New | Has applicant owned or managed a similar business? | YES | NO |
| | | What is/was the name of establishment? | | |
| | | What is/was the address of the establishment? | | |
| | | What were the dates the applicant was involved with this former premise? | | |
| | <input checked="" type="radio"/> Transfer | What is the prior license #? | 1245558 | |
| | | What is the expiration date on the prior license? | August 31, 2014 | |
| | | Are you making any alterations or operational changes? | YES | NO |
| | | <i>If alterations or operational changes are being made, please attach the plans to this form.</i> | | |
| | <input type="radio"/> Alteration | What is the current license #? | | |
| | | What is the expiration date on the current license? | | |
| <i>Please describe the nature of the alterations and attach the plans</i> | | | | |

| OPERATIONAL ISSUES | | | | | | | | | | |
|--|--|---|--|-------------------------------------|---|--|---|---|---------------------|--|
| HOURS | | MONDAY | TUESDAY | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | SUNDAY | | |
| | Operation | 8 a.m. – 11 p.m. | 8 a.m. – 11 p.m. | 8 a.m. – 11 p.m. | 8 a.m. – 11 p.m. | 8 a.m. – 11 p.m. | 8 a.m. – 11 p.m. | 8 a.m. – 11 p.m. | 8 a.m. – 11 p.m. | |
| | Music | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | |
| | Kitchen | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | 11 a.m. – 11 p.m. | |
| OCCUPANCY | INDOOR | | | | BAR | | | OUTSIDE | | |
| | 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 Bars | Number of Seats | Number of Tables | |
| | 74 | 65 | 22 | 50 | 1 | 0 | 0 | 0 | 0 | |
| How many floors are there? What is the capacity for each floor? (please respond in space provided) | | | | | <input checked="" type="checkbox"/> 1-2 | <input type="checkbox"/> 3-4 | <input type="checkbox"/> 5+ | Basement – Storage; 1 st Floor- 74 | | |
| Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided) | | | | | YES | <input checked="" type="checkbox"/> NO | N/A | | | |
| Will applicant have bottle service? | | | | | YES | <input checked="" type="checkbox"/> NO | N/A | | | |
| Will you be hosting private parties and promotional events? | | | | | YES | <input checked="" type="checkbox"/> NO | N/A | | | |
| Will outside promoters be used? | | | | | YES | <input checked="" type="checkbox"/> NO | N/A | | | |
| Will the security plan submitted be implemented? | | | | | YES | NO | <input checked="" type="checkbox"/> N/A | | | |
| Will State certified security personnel be used? | | | | | YES | NO | <input checked="" type="checkbox"/> N/A | | | |
| Will New York Nightlife Association recommendations and NYPD Best Practices be followed? | | | | | YES | NO | <input checked="" type="checkbox"/> N/A | | | |
| Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided) | | | | | <input checked="" type="checkbox"/> YES | NO | N/A | | | |
| Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided) | | | | | YES | <input checked="" type="checkbox"/> NO | N/A | | | |
| If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided) | | | | | YES | NO | <input checked="" type="checkbox"/> N/A | | | |
| Will applicant provide contact information to neighbors and respond to complaints that arise? | | | | | <input checked="" type="checkbox"/> YES | NO | N/A | | | |
| If you plan to have music, what type(s)? | | | <input checked="" type="checkbox"/> BACKGROUND | <input type="checkbox"/> LIVE MUSIC | <input type="checkbox"/> DJ | | | | | |
| BUILDING DESIGN | | | | | | | | | | |
| Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days. | | | | | <input checked="" type="checkbox"/> YES | NO | N/A | | | |
| 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="checkbox"/> YES | NO | N/A | | | |
| Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.) | | | | | <input checked="" type="checkbox"/> YES | NO | N/A | | | |

| OUTDOOR ITEMS | | | | |
|--|-----|--|---|--|
| Will applicant use the rooftop, rear yard or any outdoor space? | YES | <input checked="" type="checkbox"/> NO | N/A | |
| If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days. | YES | NO | <input checked="" type="checkbox"/> N/A | |
| The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service. | YES | NO | <input checked="" type="checkbox"/> N/A | |
| The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke. | YES | NO | <input checked="" type="checkbox"/> N/A | |
| Applicant will 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 | <input checked="" type="checkbox"/> N/A | |
| Applicant will 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 | <input checked="" type="checkbox"/> N/A | |
| Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors? | YES | NO | <input checked="" type="checkbox"/> N/A | |

| LOCATION & ZONING | | | | |
|---|---|--|-------------|------------------|
| Primary Zoning District: | R8 | Overlay (If Applicable): | C1-5 | |
| Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards? | <input checked="" type="checkbox"/> YES | NO | N/A | Clinton |
| Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection? | <input checked="" type="checkbox"/> YES | NO | N/A | Valid LNO |
| Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule. | <input checked="" type="checkbox"/> YES | NO | N/A | |
| Is a Public Assembly permit required? | YES | <input checked="" type="checkbox"/> NO | N/A | |
| Are your plans filed with DOB? | YES | <input checked="" type="checkbox"/> NO | N/A | |
| Building Type | <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Mixed Use <input type="checkbox"/> Other, describe: _____ | | | |
| Adjacent Buildings | <input type="checkbox"/> Residential <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Mixed Use <input type="checkbox"/> Other, describe: _____ | | | |
| NOTIFICATION: What organizations / community groups have you notified regarding your application? | # 1 | | | |
| | # 2 | | | |
| | # 3 | | | |

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

- Applicant agrees to keep delivery bicycles clear of the sidewalk as to not cause clutter

ADDITIONAL STIPULATIONS: (Office Use Only)

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 Community Associate

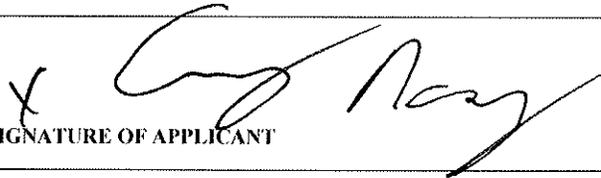
Lisa Daglian
CB4 BLP Committee Co-Chair


Paul Seres
CB4 BLP Committee Co-Chair

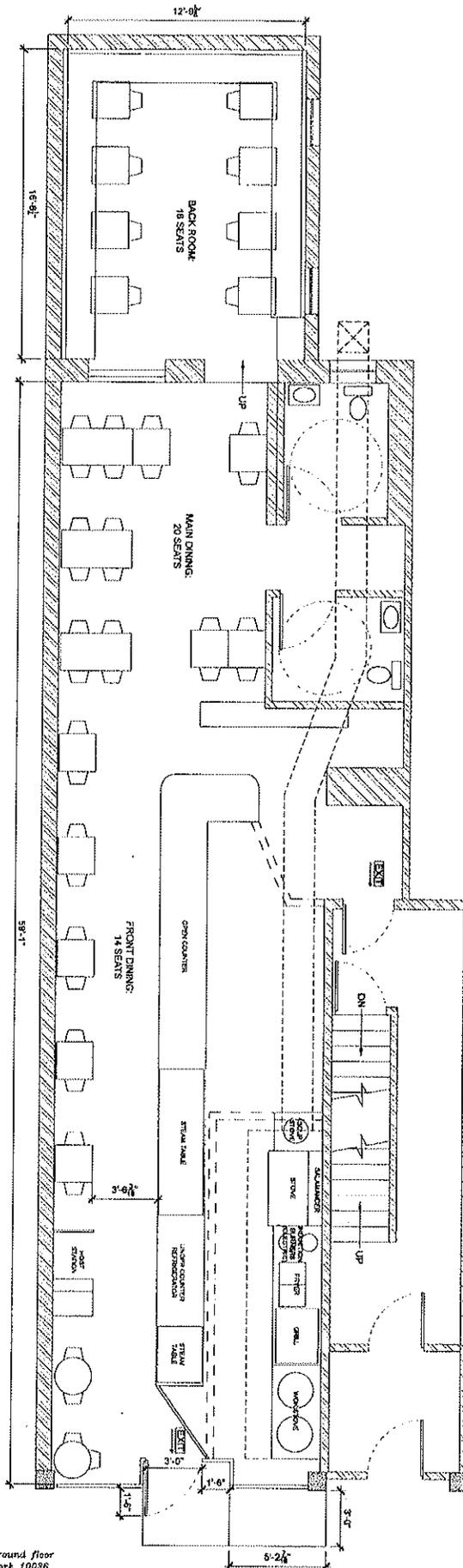
APPLICANT AGREEMENT WITH THE COMMUNITY

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

Tuesday, October 9, 2012
DATE

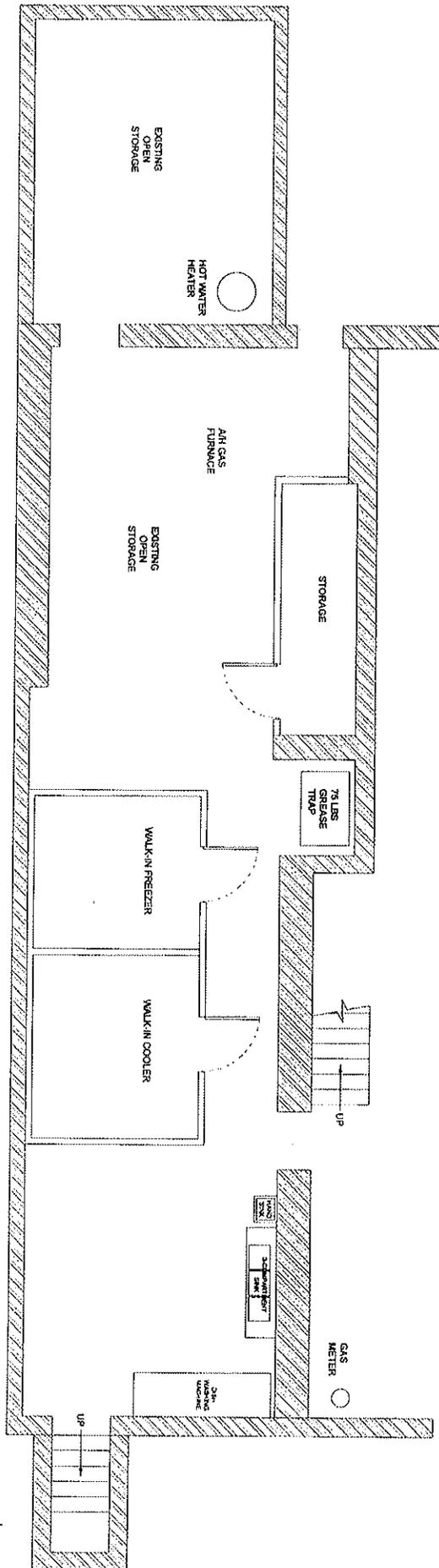


PHO 66
 673 Ninth Ave, ground floor
 New York, New York 10026

REVAMP

202 W. 40th., Suite 902, New York, NY 10018 ph: 212 354 1980

PROJECT | R/211
 ISSUED | 09/25/12
 ID-100
 GROUND FLOOR PLAN
 SCALE: 3/16" = 1'-0" 01/12/17



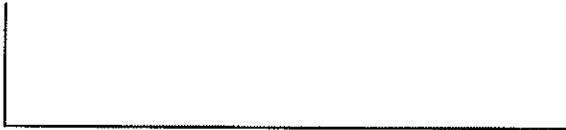
PHO 66
 673 Ninth Ave, ground floor
 New York, New York 10036

REVAMP

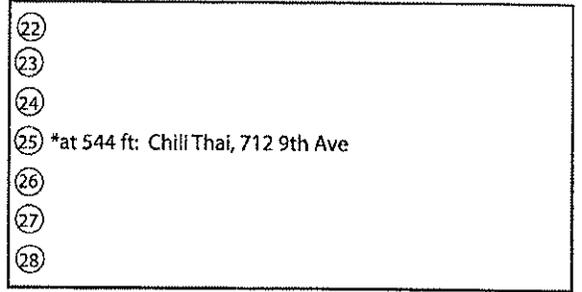
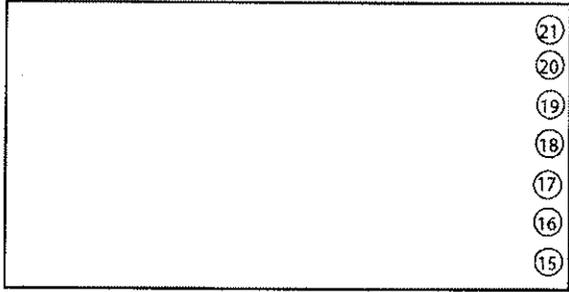
202 W. 40th., Suite 902, New York, NY 10018 ph: 212 354 1980

PROJECT | R1211
 ISSUED | 09/25/12
ID-101
 BASEMENT PLAN

SCALE: 1/8" = 1'-0" 01117

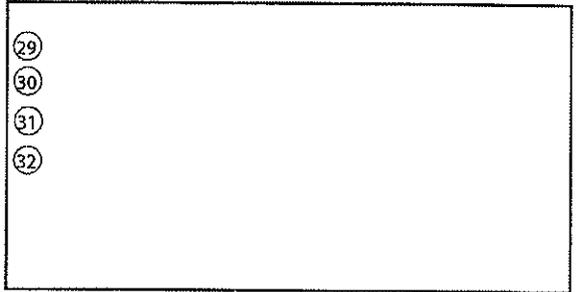
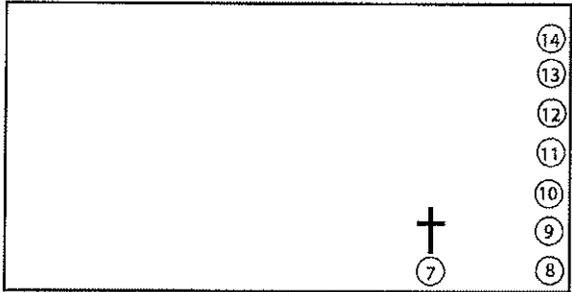


49th Street

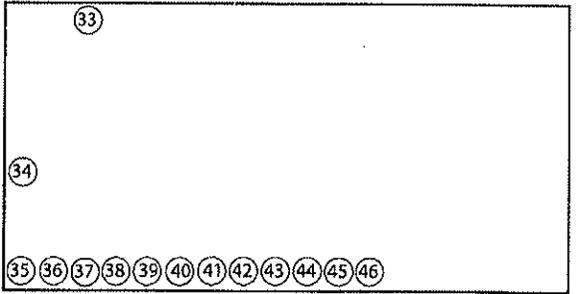
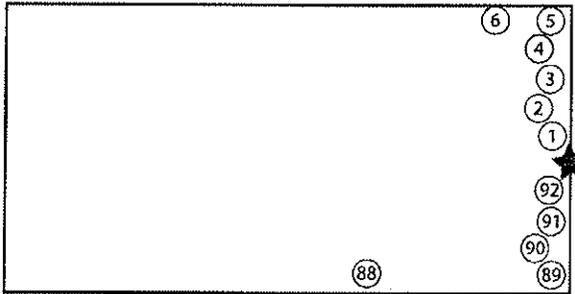


Ninth Avenue

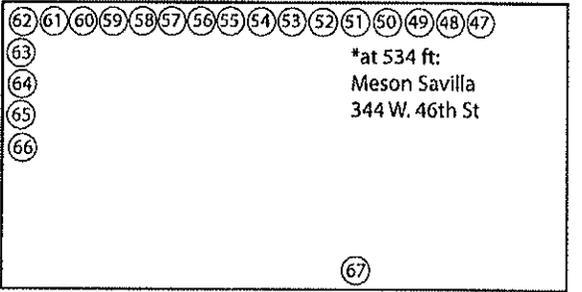
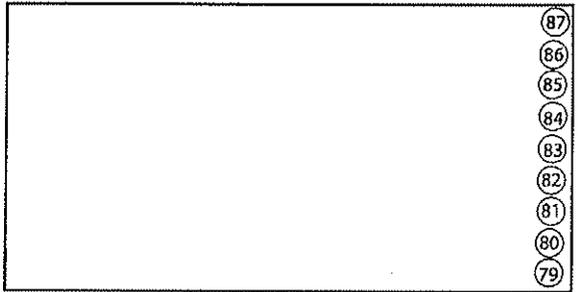
48th Street



47th Street

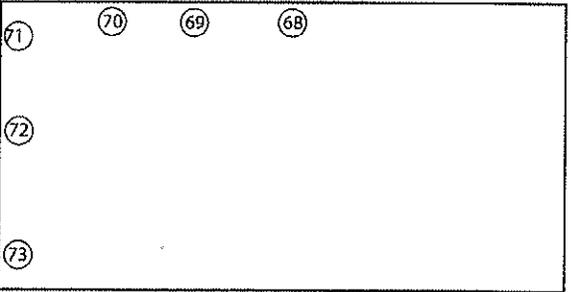
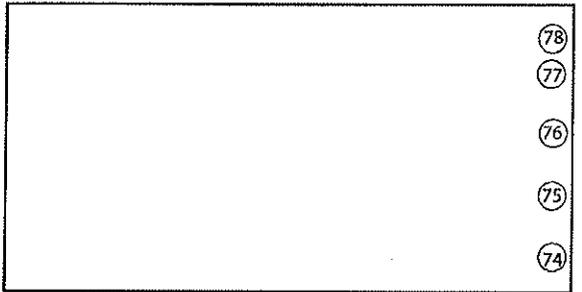


46th Street

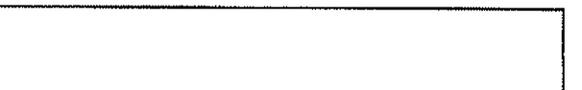


Ninth Avenue

45th Street



44th Street



Establishments in the vicinity of 673 Ninth Avenue

1. Starting point, 673 Ninth Ave (restaurant)
2. Zigolini's (restaurant)
3. Chelsea Grill (restaurant)
4. Hell's Kitchen (restaurant)
5. 681 Ninth Ave Food Market (market)
6. Pam Real Thai Encore (restaurant)
7. Iglesia Christiano Calvino(church; 189.57 feet, entrance on 47th Street)
8. Pietra Santa (restaurant)
9. Jing (restaurant)
10. Balkania (restaurant)
11. Ideal Thai (restaurant)
12. Leon Bakery (bakery, beer)
13. Aru Sushi (restaurant)
14. Sweet gifts (candy, n/a)
15. The Gaf NYC (bar)
16. Traffic (bar/restaurant)
17. Kyotofu (restaurant)
18. Pizza Plus (n/a)
19. Galaza Place (restaurant)
20. Viv (restaurant)
21. Seven Brothers Deli (market)
22. Mickey Spillane's (bar/restaurant)
23. Ta Cocina (restaurant)
24. Istanbul Kebab House (restaurant, n/a)
25. Chili Thai (restaurant, 544 feet per SLA website)
26. Out Latin Food (restaurant)
27. Liberty Bagel Deli and Grocery (market)
28. Ray and Frank's Liquors (liquor store)
29. The Delta Grill (restaurant)
30. 696th Ninth Ave (?/construction)
31. Room Service (restaurant)
32. Amarone (restaurant)
33. Saigon Nine West (restaurant)
34. San Dorrado Grocery/meat market (market)
35. Yum Yum Too (restaurant)
36. Hourglass Tavern (restaurant)
37. Bettibar (bar)
38. Pomaire (restaurant)
39. The Ritz Bar and Lounge (restaurant/bar)
40. Firebird (restaurant)
41. House of Brews (restaurant/bar)
42. Lattanza (restaurant)
43. Becco (restaurant)
44. Swing 46 (restaurant)
45. Sushi of Gari (restaurant)
46. Don't Tell Mama (restaurant)
47. O'Flaherty's (bar/restaurant)
48. Sangria 46 (restaurant)
49. Le Rivage (restaurant)
50. Da Rosina (restaurant)
51. Meson Sevilla (restaurant, 534 feet)
52. Bourbon Street Bar & Grille (bar/restaurant)
53. The French Quarter (bar/restaurant)
54. Ocha Sushi (restaurant)
55. Smyrna Med and Turkish Cuisine (restaurant)
56. Bangkok House (restaurant)
57. Tramonti (restaurant)
58. Little Town NYC (bar/restaurant)
59. Grand Sichuan (restaurant)
60. Deacon Brodie's Tavern (bar)
61. Ai's Sushi (restaurant)
62. Yum Yum Bangkok III (restaurant)
63. Ninth Avenue Saloon (bar)
64. Cara Mia (restaurant)
65. Yum Yum Bangkok (restaurant)
66. Yum Yum Bangkok (restaurant)
67. Kodama Sushi (restaurant)
68. Private Eyes (bar/cabaret)
69. Rio & You (restaurant)
70. Michael Chekov Theater (n/a)
71. Five Napkin Burger (restaurant)
72. Nizza (restaurant)
73. Marseilles (restaurant)
74. L'Allegria (restaurant)
75. Rudy's Bar & Grill (bar/restaurant)
76. Turkish Cuisine (restaurant, 550 feet)
77. Bocca di Bacco (restaurant)
78. Smiler Gourmet Deli (market)
79. Southern Hospitality (restaurant)
80. Ember Room (restaurant)
81. Eat Good Feel Good (restaurant)
82. Bali Nusa Indah (restaurant)
83. La Carafe (restaurant)
84. Tartine? (construction, 653 Ninth Ave)
85. Mercury Bar (bar/restaurant)
86. Thai French (restaurant)
87. Zen Palate (restaurant)
88. St Clement's Church & Theater (360 feet)
89. Galaxy Diner (restaurant)
90. Riposo 46 (restaurant)
91. Ninth Avenue Vintner (wine/liquor)
92. Vintner Wine Market (restaurant)

Menu

Lunch & Dinner, 11am-11 pm

Salads and Appetizers

Lettuce wraps, all served with mango, cucumber, fresh herbs, and ginger-chile dip

Minced shrimp on sugarcane skewers \$9

Grilled pork belly \$8

Grilled beef meatballs \$8

Grilled lemongrass chicken \$8

Grilled fish satay \$9

Fresh summer rolls, all served with peanut sauce and ginger-chile dip

Shrimp w/ cucumber, mango & mint \$8

Grilled skirt steak with cucumber & Thai basil \$8

Grilled Thai-style chicken & green papaya \$7

Smoked tofu, pickled daikon, cilantro \$6

Seared tuna, avocado, cucumber, cilantro, & mint \$9

Salads

Thai beef salad with mango, cucumber, hand-cut lettuces, chili-lemongrass vinaigrette \$12

Vietnamese chicken salad with poached chicken breast, napa cabbage, lime, cilantro, & mint \$10

Chilled glass noodle salad with seared tofu, roasted eggplant, cucumber, & black sesame \$9

Grilled squid salad with cucumber, radish, hand cut lettuces, tamarind vinaigrette \$11

Spicy green papaya salad \$8, w/ grilled chicken \$11; w/poached shrimp \$13

Snacks

Green papaya wedges with chile-salt \$4

Watermelon with ginger-chile \$4

Vietnamese pickles (cucumber, daikon, radish, carrot) \$4

Soup of the day; add jasmine or sticky rice \$3

Monday: Po taak with striped bass, squid, mussels, & kaffir lime \$7/9

Tuesday: Pumpkin and coconut milk w/ basil \$6/8

Wednesday: Vietnamese hot and sour with striped bass, tamarind, & pineapple \$7/9

Thursday: Vegetarian Thai hot & sour \$6/8

Friday: Salmon & mussel, coconut milk, kaffir lime \$7/9

Saturday: Ginger-lemongrass chicken with sauteed mushrooms & pea sprouts \$7/9

Pho & Bun Bo Hue (all served with fresh herbs, beans sprouts, chile, & lime)

Pho Deluxe with "five styles" beef (poached, braised, grilled, meatballs, broth) \$18

Pho Bo w/ rare and well done beef \$14

Pho Ga with grilled chicken thigh and sous vide poached breast \$11/\$15
Pho Verte: Vegetarian pho with “five styles” greens \$9/13
Bun Bo Hue: Braised short ribs and pork shoulder w/ kaffir lime, chili-lemongrass \$11/15

Wok & Grill:

Pan-roasted pork belly chow fun with sauteed water spinach, bamboo shoot tips, & Thai basil \$15
Fresh rice noodle rolls with sauteed prawns, & baby choy \$16
Five tastes vegetarian chow fun with water spinach, 2x baby choy, napa cabbage, & bamboo tips \$13
Pad Thai with shrimp, egg, tamarind, fresh herbs, & bean sprouts \$15
“Firecracker” wok-sauteed chicken breast with napa cabbage, long beans, & chile-lemongrass \$14
Braised chicken curry with baby vegetables and house-blended spices over rice vermicelli \$14
Green “jungle” curry with market vegetables, with jasmine or sticky rice \$13
Black pepper & cilantro grilled chicken with spicy green papaya salad & sticky rice \$15

Extra deluxe mixed grill: Pork belly, beef meatballs, lemongrass chicken, grilled fish satay, and minced shrimp on sugarcane, with mango, cucumber, fresh herbs, lettuce cups, sticky rice, & ginger-chile dip \$38/2 people

Sides:

Wok-charred long beans with black bean & chile \$5
Sauteed baby choy w/ garlic & ginger \$5
Sauteed water spinach (ong choy) \$6
Sticky or jasmine rice \$3

Dessert:

Black rice pudding with coconut milk and mango \$5
Ginger lemongrass pot de crème with fresh blueberries \$6
Strawberry shortcake with coconut crème \$7

Beverages:

Thai iced tea or coffee \$4
Hot tea or coffee \$4
Ginger-lemongrass tea \$3
Fresh lemonade with mint and ginger \$5
Fresh ruby red grapefruit juice and soda \$6
Singha, Beer Chiang, Beer Lao, or Brooklyn Lager \$7
Rose, Riesling, or Gewurztraminer \$8/glass, \$32 bottle
Nigori (unfiltered) sake \$8

Cocktail menu to be developed

Note to our customers: The vast majority of our menu can be prepared lactose, gluten, or nut

free, please inquire.