

1 **BUSINESS LICNESE & PERMITS COMMITTEE**

Item #: 9

2
3 June 6, 2012

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5 Ms. Beverly Gotay
6 Assistant Director of Licensing
7 NYC Department of Consumer Affairs
8 42 Broadway, 8th floor
9 New York, New York 10004

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11 **Re: ABA Turkish Restaurant Inc.**
12 **Unenclosed Sidewalk Café License # 1423305**
13 *325 West 57th Street (8/9)*

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15 Dear Ms. Gotay:

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17 Manhattan Community Board 4 (MCB4) recommends approval of a new unenclosed sidewalk café
18 permit for **ABA Turkish Restaurant Inc.**, with the following provisions:

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- The sidewalk café will have 9 tables with 18 seats
 - Sidewalk Café Hours of Operation will be Monday – Thursday 8 a.m. – 12 p.m., Friday & Saturday 8 a.m. – 1 a.m. & Sunday 12 p.m. – 12 a.m..
 - Applicant will mark the sidewalk boundaries according to the approved plans submitted to MCB4 and approved by the DCA.
 - There will be a clear eight foot path between the border of the sidewalk café and all obstructions.
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31 Sincerely,

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Corey Johnson
Chair

Paul Seres
Co-Chair
Business License & Permits
Committee

Lisa Daglian
Co-Chair
Business License & Permits
Committee

Manhattan Community Board 4

Unenclosed Sidewalk Café Stipulations Application

APPLICANT ABA Turkish Restaurant Inc.		ADDRESS 325 West 57th Street					
DOING BUSINESS AS (DBA)		CROSS STREETS 8th & 9th Avenues			OWNER: Ali Yalaza		
DESCRIPTION OF APPLICATION: Unenclosed Sidewalk Cafe		LAWYER:			DCA LICENSE NUMBER: 1423305		
		SLA LICENSE NUMBER:			No liquor license		
		ON SITE CONTACT: (Name, position & phone number):					
Side-walk café hours of Operation	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	8 -12	8 -12	8 -12	8 -12	8 -1	8 -1	12 -12
DCA Hours Allowed	8-12	8-12	8-12	8-12	8-1	8-1	12-12
SEATING & TABLES	DESCRIPTION		NOTES				
	SEATS 18	TABLES 9					
OPERATIONAL ISSUES							
Will you follow the rule prohibiting speakers for music in the outdoor space?		YES	NO	N/A			
Will you close all French doors and sliding windows when any interior amplified music is played (per law)?		YES	NO	N/A			
The sidewalk café will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.		YES	NO	N/A			
Will you be serving alcohol on the sidewalk? If so, will you have waiter service as required by DCA?		YES	NO	N/A			
The service and consumption of alcohol on the sidewalk café will be only via seated food service.		YES	NO	N/A	We do not have a liquor license		
The sidewalk café will not provide standing space for drinking or smoking.		YES	NO	N/A			
Will the outdoor furniture be removed when not in use?		YES	NO	N/A			
Will the applicant be using delivery bicycles? If so, explain where you will store them since you'll have a sidewalk café.		YES	NO	N/A	We store delivery bicycles in the basement at the rear of the restaurant.		
Do you intend to use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?		YES	NO	N/A			
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?		YES	NO	N/A			

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.).	<u>YES</u>	NO	N/A	
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.	<u>YES</u>	NO	N/A	

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?	<u>YES</u>	NO	N/A	
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)?	<u>YES</u>	NO	N/A	
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)?	<u>YES</u>	NO	N/A	
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	<u>N/A</u>	
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	<u>N/A</u>	
Is there a minimum 3 feet wait service aisle to ensure no public space is used by the café to service its clientele?	<u>YES</u>	NO	N/A	
Are the sidewalk-café outer boundaries marked on the sidewalk as requested by DCA regulations?	<u>YES</u>	NO	N/A	
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.	<u>YES</u>	NO	N/A	

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

- Applicant will move 2 tables on the west side away from the adjacent entrance doors.
- Applicant will not store bicycles on the sidewalk
- Applicant will submit revised plans by Wednesday June 6th. (Plans received May 21st)

