

# Manhattan Community Board 4

# Liquor License Stipulations Application

(All Fields Must Be Completed)

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>		
Project X Ventures LTD		LightBox		
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>		
339 West 38th Street		8th & 9th Avenues		
<b>OWNER</b>	<b>NAME:</b>	Thomas Lee	<b>ATTORNEY</b>	
	<b>PHONE:</b>	917-426-1866	<b>PHONE:</b>	
	<b>FAX:</b>		<b>FAX:</b>	
<b>MANAGER</b>	<b>NAME:</b>	Susan Boe	<b>LANDLORD:</b>	
	<b>PHONE:</b>	917-442-0020	<b>PHONE:</b>	
	<b>FAX:</b>		<b>FAX:</b>	
		<b>NAME:</b>	Elk West 38th LLC	
		<b>PHONE:</b>	212-371-5050	
		<b>FAX:</b>	212-753-1652	
<b>DESCRIPTION OF BUSINESS</b>				
<b>Establishment Type:</b>	<input type="radio"/> Bar/Tavern <input type="radio"/> Bed & Breakfast <input type="radio"/> Eating Place Beer <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Restaurant <input checked="" type="checkbox"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): Bar/Arcade			
<b>Method of Operation:</b>	<input type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input checked="" type="checkbox"/> Other (Explain): Bar/Arcade Catering Hall - "as booked" private events			
<b>License Type:</b>	<input checked="" type="checkbox"/> On-Premise <input type="checkbox"/> Wine <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer			
<b>APPLICATION TYPE</b> (check one)	<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 of establishment?		
		What is/was the address of the establishment?	owned current premises	
		What were the dates the applicant was involved with this former premise?	since April 2013	
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> 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**

	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
<b>HOURS</b>	<b>Operation</b>	As Booked - Private Events					
	<b>Music</b>	Same As Above					
	<b>Kitchen</b>	Same As Above					

<b>OCCUPANCY</b>	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
	275	275	Varies	Varies	1 min/ varies per event	1	Varies	Varies	Varies

How many floors are there? What is the capacity for each floor? (please respond in space provided)							175 Main / 97 Mezz
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="radio"/> NO	N/A				
Will applicant have bottle service?	YES	NO	<input checked="" type="radio"/> N/A				
Will you be hosting private parties and promotional events?	<input checked="" type="radio"/> YES	NO	N/A				
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A				
Will the security plan submitted be implemented?	<input checked="" type="radio"/> YES	NO	N/A				
Will State certified security personnel be used?	<input checked="" type="radio"/> YES	NO	N/A				
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	NO	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)	YES	<input checked="" type="radio"/> 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="radio"/> 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="radio"/> N/A				
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	NO	N/A				
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?	<input checked="" type="radio"/> YES	NO	N/A				

If you plan to have music, what type(s)?	<b>BACKGROUND</b>	<b>LIVE MUSIC</b>	<b>DJ</b>
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**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="radio"/> 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="radio"/> 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.)	YES	NO	<input checked="" type="radio"/> N/A

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> 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="radio"/> 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="radio"/> 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="radio"/> 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.).	<input checked="" type="radio"/> YES	NO	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.	<input checked="" type="radio"/> YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	NO	N/A

LOCATION & ZONING			
Primary Zoning District:	M1-6	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	<input checked="" type="radio"/> N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A
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="radio"/> YES	NO	N/A 500 Foot Rule
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	NO	N/A
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	N/A
Building Type	<input type="radio"/> Residential <input checked="" type="checkbox"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe:		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="checkbox"/> Mixed Use <input type="radio"/> Other, describe:		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

**ADDITIONAL INFORMATION: (Applicant Use)**

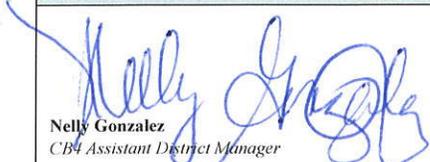
**ADDITIONAL NOTES: (Office Use Only)**

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

- WILL NEVER APPLY FOR A CATERING LICENSE.
- WILL OPERATE ONLY AS A CATERING ESTABLISHMENT PURSUANT TO ABC LAW § 64 (8).
- CAPACITY WILL NOT EXCEED 200 PEOPLE.
- WILL NEVER OPERATE A CASH BAR.
- THERE WILL BE NO POLES OR STANCHIONS ON SIDEWALK.
- WILL CLOSE + VACATE ~~NO~~ OF GUESTS NO LATER THAN MIDNIGHT ON WEDNESDAYS + 1:00 a.m. ON FRIDAYS + SATURDAYS (EXCEPT MAY BE OPEN UNTIL 3:00 a.m. ON NEW YEAR'S EVE).
- ~~ALL~~ ALL DAYS WILL BE CLOSED WHEN MUSIC OR AMPLIFIED SOUND IS PLAYED.

Manhattan Community Board 4 (MCB4) recommends:	<input checked="" type="radio"/> Denial unless all agreed to by applicant is part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval
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**CB4 REPRESENTATIVES**

 Nelly Gonzalez CB4 Assistant District Manager	 Frank Holozubiec CB4 BLP Committee Co-Chair	 Paul Seres CB4 BLP Committee Co-Chair
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**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.

<b>SIGN HERE</b> →	 SIGNATURE OF APPLICANT	9/9/14 DATE
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## Proximity Report for Location:

August 18, 2014

339 W 38TH ST, New York, 10018

\* 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
SHILORI INC	486 9TH AVENUE	290 ft
39TH STREET WINE INC	354 W 39TH ST	315 ft
474 9TH AVE INC	474 9TH AVENUE	455 ft
CAMBRIDGE WINES & LIQUORS INC	594 8TH AVENUE	750 ft
GM & M RETAIL LIQUOR INC	302 W 40TH STREET	820 ft
589 NINTH AVENUE CORP	589 9TH AVENUE	1080 ft
36TH STREET WINE & LIQUOR INC	270 W 36TH STREET	1090 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
BACI DA ROMA LLC	331 W 38TH STREET	145 ft
MANGANARO'S HERO BOY LLC	492 9TH AVE	200 ft
FARO CORP	496 NINTH AVENUE	205 ft
MIX 2 CORP	506 9TH AVE	210 ft
WALKINSTOWN INC	508 9TH AVE	215 ft
IL PUNTO RISTORANTE LLC	507 509 9TH AVE	250 ft
STHK LLC	522 9TH AVE	325 ft
TAMBURI TRATTORIA LTD	352 W 39TH STREET	325 ft
523 9TH AVENUE INC	523 9TH AVE	340 ft
476 9TH AVENUE RESTAURANT LLC	476 9TH AVE	430 ft
HOLLAND COCKTAIL LOUNGE INC	532 9TH AVENUE	445 ft
324 37TH STREET LLC	320-324 WEST 37TH ST	475 ft
99 NOODLE CORP	472 9TH AVE	495 ft
CASA NONNA NYC LLC	310 W 38TH ST	525 ft
MORELAND INC	356 W 40TH STREET	530 ft
	538 9TH AVENUE	540 ft
CM 36 LLC CM 36 OPERATOR LLC CM 36 MANAGEMENT LLC	341 343 W 36TH ST	580 ft

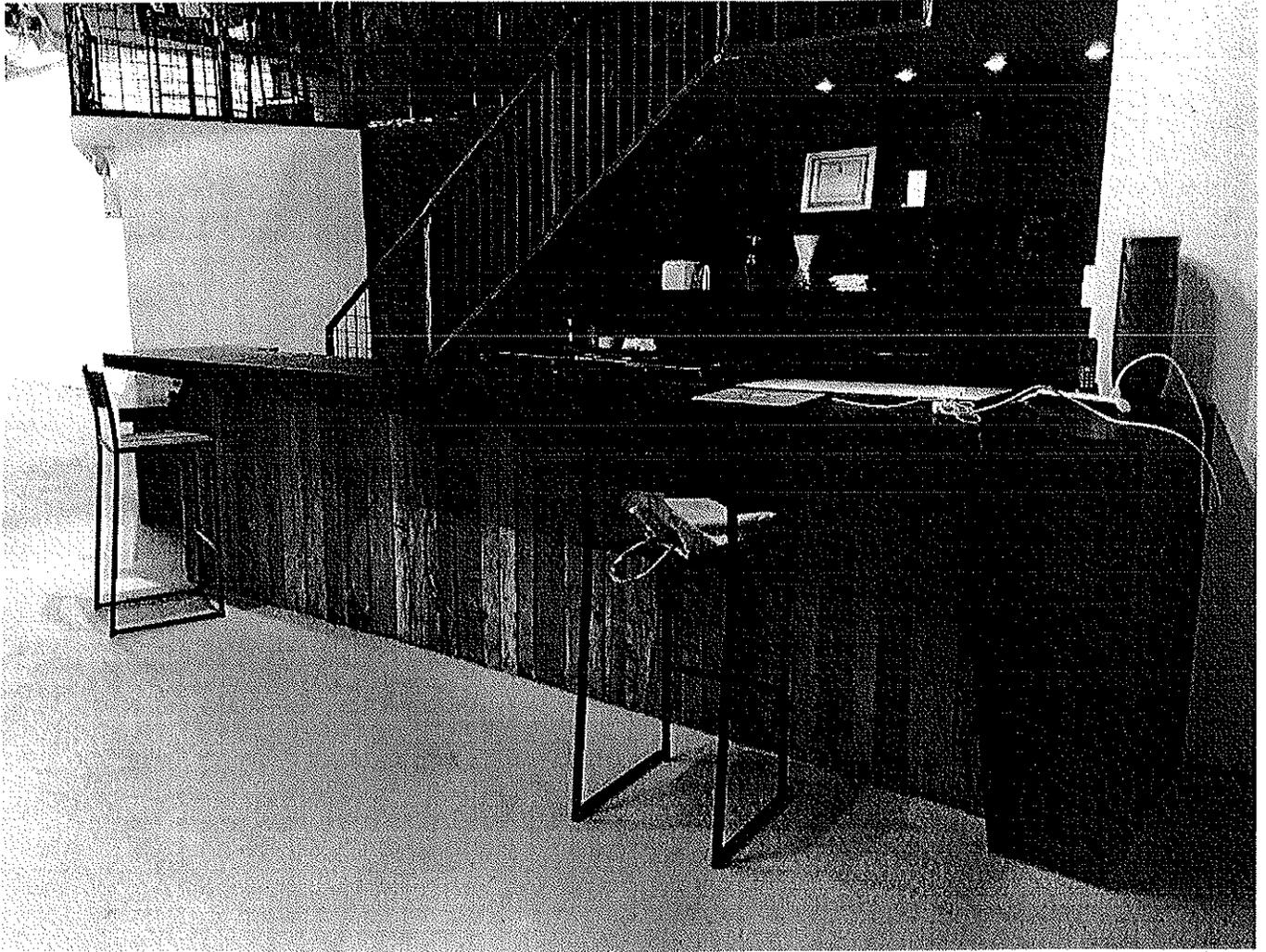
Name	Address	Approx. Distance
342 PROPERTY LLC & AHM NEW YORK ASSOCIATES INC	342 W 40TH ST	585 ft
PANEVINONY INC	334 340 W 40TH ST RESTAURANT B	595 ft
334 340 HOTEL MANAGEMENT LLC	334 340 W 40TH STREET	595 ft
TNN ENTERPRISES LLC	315 WEST 39TH ST	610 ft
NORA ON 9TH INC	462 9TH AVE	620 ft
SBCO NYC LLC & 365 MANAGEMENT COMPANY LLC	307 W 37TH ST	630 ft
SKY BAR TIMES SQUARE INC & PM HOSPITALITY	330 W 40TH ST 33RD FLOOR	645 ft
TIMES SQUARE HOSPITALITY II LLC	330 W 40TH STREET	645 ft
TIMES SQUARE HOSPITALITY I LLC	326 W 40TH ST	665 ft
PISCES BAR & TAVERN INC	543 8TH AVE	710 ft
MANHATTAN FARE CORP	431 W 37TH ST	710 ft
STAG HORN STEAKHOUSE LLC	315 W 36TH STREET	745 ft

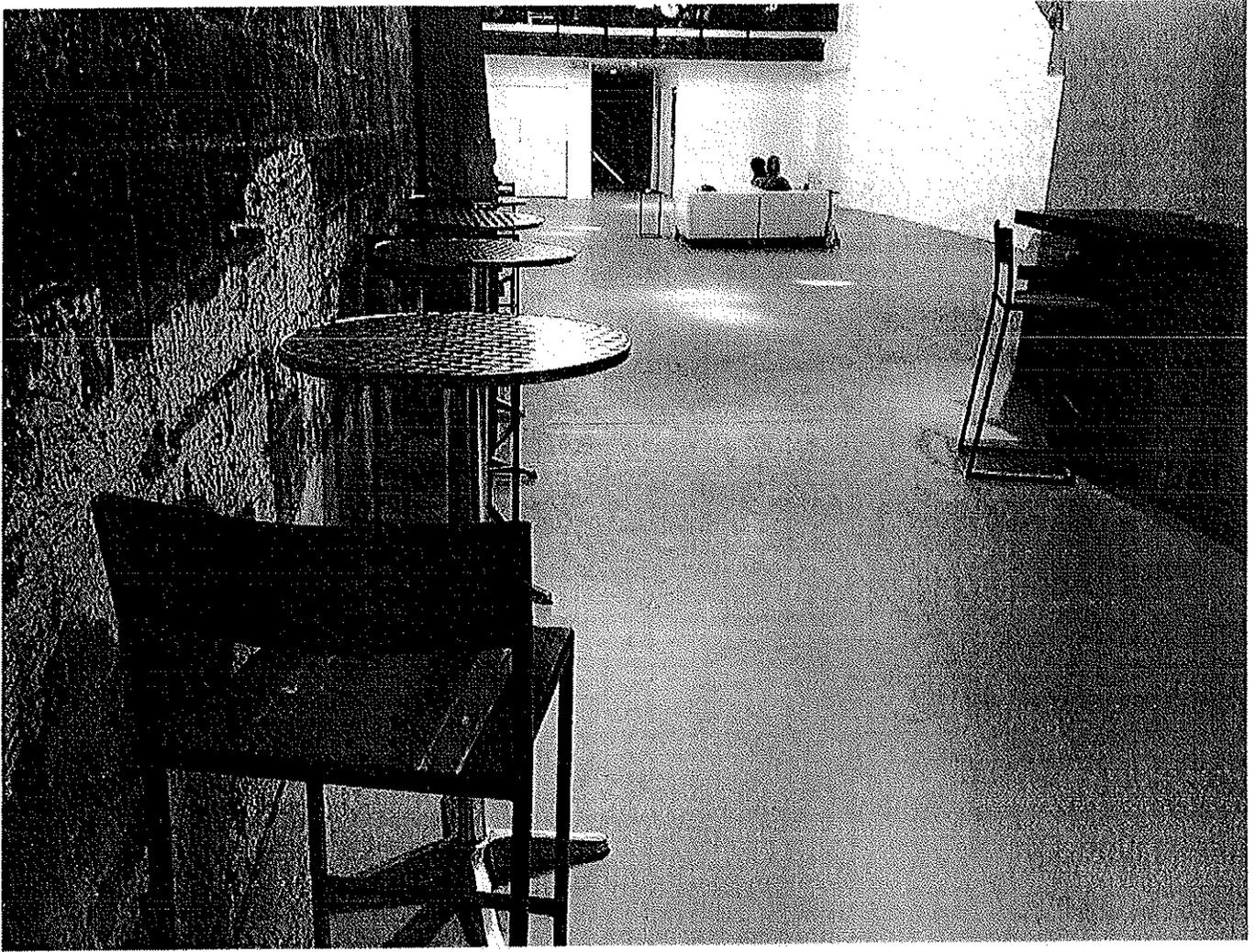
### Pending Licenses within 750 Feet

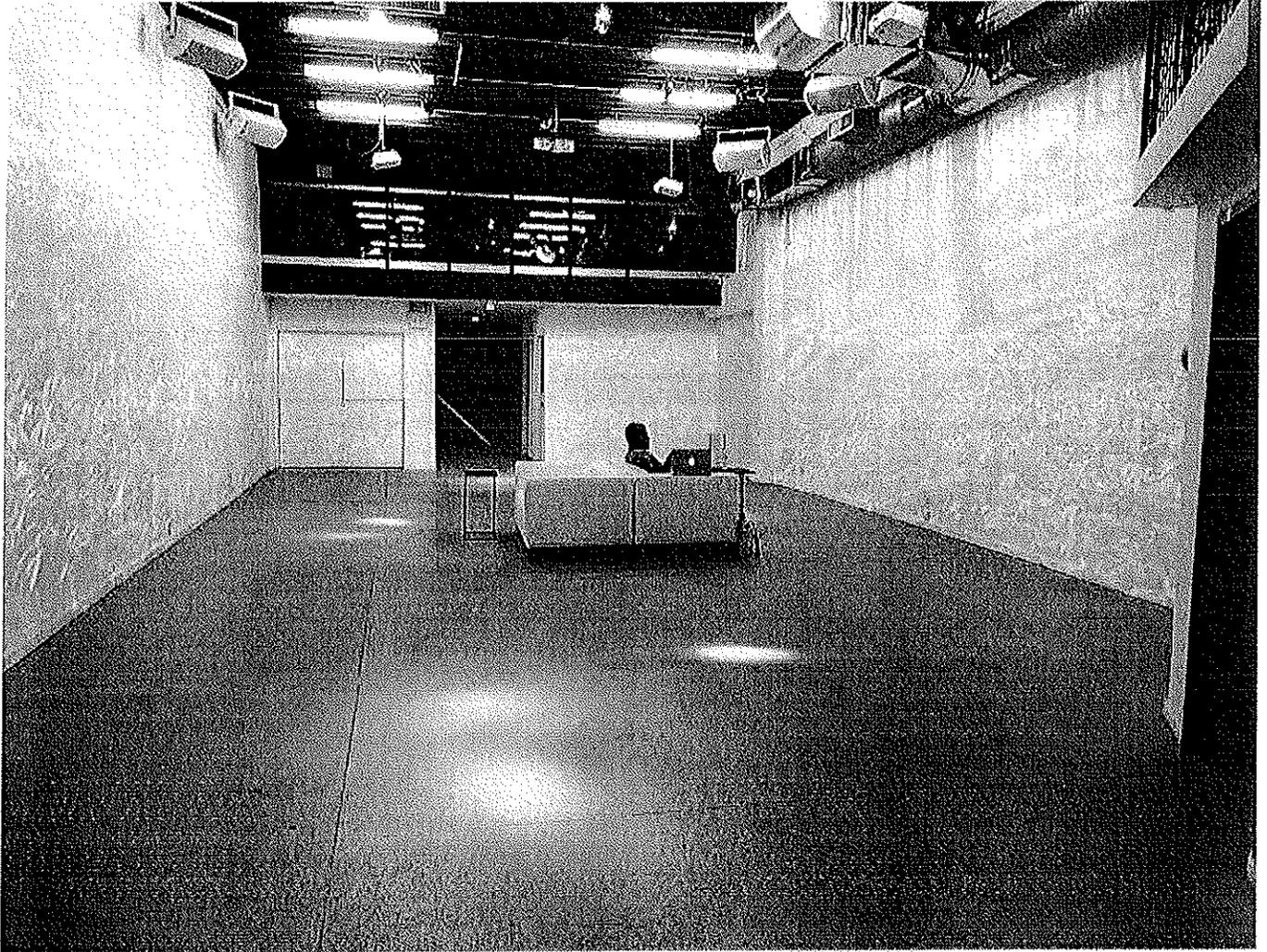
Name	Address	Approx. Distance
PARAMOUNT FOODS INC	493 495 9TH AVE	245 ft
531 GOURMET INC	531 9TH AVE	480 ft
U & S AMUSEMENTS CORPORATION	303 W 39TH STREET	710 ft
MIDTOWN CONVENIENCE STORE INC	454 9TH AVE	725 ft
HOT CHILI INC	601 8TH AVE	750 ft

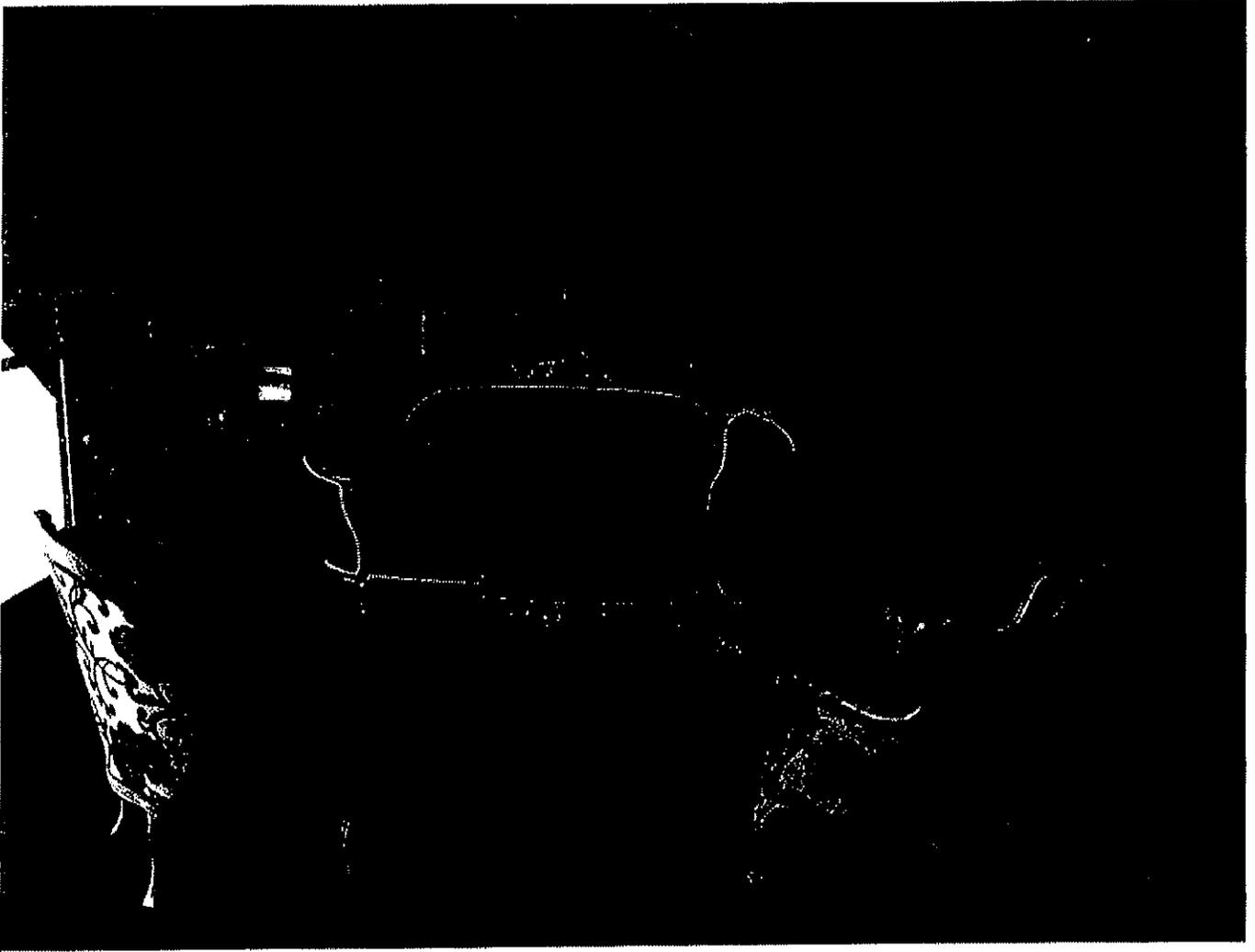
### Unmapped licenses within zipcode of report location

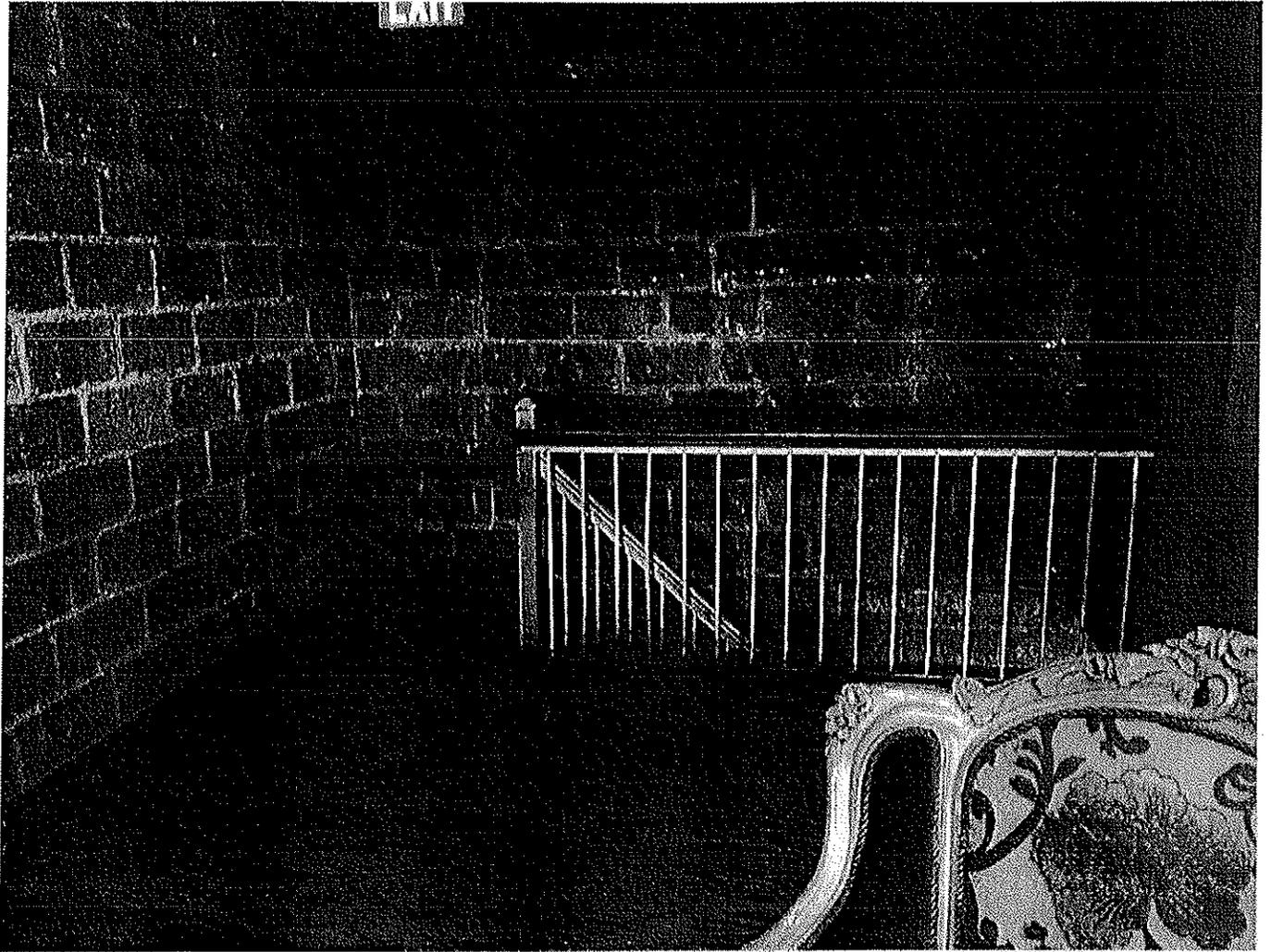
Name	Address
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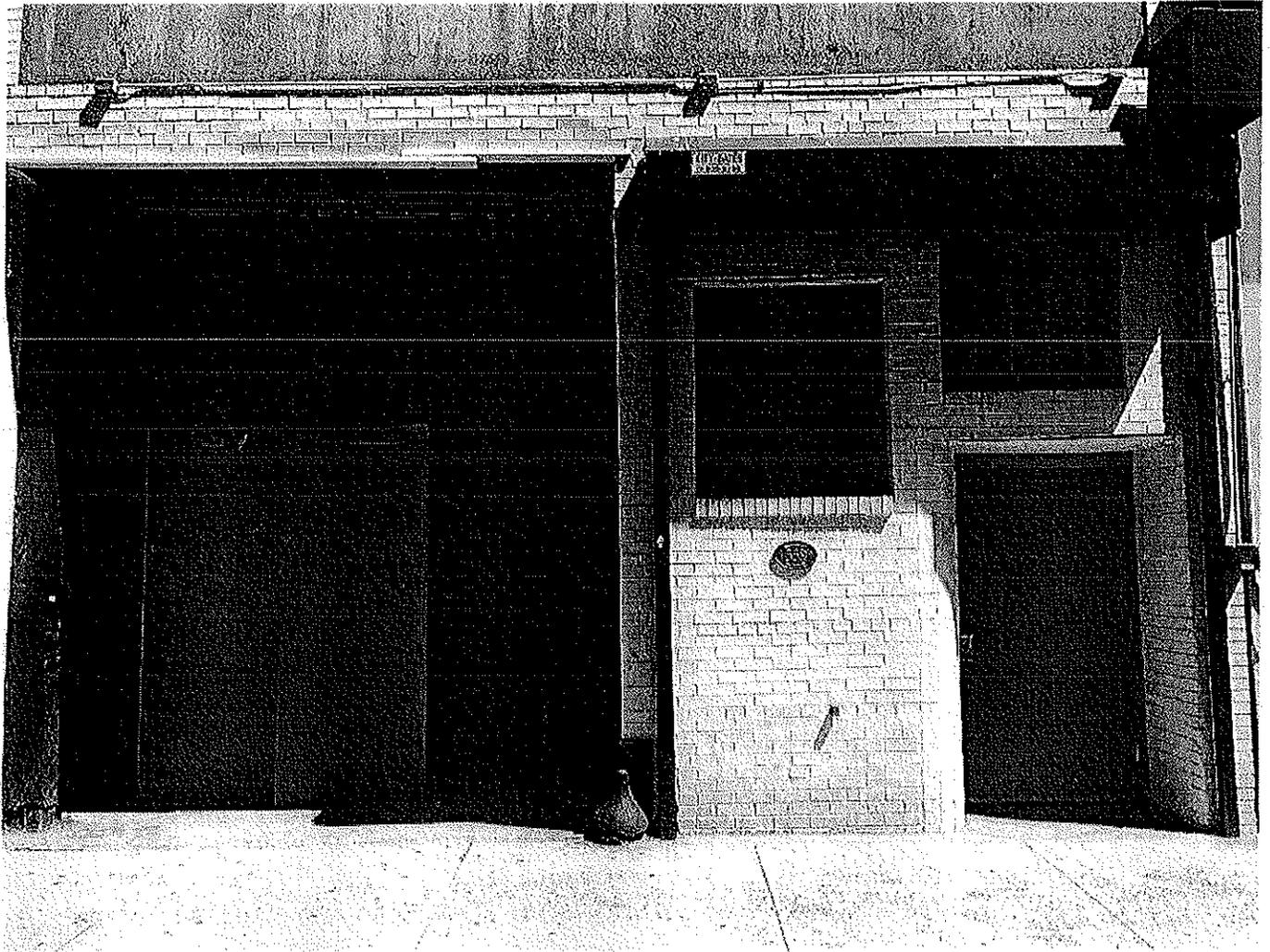














COCKTAIL EVENT  
AT  
LIGHTBOX

PASSED HORS D' OEUUVRES

MAC & CHEESE  
PARMESAN TARTLET

YUZU CRABCAKE  
CUCUMBER, PICKLED GINGER, WASABI AIOLI

CHICKEN AND PEANUT SUMMER ROLLS  
CARROTS, JICAMA, MINT, COCONUT-SAMBAAL GLAZE, KAFIR LIME

EAST END LOBSTER ROLL  
SOFT HERBS, TOASTED BRIOCHE

MINI TUNA TARTARE TACOS  
AVOCADO AND CHIPOTLE CREAM

KATZ'S PASTRAMI SPRING ROLL  
SPICY MUSTARD

CHICKEN BANH MI  
LEMONGRASS, PICKLED CUCUMBER, KIMCHEE MAYO

PASSED SWEETS

ESPRESSO BROWNIES  
WITH VANILLA MILKSHAKES

BLUEBERRY CHEESECAKE PUFFS

MINI STRAWBERRY SHORTCAKES  
CHANTILLY, SWEET BALSAMIC



REHEARSAL DINNER  
AT  
LIGHTBOX

BEGINNINGS  
(PLATED)

IMPORTED BURRATA SALAD  
*HEIRLOOM TOMATOES, WATERMELON RADISH, PANCETTA, AGED BALSAMIC*

ARTISANAL BREADS  
*HERB & SEA SALT BUTTER*

MAIN COURSE  
(CHOICE)

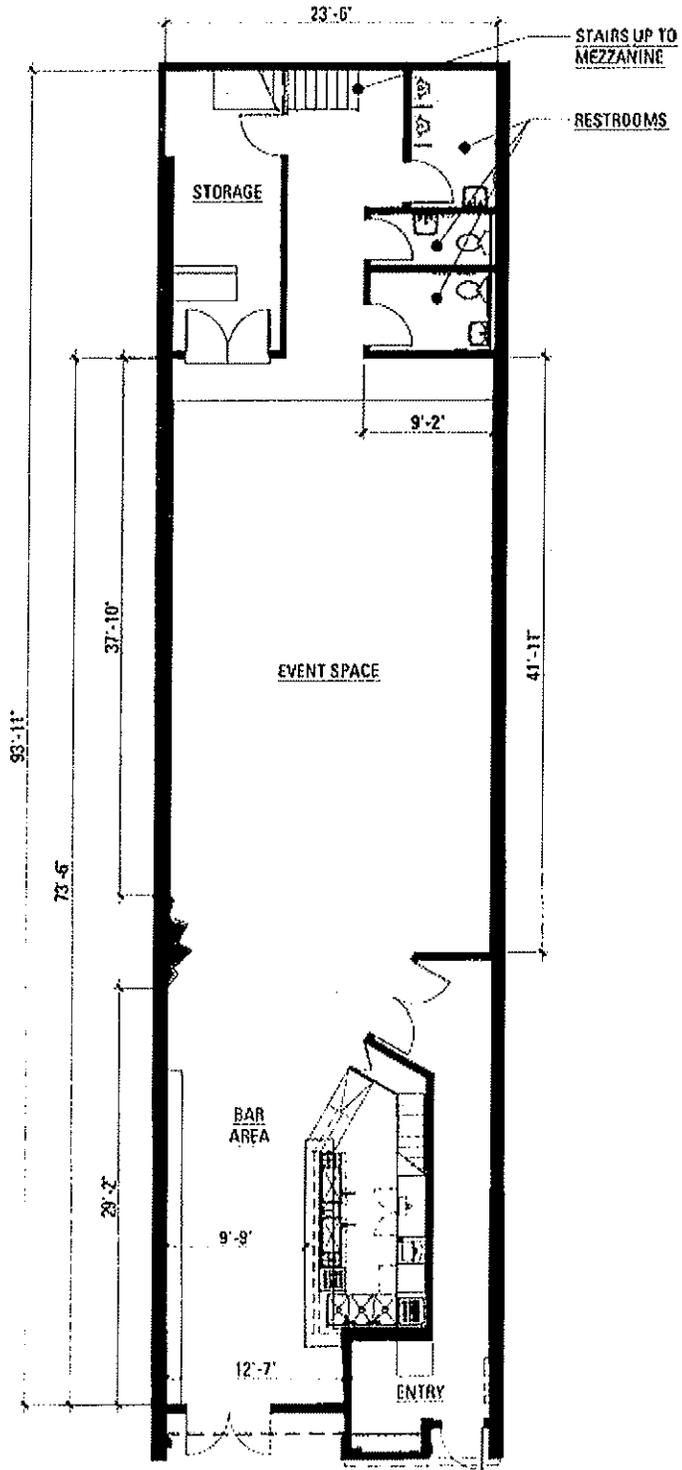
ROASTED BRANZINO FILET  
SUMMER BEANS, ZUCCHINI PESTO, MINT  
OR  
ARTICHOKE & GOAT CHEESE RAVIOLI  
ARUGULA, GOLDEN RAISINS, PINE NUTS & MINT

DESSERT  
(PLATED)

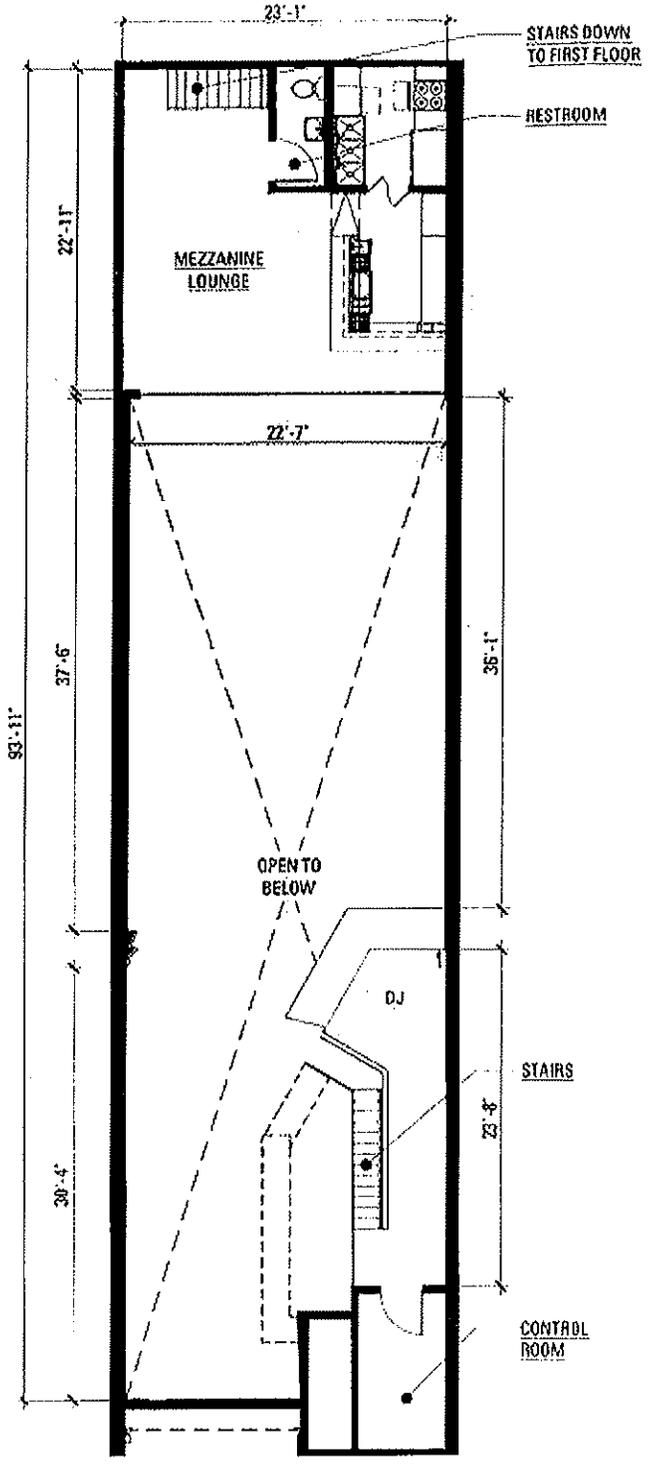
CHOCOLATE GANACHE TORTE  
HAZELNUT POWDER, VANILLA GELATO

PASSED SWEETS

MINI KEY LIME SLICES  
DECONSTRUCTED BANANA PUDDING TARTLETS  
WHITE AND DARK CHOCOLATE S'MORES



FIRST FLOOR



MEZZANINE