

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT		DOING BUSINESS AS (DBA)		
NYHK West 40 LLC		TBD		
STREET ADDRESS		CROSS STREETS		
346-354 West 40th Street		8th Avenue and 9th Avenue		
OWNER	NAME:	Sam Chang	ATTORNEY	
	PHONE:	516-773-9300		
	FAX:	516-773-9302		
MANAGER	NAME:	N/A	LANDLORD	
	PHONE:	N/A		
	FAX:	N/A		
		NAME:	Stacy L. Weiss, Esq.	
		PHONE:	212-521-0828	
		FAX:	212-521-0826	
DESCRIPTION OF BUSINESS				
Establishment Type:		<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 checked="" type="radio"/> Hotel <input type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization -- Members Only) <input type="radio"/> Other (Explain): Bar/Arcade		
Method of Operation:		<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="radio"/> Other (Explain): Hotel Room Service and Mini Bars		
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
APPLICATION TYPE (check one)	<input checked="" type="radio"/> 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?	See attached	
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<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
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

NOT RESTAURANT
S/A ENCLOSED BOOK

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Food & Non-Alcohol	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	
	Alcohol	8am - 4am	8am - 4am	8am - 4am	8am - 4am	8am - 4am	8am - 4am	8am - 4am	12pm - 4am	
	Music (background)	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	
	Kitchen	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	24 hours	
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 Mini Bars	Number of Seats at Bars	Number of Seats	Number of Tables	
	TBD	850	0	0	0	608	0	N/A	N/A	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	<input checked="" type="radio"/> 5+	36 Floors - 608 rooms		
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 type="radio"/> NO	N/A			
Will applicant have bottle service?					YES	<input type="radio"/> NO	N/A			
Will you be hosting private parties and promotional events?					YES	<input type="radio"/> NO	N/A			
Will outside promoters be used?					YES	<input type="radio"/> NO	N/A			
Will the security plan submitted be implemented?					<input checked="" type="radio"/> YES	NO	N/A	Hotel Security		
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 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 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 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)?			<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> 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="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.)					<input checked="" type="radio"/> YES	NO	N/A			

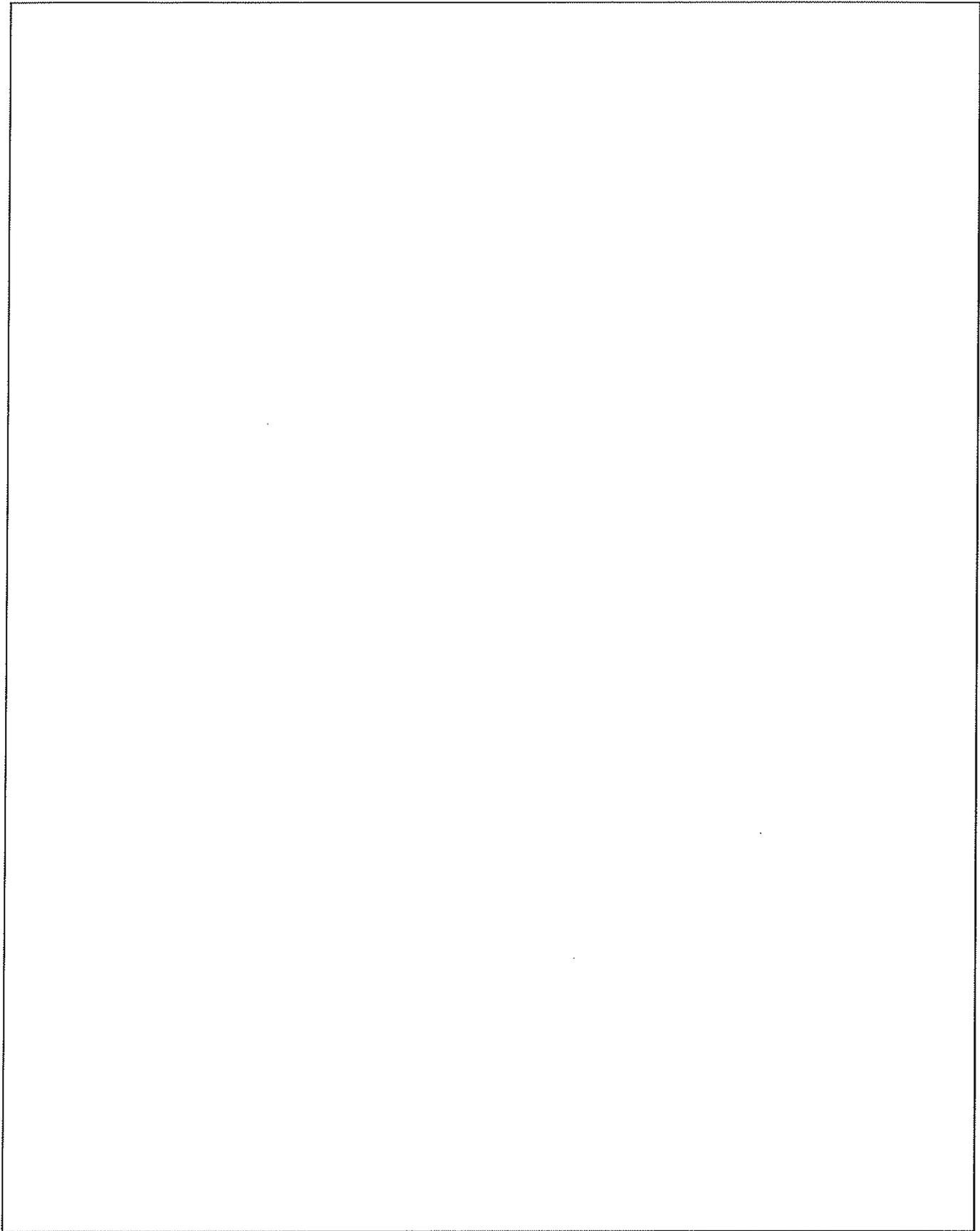
OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="radio"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" 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.).	YES	NO	<input checked="" type="radio"/> 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="radio"/> 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="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:	C6-4	Overlay (If Applicable):	N/A
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	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
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="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe:		
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Clinton Housing Development Company, Inc.	
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

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 Assistant District Manager

Frank Holozubiec
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

DATE

5/4/15

5/2/15

Sam Chang Licenses

Hotel	Issue Date	Expires	Number
Brisam Tulsa LLC Hilton Tulsa Southern Hills 7902 Lewis Avenue Tulsa, OK 74136 (Beer & Mixed Beverage License)	6/28/2007	6/30/2008	#110914/11
Brisam Tulsa LLC Hilton Tulsa Southern Hills 7902 Lewis Avenue Tulsa, OK 74136 (ABLE License)	3/28/2007	3/27/2008	#MXB 445139
Brisam Fresno LLC Holiday Inn Fresno	<i>(Application in-process...no license yet)</i>		
Risingsam Ditmars LLC Holiday Inn JFK JFK, New York	10/18/2007	9/30/2013	#1191538
Risingsam Hospitality LLC JKF Sheraton 132-26 South Conduit Ave Jamaica, NY 11434	8/19/2007	3/31/2014	#1189193
Brisam LAX LLC Holiday Inn LAX JFK, New York (Liquor License - Caterer License)	9/19/2007	8/31/2008	#58-32461401
Brisam LAX LLC Holiday Inn LAX JFK, New York (Liquor License – On Site)	9/19/2007	8/31/2008	#47-324614
Brisam Covina LLC Radison Suites Covina 1211 E. Garvey Street Covina, CA 91724	7/4/2007	11/03/2007	#450950 (Temporary)
Brisam Valencia LLC Valencia Greens 28510 McBeen Parkway Valencia, CA 91355	5/4/2007	4/30/2008	#47-451063
Brisam Anchorage LLC Howard Johnson 239 W 4 th Avenue Anchorage, AK 99501	12/15/2006	12/31/2007	#4682

Gala Manor Inc. 37-02 Main Street Flushing, NY 11354	11/04/2005	10/31/2009	#1168711
Sheesan Restaurant 26th LLC Prime Café 121-125 West 26 th Street New York, NY 10001	07/03/2008	6/30/2014	#1200829
Maiden Hotel LLC Hotel Reserve 20 Maiden Lane New York, NY 10038	01/16/2009	1/31/2013	#1219395
SC Delancey LLC Holiday Inn 148 Delancey Street New York, NY	05/07/2013	04/30/2015	#1268637
Brookville JFK Restaurant LLC 248-06 Rockaway Boulevard Rosedale, NY 11422	12/04/2013	11/30/2015	#1271532
SMG Hotel LLC & Amazon Restaurant & Bar Inc. 103 Washginton Street New York, NY 10006	10/08/2014	08/31/2016	# 1280346

NYHK West 40 LLC

We will provide guests with room service and restaurant menu that includes breakfast, lunch and dinner, seven days a week along with beer, wine and liquor at reasonable pricing. We intend to provide classic American fare done within a modern and comfortable atmosphere. Many of the guests either check in late hours or work late hours and would prefer to have dinner, accompanied with a drink, within the hotel's restaurant or brought up to their rooms to dine in. Providing this service to our guests would make their stay all the more pleasant. The hotel will offer a large menu and cocktails to enjoy with the meal.

The hotel will be a huge asset to the community by contributing the area's growth and commercial stability. Furthermore, this business will foster competition within the industry, which will result in increased services to the community and competitive pricing. These are all benefits to the community. Finally, this business will provide employment to the local community and provide additional economic stimulus to the area.

From: Brooke Coleman <bcolemanlaw23@aol.com>
To: jrestuccia2 <jrestuccia2@clintonhousing.org>
Subject: NYHK West 40 LLC Application for Hotel and On-Premises Liquor License - 346-354 West 40th Street
Date: Mon, May 4, 2015 12:47 pm

Dear Mr. Restuccia,

Please be advised that our client, NYHK West 40 LLC, is applying for a Hotel liquor license for a hotel, as well as an On-Premises Liquor License for a restaurant, both to be located at 346-354 West 40th Street, New York, NY. I spoke with Nyasha of your office notifying her of the applications. Sam Chang is the only principal. The application is scheduled to be heard before the Community Board on May 12th at 6:30pm. The meeting will be held at the Intercontinental Times Square, 300 West 44th Street.

If you have any questions or concerns that you would like to discuss prior to the meeting, Pat Jones can be reached at (516) 773-9300

Thank you for your attention to this matter.

Brooke Coleman, Paralegal
Law Office Of Stacy L. Weiss, PLLC
110 East 59th Street, 23rd Floor
New York, NY 10022
Tel: (212) 521-0828
Fax: (212) 521-0826
www.stacyweisslaw.com

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Proximity Report for Location:

May 4, 2015

346 W 40TH ST, NEW YORK, NY, 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
39TH STREET WINE INC	354 W 39TH ST	285 ft
GM & M RETAIL LIQUOR INC	302 W 40TH STREET	660 ft
589 NINTH AVENUE CORP	589 9TH AVENUE	660 ft
SHILORI INC	486 9TH AVENUE	680 ft
CAMBRIDGE WINES & LIQUORS INC	594 8TH AVENUE	755 ft
474 9TH AVE INC	474 9TH AVENUE	870 ft
ODYSSEY WINE & SPIRITS INC	490 10TH AVE	1240 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
1.	HOLLAND COCKTAIL LOUNGE INC	532 9TH AVENUE	180 ft
2.	BLUE RUIN INC	538 9TH AVENUE	195 ft
3.	MORELAND INC	356 W 40TH STREET	200 ft
4.	523 9TH AVENUE INC	523 9TH AVE	260 ft
5.	STHK LLC	522 9TH AVE	270 ft
6.	TAMBURI TRATTORIA LTD	352 W 39TH STREET	300 ft
7.	342 PROPERTY LLC & AHM NEW YORK ASSOCIATES INC	342 W 40TH ST	320 ft
8.	334 340 HOTEL MANAGEMENT LLC	334 340 W 40TH STREET	335 ft
9.	PANEVINONY INC	334 340 W 40TH ST RESTAURANT B	335 ft
10.	355 W 41ST TAVERN INC	355 WEST 41ST STREET	380 ft
11.	IL PUNTO RISTORANTE LLC	507 509 9TH AVE	395 ft
12.	SKY BAR TIMES SQUARE INC & PM HOSPITALITY	330 W 40TH ST 33RD FLOOR	420 ft
13.	TIMES SQUARE HOSPITALITY II LLC	330 W 40TH STREET	420 ft
14.	WALKINSTOWN INC	508 9TH AVE	425 ft
15.	BACI DA ROMA LLC	331 W 38TH STREET	440 ft
16.	MIX 2 CORP	506 9TH AVE	450 ft

Name	Address	Approx. Distance
17. TIMES SQUARE HOSPITALITY I LLC	326 W 40TH ST	455 ft
FARO CORP	496 NINTH AVENUE	555 ft
574 9TH AVE REST CORP	574 9TH AVE	570 ft
TNN ENTERPRISES LLC	315 WEST 39TH ST	580 ft
MANGANARO'S HERO BOY LLC	492 9TH AVE	585 ft
WISE WIZ LLC	576 9TH AVENUE	585 ft
42ND STREET DEVELOPMENT CORP	410 WEST 42ND STREET	685 ft
CASA NONNA NYC LLC	310 W 38TH ST	695 ft
BUS TERMINAL BREWING CO INC	625 8TH AVENUE PAB 413	695 ft
BIG BOWL LLC	625 8TH AVE 2ND FLOOR	695 ft
BEER AUTHORITY INC	613 8TH AVE	700 ft
407 WEST 42ND STREET CORP	407 W 42ND STREET	705 ft
WOLF WESTSIDE LLC	620 8TH AVE RETAIL SPACE C	705 ft
CHEZ JOSEPHINE LTD	414 W 42ND STREET	715 ft
EIGHTH AVE ENTERPRISES LTD	625 8TH AVENUE	715 ft
DEAN & DELUCA ESPRESSO INC	620 8TH AVE RETAIL SPACE A	725 ft
INAKAYA NEW YORK LLC	620 8TH AVENUE	725 ft
OLLIES 42ND LLC	411 W 42ND STREET	730 ft
SWEET CONCESSIONS INC	416 W 42ND ST	745 ft

Pending Licenses within 750 Feet

Name	Address	Approx. Distance
BETTER BEING INC	537 9TH AVE	275 ft
PORT AUTHORITY CONVENIENCE INC	531 9TH AVE	285 ft
PARAMOUNT FOODS INC	493B 495 9TH AVE	560 ft
EDJD PROPERTIES INC	585 8TH AVE	640 ft
U & S AMUSEMENTS CORPORATION	303 W 39TH STREET	675 ft

Unmapped licenses within zipcode of report location

Name	Address
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THE GENERAL CONTRACTOR SHALL CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS TO BE SHOWN ON THIS PLAN AND ADDRESS TO THE ARCHITECT BY NOTING THE DIMENSIONS AND CONDITIONS ON THE DRAWING FOR CORRECTION. THE DRAWING SHALL BE CORRECTED BY THE ARCHITECT AND REISSUED BY THE ARCHITECT.

NO.	DATE	DESCRIPTION
1	01-23-13	As Issued
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DOUBLE TREE HOTEL

hmv
 111 Park Avenue
 New York, NY 10022
 Tel: 212 303 4600
 Fax: 212 303 4600

WORKS ASSOCIATES
 100 Broadway, New York, NY 10022
 Tel: 212 692-1000 Fax: 212 692-0867

NO.	DATE	DESCRIPTION
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ERIC DRAPER ARCHITECT PC
 120 Broadway, New York, NY 10022
 Tel: 212 692-1000 Fax: 212 692-0867

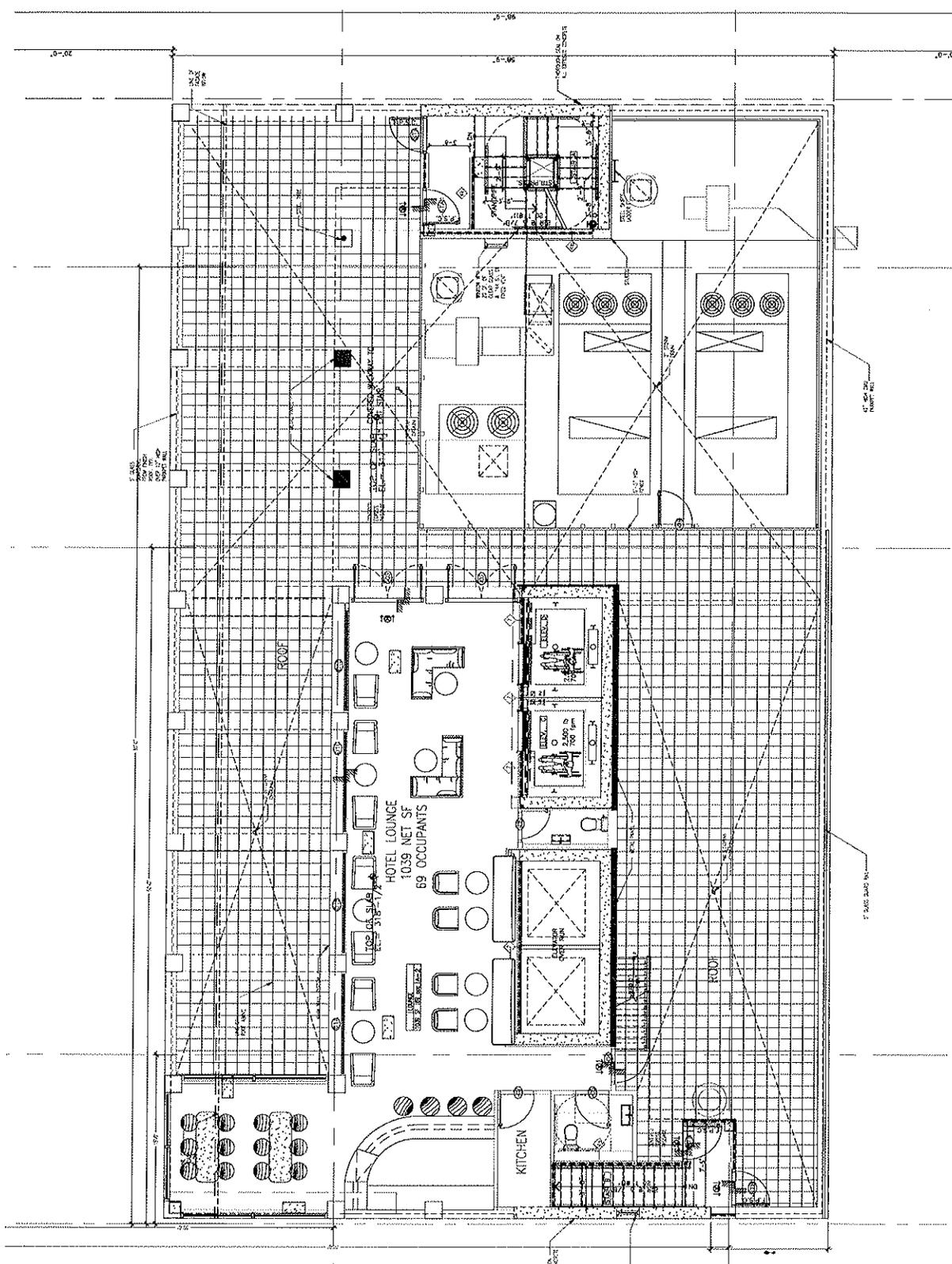
350 WEST 40TH STREET
 NEW YORK, NY

38TH FLOOR PLAN

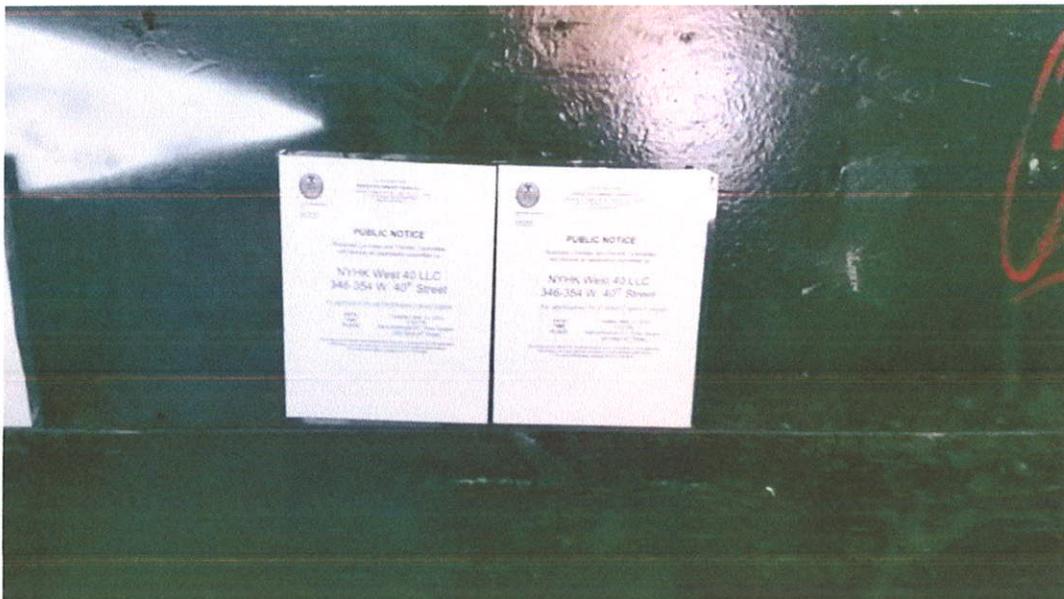
DATE: 01/23/13
 SCALE: AS SHOWN
 DRAWING NO: A-205.01

ERIC DRAPER ARCHITECT PC
 120 BROADWAY, NEW YORK, NY 10022
 TEL: 212 692-1000 FAX: 212 692-0867

38TH FLOOR PLAN



****RESTAURANT TO HAVE SEPARATE ON-PREMISES LIQUOR LICENSE AND TO BE MANAGED AND RUN BY A PROFESSIONAL.****




OFFICE OF THE
COMMISSIONER OF ENVIRONMENTAL CONSERVATION
199 W. 24th Street, 12th Floor
New York, NY 10011-4202
Tel: (212) 264-2100
Fax: (212) 264-2101
www.dec.state.ny.us

PUBLIC NOTICE
Notice of the availability of the Environmental Impact Statement (EIS) for the proposed project and the availability of the EIS for public review and comment.

NYHK West 40 LLC
348-354 W 40th Street

The proposed project is a 1.5 million square foot office building located at 348-354 West 40th Street, Manhattan, New York City. The project is owned and operated by NYHK West 40 LLC. The project is a 1.5 million square foot office building located at 348-354 West 40th Street, Manhattan, New York City. The project is owned and operated by NYHK West 40 LLC.


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Starters

- Chicken Wings 5.95
- Spinach Artichoke Dip served with chips 5.95
- Loaded Nachos topped with homemade chili, tomatoes, cheese, guacamole and sour cream 5.95
- Potato Skins topped with bacon bits, cheese, chives and sour cream 5.95
- Cheese Fries topped with cheddar, american and jack cheese 5.95
- Homemade Mozzarella Logs made fresh daily (5) 12.95
- Appetizer Combo(3) 8.95

Soups And Salads

- Soup Of The Day 4.95
- French Onion Soup 4.95
- Chili 4.95
- Grilled Chicken Caesar Salad grilled chicken breast with fresh salad greens tossed in caesar dressing 8.95
- Fresh Garden Salad fresh salad greens, cucumbers, tomatoes, strawberries and blueberries tossed with our balsamic vinaigrette dressing 7.95
- House Salad tomatoes, cucumbers and onion with your choice of dressing 4.95

Build Your Burger

- 8 Oz. Burger Served On Your Choice Of Bun Topped With Lettuce, Tomato And Red Onion. Includes Your Choice Of French Fries, Sweet Potato Fries Or Onion Rings And A Pickle.
- Classic Beef Burger 7.00
- Turkey Burger 7.00
- Chicken Burger 7.00
- Black Bean Veggie Burger 7.00

Bun: pretzel bun, brioche bun, wheat bun. Cheese: american, cheddar, mozzarella, fontina, gouda, gruyere add \$1.00.

Hot Diggity Dog

Our Hot Dogs Are Certified Angus Beef certified angus beef. includes your choice of french fries, sweet potato fries or onion rings and a pickle 5.00

- Classic Corn Dog 6.00
- Load It Dog bacon, chili, cheese and onion 7.00

Specialty Entrees

- 12 Oz. Sirloin Steak served with vegetables and your choice of baked potato, french fries or mac and cheese 16.95
- Fried Chicken And Waffles belgian-style waffle topped with grilled asparagus, fried chicken and a drizzle of maple syrup 10.95
- Fish And Chips fried cod fish served with slaw and your choice of fries or baked potato 9.95
- Pasta Marinara penne pasta served with homemade marinara and garlic bread 8.95

Classic Grilled Cheese served on texas toast. includes your choice of french fries, sweet potato fries or onion rings and a pickle 6.00

Desserts

- Classic Milk Shake thick and old-fashioned 5.00
- chocolate, vanilla, strawberry
- Scoop Of Ice Cream chocolate, vanilla, strawberry 2.50
- Triple Chocolate Cake 4.00
- Carrot Cake 4.00
- New York Style Cheese Cake 4.00