

Manhattan Community Board 4

(All Fields Must Be Completed)

APPLICANT		DOING BUSINESS AS (DBA)		
MS Restaurant Owners LLC.		Morning Star Restaurant		
STREET ADDRESS		CROSS STREETS		
879 9 th Avenue – a/k/a 401 W. 57 th Street		West 57 th Street & 9 th Avenue		
OWNER	NAME:	Costas Nestoros (see additional info. section)	ATTORNEY	
	PHONE:	917-208-0231		
	FAX:	N/A		
MANAGER	NAME:	N/A	LANDLORD	
	PHONE:			
	FAX:			
			NAME:	Stacey L. Weiss, Esq.
			PHONE:	212-521-0828
			FAX:	212-521-0826
			NAME:	401-403 St. Realty Corp.
			PHONE:	914-741-4300
			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 <i>(check one)</i>	<input type="radio"/> New	Has applicant owned or managed a similar business?	<u>YES</u>	<u>NO</u>	
		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 #?	1100703		
		What is the expiration date on the prior license?	February 29, 2012		
		Are you making any alterations or operational changes?	<u>YES</u>	<u>NO</u>	
		<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	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 6 p.m.	
	Music	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 6 p.m.	
	Kitchen	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 11 p.m.	7 a.m. – 6 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	
		50	3	20	1	N/A	N/A	24	8	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	1 st floor		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	NO	N/A			
Will you be hosting private parties and promotional events?					YES	NO	N/A			
Will outside promoters be used?					YES	NO	N/A			
Will the security plan submitted be implemented?					YES	NO	N/A			
Will State certified security personnel be used?					YES	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					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	NO	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	NO	N/A	Enclosed sidewalk cafe		
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					YES	NO	N/A			
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	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.	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?	YES	NO	N/A
			Low background music

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	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	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	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	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	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	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

LOCATION & ZONING			
Primary Zoning District:	Overlay (If Applicable):		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	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.	YES	NO	N/A
Is a Public Assembly permit required?	YES	NO	N/A
Are your plans filed with DOB?	YES	NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" 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	West 55 th Street Block Association – west55ba@gmail.com	
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

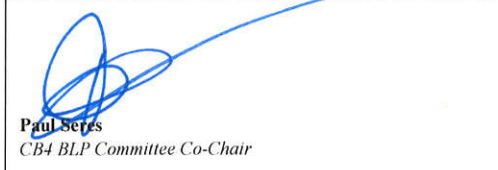
Manhattan Community Board 4 (MCB4) recommends:

Approval Denial unless all agreed to by applicant is part of the
method of operation Denial

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 OR ATTORNEY

12/13/11
DATE