

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT		DOING BUSINESS AS (DBA)		
Time Square Retail LLC.		TBD		
STREET ADDRESS		CROSS STREETS		
713 8 th Avenue (Ground Floor)		West 44 th & 45 th Streets		
OWNER	NAME:	Mahyoub Murshed	ATTORNEY	
	PHONE:	917-907-1830		
	FAX:	212-582-1012		
MANAGER	NAME:	Manour Almohan	LANDLORD	
	PHONE:	917-907-1830		
	FAX:	212-582-1012		
		NAME:	Terry Flynn	
		PHONE:	718-945-1000	
		FAX:	718-318-6162	
		NAME:	Hazels LLC	
		PHONE:	212-492-2102	
		FAX:	212-262-1420	
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 type="radio"/> Hotel <input checked="" type="radio"/> Restaurant			
	<input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only)			
	<input type="radio"/> Other (Explain):			
Method of Operation:	<input checked="" 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 type="radio"/> Other (Explain):			
License Type:	<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
	<input type="radio"/> Other (Explain):			
APPLICATION TYPE (check one)	<input checked="" 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 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?	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	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	
	Music	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	11 a.m. – 4 a.m.	
	Kitchen	11 a.m. – 3 a.m.	11 a.m. – 3 a.m.	11 a.m. – 3 a.m.	11 a.m. – 3 a.m.	11 a.m. – 3 a.m.	11 a.m. – 3 a.m.	11 a.m. – 3 a.m.	11 a.m. – 3 a.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	
	219	120	37	96	0	0	33	0	0	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+	Ground 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			
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	Background Music Only				
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			
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	N/A			

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 checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> 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)

- This application is for the first floor(street level)

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

- **Applicant will have background music only, no live music**
- **Applicant has agreed to contact the 45th Street Block Association**

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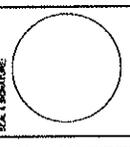
CB4 REPRESENTATIVES

 Nelly Gonzalez <i>CB4 Community Associate</i>	Lisa Daglian <i>CB4 BLP Committee Co-Chair</i>	 Paul Sires <i>CB4 BLP Committee Co-Chair</i>
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APPLICANT AGREEMENT WITH THE COMMUNITY

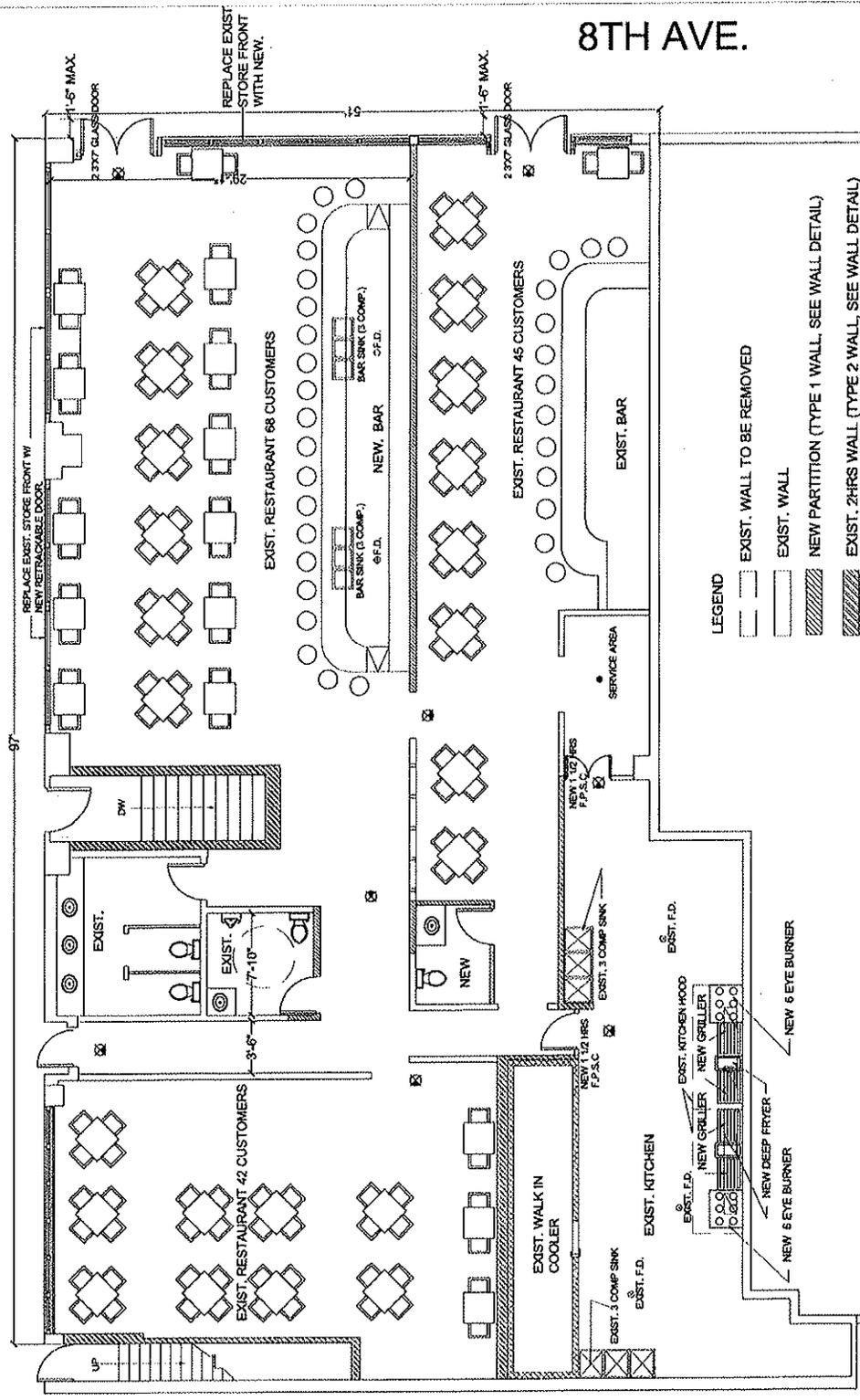
Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

SIGN HERE →	 SIGNATURE OF APPLICANT	DATE 4/10/12
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WEST 45TH STREET

8TH AVE.



- LEGEND**
- EXIST. WALL TO BE REMOVED
 - EXIST. WALL
 - NEW PARTITION (TYPE 1 WALL, SEE WALL DETAIL)
 - EXIST. 2HRS WALL (TYPE 2 WALL, SEE WALL DETAIL)
 - NEW 2HRS WALL (TYPE 2 WALL, SEE WALL DETAIL)
 - EXIST. WALL IN COOLER
 - EXIT SIGN

PROPOSED PARTIAL FIRST FLOOR PLAN
 SCALE 1/8"=1'

Flynn & Flynn, P.L.L.C.

ATTORNEYS AT LAW

TERRENCE R. FLYNN, JR.

MARY P. FLYNN

198 BEACH 102ND STREET
2ND FLOOR
ROCKAWAY PARK, NEW YORK 11694
TEL: 718-945-1000
FAX: 718-318-6162

NYC OFFICE BY APPOINTMENT ONLY

May 9, 2012

Mr. Robert J. Benfatto, District Manager
Community Board No.4
330 W 42ND Street, Suite 2618
New York, NY 10036

Re: Times Square Retail LLC
713 8TH Avenue, New York, NY 10036

Dear Mr. Benfatto:

Notification was sent on February 14TH for Mahyoub Murshed or entity to be formed for the above captioned premise. Our client has now formed an LLC for the premise in the name of Times Square Retail LLC. All plans pertaining to the premise given to Community Board 4 has not changed.

If you have any questions, please do not hesitate to call my office. Thank you for your cooperation in this matter

Very truly yours,



Terrence R. Flynn, Jr.

TRFJ/tb