

# Manhattan Community Board 4

# Liquor License/Sidewalk Cafe Stipulations Application

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)	
COEXIST GAMING INC		COEXIST GAME HOUSE	
STREET ADDRESS		CROSS STREETS	ZIP CODE
325 W 38 <sup>th</sup> ST		8 <sup>th</sup> AVE - 9 <sup>th</sup> AVE	10018
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: JAYE WATTS	ATTORNEY/ REPRESENTATIVE	NAME: MICHAEL KELLY
	PHONE: 214-356-3153		PHONE: 914-632-6036
	EMAIL: JAYE@COEXISTGAMING.COM		EMAIL: KELLYMLK136@GMAIL.COM
MANAGER	NAME: JAYE WATTS	LANDLORD	NAME: NINHURSAB PROPERTIES
	PHONE: 214-356-3153		PHONE: 212-302-3000
	EMAIL: JAYE@COEXISTGAMING.COM		EMAIL:
APPLICATION TYPE ( <input checked="" type="checkbox"/> Liquor License <input type="checkbox"/> Unenclosed Sidewalk Cafe )			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
	What is/was the name and address of establishment?	THE APPLICANT HAS BEEN OPEN + OPERATING WITH A TEMPORARY RW JEAN GEORGES / CENTRAL PARK WEST	
	What were the dates applicant was involved with this former premise?	SINCE 9/2/22 2008-2010	
<input type="radio"/> Corp Change/Class Change/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?	YES	NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans:		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input type="radio"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	YES	<input checked="" type="radio"/> NO	AFTER MEETING WITH THE BOARD
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	



**OPERATIONAL DETAILS (\*Closing time will be when establishment is vacated of all patrons)**

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS* (Indoor Only)	Operation	8am-12am	8am-12am	8am-12am	8am-2am	8am-2am	10am-2am	12Pm-12am
	Kitchen	8am-11Pm	8am-11Pm	8am-11Pm	8am-1am	8am-1am	10am-1am	12Pm-11Pm
	Music	8am-12am	8am-12am	8am-12am	8am-2am	8am-2am	10am-2am	12Pm-12am
If you plan to have music, what type(s)? (Circle all that apply)			BACKGROUND	LIVE MUSIC	DJ	JUKE BOX		KARAOKE

COMEDY + OPEN MIKE + VIDEO GAMING OCCUPANCY

	Capacity (Certificate of Occupancy) FOR MULTIPLE STORES	Maximum # of Persons Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar
INSIDE	235	74	6	57	0	1	6
OUTSIDE (Other than sidewalk café)	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DCA APPROVED UNENCLOSED SIDEWALK CAFÉ	N/A	N/A	N/A	N/A			

How many floors are there? What is the capacity for each floor? **3 - Basement + 1st, 175. mezzanine 60**

How frequently will the owner(s) be at the establishment? **DAILY**

Will there be dancing?  YES  NO **Limited**

Will applicant have bottle or table service for beverage alcohol?  YES  NO

Will applicant be hosting private; promotional or corporate events?  YES  NO **2 Per week on wed + Thur. 5Pm to 8Pm**

Will outside promoters be used on a regular basis? If yes please describe.  YES  NO

Will applicant have a security plan? If, yes please attach.  YES  NO

Will security plan be implemented?  YES  NO

Will State certified security personnel be used?  YES  NO

Will New York Nightlife Association and NYPD Best Practices be followed?  YES  NO

Does applicant agree to notify MCB4 prior to making changes to its method of operation?  YES  NO

Will applicant be using delivery bicycles? If yes, how many?  YES  NO

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?  YES  NO **N/A**

Where will delivery bicycles be stored during the day when not in use? **N/A**

**MULTIPLE SPACES/FLOORS CAPACITY BREAKDOWN**

Space/Floor	Description/Use of Space	Capacity	Hours	# of Tables	# of Seats	# of Service Only Bars	# of Stand-Up Bars/Seats at Bar	Music
Basement 9 1ST		175	S A M E A S A P P.					
Mezz- anine		60	S A M E A S A P P.					

## LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	SPECIAL GARMENT CENTER DISTRICT
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Are your plans filed with DOB?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	

## Community Notification/Relations

<b>NOTIFICATION:</b> List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1		
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.			
Who was your contact person at each group you met with?			
When did applicant post the notice that was provided?			
Where did applicant post the notice that was provided?			
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	JAYEWATTS (214) 356-3153
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	



BUILDING DESIGN					
State the name and type of business previously located in the space.	GAME ROOM				
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	THE APPLICANT HAS HAD A TEMPORARY WINE LICENSE SINCE 9/2/22		
Do you plan any changes to the existing façade? If yes, please describe.	<input type="radio"/> YES	<input checked="" type="radio"/> NO			
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	<input type="radio"/> NO			
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	<input type="radio"/> NO			
Do you plan any changes to the existing façade? If yes, please describe.	<input type="radio"/> YES	<input checked="" type="radio"/> NO			
Will applicant have a vestibule within the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	A LOBBY		
Will applicant use a storm enclosure?	<input type="radio"/> YES	<input checked="" type="radio"/> NO			
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO			
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO			
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS		GARAGE DOORS	WINDOWS THAT CAN BE OPENED	NONE
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input type="radio"/> YES	<input type="radio"/> NO	N/A		
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input type="radio"/> YES	<input type="radio"/> NO	N/A		
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	NO (COMMERCIAL BUILDING)		
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	<input type="radio"/> NO	IF NECESSARY		
Will the kitchen exhaust system extend to the roof?	<input type="radio"/> YES	<input type="radio"/> NO	N/A		
Will the establishment have an illuminated sign?	<input type="radio"/> YES	<input checked="" type="radio"/> NO			
Will the establishment have a canopy extending over the sidewalk?	<input type="radio"/> YES	<input checked="" type="radio"/> NO			
Where will the air conditioner be located? What type is it?	EXISTING				
When was the air conditioner installed?	UNKNOWN				

**OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ**

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo or open dining in the parking lane? If yes, which one(s)?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Are the floorplans for the outdoor space(s) included?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s) or on the sidewalk?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will there be no amplified music, as per the law?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
If amplified sound is played inside the establishment, will windows and doors be closed?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant agree to post signs outside asking customers to respect the neighbors'?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant agree to train staff to encourage a peaceful environment?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
If open dining in the parking lane, will applicant agree to leave the sidewalk free of any furniture?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
If open dining, will you comply with all NYC DOT guidelines?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
If open dining, will the installation be year-round?	<input type="radio"/> YES	<input type="radio"/> NO	N/A



**DCA APPROVED UNENCLOSED SIDEWALK CAFÉ**

Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant be applying for a sidewalk café now or in the future?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant mark the perimeter of the café on the sidewalk?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will the sidewalk café not provide standing space for drinking or smoking?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will all furniture be stored inside between December 21 <sup>st</sup> and March 21 <sup>st</sup> , and any other day when it rains or snows?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant use umbrellas?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closest obstruction including construction barricades?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
If open dining is in the parking lane, will applicant agree to remove its sidewalk café?	<input type="radio"/> YES	<input type="radio"/> NO	N/A

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

- There will be no DJ after midnight

***To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.***



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

***To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.***

Manhattan Community Board 4 (MCB4) recommends:  
 (MCB4's recommendation is based on a vote taken at its  
May 3, 2023 full board meeting, with 38 members voting in favor  
 of the recommendation, 0 members opposed, 0 members  
 abstaining and 0 present but not eligible)

Denial unless all stipulations agreed to by applicant/owner are part of the method of  
 operation  
 Denial  Approval

**CB4 REPRESENTATIVES**


  
 Nelly Gonzalez  
 CB4 Assistant District Manager

  
 Frank Holozubiec  
 CB4 BLP Committee Co-Chair

  
 Burt Lazarin  
 CB4 BLP Committee Co-Chair

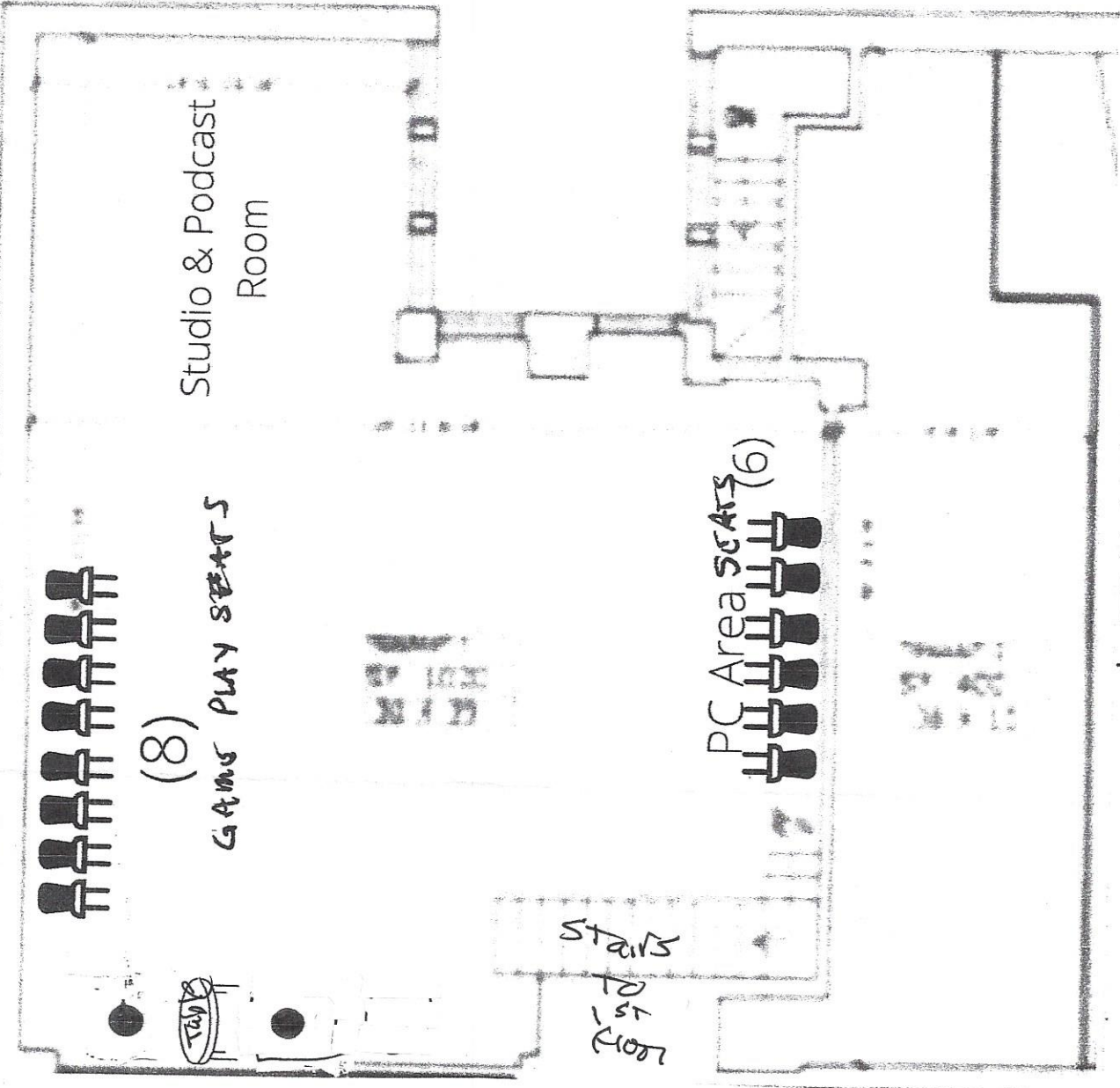
**APPLICANT AGREEMENT WITH THE COMMUNITY**

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

<p><b>SIGN HERE</b> →</p>	<p>Jaye Watts</p> <p>PRINT NAME OF APPLICANT</p>	<p></p> <p>SIGNATURE OF APPLICANT</p>	<p>March 30, 2023</p> <p>DATE</p>
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# THE MEZZANINE: PC + Esports Play ( total seats)

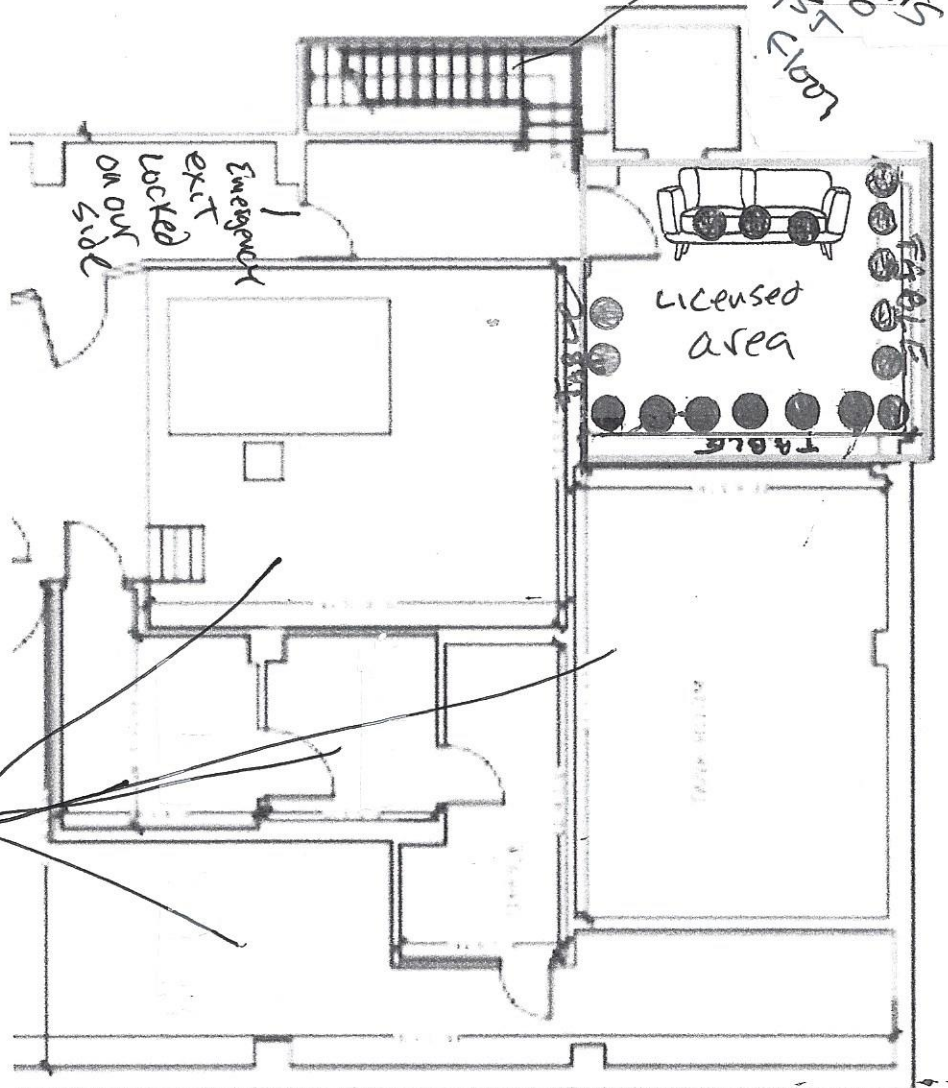


1 Table  
16 Seats

Basement

3 TABLES  
17 SEATS

STAIRS  
1ST FLOOR



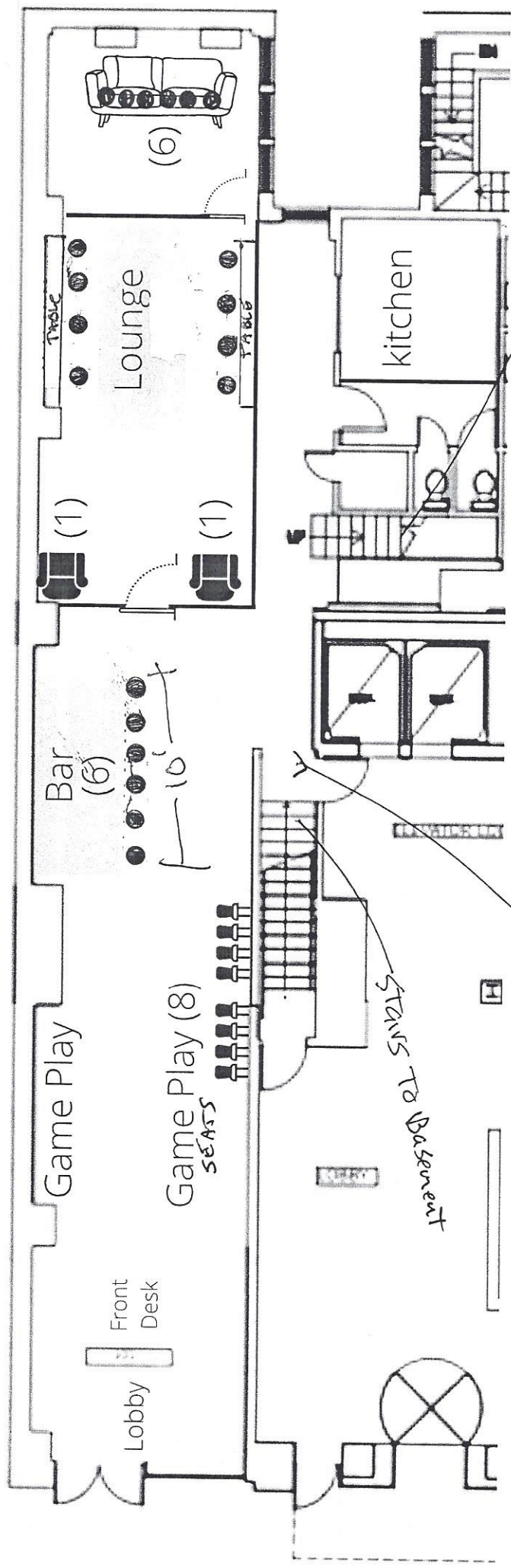
NOT PART  
OF APPLICATION



ST  
Door

# THE GROUND FLOOR:

Bar + Kitchen ( total seats)



STAIRS TO mezzanine

STAIRS TO Basement

Emergency Lobby  
Exit locked on all side

- 2 Tables
- 24 Seats
- 6 Bar Stools

COEXIST GAMING LLC  
D/B/A COEXIST GAME HOUSE  
325 WEST 38<sup>TH</sup> ST  
NEW YORK, NY 10018

500 FOOT STATEMENT

THE APPLICANT & HAS BEEN OPEN & OPERATING WITH A TEMPORARY WINE LICENSE SINCE SEPT OF 2022 WITH NO ADVERSE HISTORY.

CATERING TO THE PROFESSIONAL PLAYER, THE PREMISE IS A VIDEO/GAME HOUSE. WE ARE THE ONLY LOCATION WITHIN 500' DOING THIS & ARE A NEW UNIQUE CONCEPT.

THE APPLICANT WILL HAVE A VIDEO GAMING LOUNGE AND COMEDY OPEN MIC NIGHTS. THE APPLICANT WILL HAVE DJ, RECORDED, AND KARAOKE. THE APPLICANT WILL HAVE A VIDEO/ARCADE GAMES. THE APPLICANT WILL HAVE LIVE MUSIC – OPEN MIC/SINGING PERFORMANCES AND COMEDY.

WE HAVE HOSTED AND CONTINUE TO HOST SEVERAL EVENTS FOR KIDS DURING CAREER WEEK, PROVIDE ONGOING SUPPORT TO MARGINALIZED COMMUNITIES BY ENABLING THEM TO BUILD AND PLACE MUSIC IN VIDEO GAMES. WE ARE LAUNCHING NEW CURRICULUMS AND INTEGRATING THEM IN SCHOOLS AND HAVE CONVERSATIONS WITH THE MAYOR AND CITY COUNCILPERSONS ALIKE TO HELP REVITALIZE THE ECONOMY THROUGH TECH AND VIDEO GAME DEVELOPMENT.

THERE WILL BE MINIMAL TO NO ADDITIONAL NOISE ADDED TO THE SURROUNDING COMMUNITY. WE HAVE BEEN OPEN AND OPERATING OVER 8 MONTHS WITH NO NOISE COMPLAINTS.

THERE ARE NO RESIDENTS LIVING IN OUR BUILDING, SO NO ONE'S QUALITY OF LIFE WILL BE DIRECTLY AFFECTED.

STREET PARKING IS AVAILABLE AS ARE PARKING LOTS. THE PREMISES IS IN THE HEART OF MIDTOWN WEST WITH ACCESSIBILITY TO NUMEROUS SUBWAY LINES (A, C, E, 1, 2, AND 3) AS WELL AS BEING NEAR PENN STATION (LIRR & NJ TRANSIT) AS WELL AS THE PORT AUTHORITY BUS TERMINAL. NYC YELLOW TAXIS, LYFT/UBER ARE EASILY AVAILABLE FOR PATRONS AS WELL AS PEOPLE WALKING FROM THEIR OFFICES OR NEARBY HOMES IN HUDSON YARDS AND HELLS KITCHEN/CLINTON. THERE ARE NUMEROUS HOTELS IN THE AREA SO TOURISTS OR BUSINESS TRAVELERS MIGHT ENJOY VISITING THIS VENUE.

THE APPLICANT WILL INCREASE CITY AND STATE TAX BY INCREASING REVENUE FROM SALES, WITHHOLDING, CORPORATE AND PERSONAL TAXES.

IN THIS DIFFICULT ECONOMY OF DAILY LAYOFF ANNOUNCEMENTS, THE BUSINESS WILL RETAIN JOBS AND PROVIDE ADDITIONAL ECONOMIC STIMULUS TO THE AREA WHICH ARE ALL BENEFITS TO THE COMMUNITY.



WE WILL MAKE SURE TO COMPLY WITH THE COMMUNITY BOARD AND PARTICIPATE IN NEIGHBORHOOD GROWTH.

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.

Proximity Report For:	
Location	<b>325 W 38th St, New York, New York, 10018</b>
Geocode	<b>Latitude: 40.75532 longitude: -73.99279</b>
Report Generated On	<b>3/25/2023</b>

8 Closest Liquor Stores		
Name	Address	Distance
39TH STREET WINE INC Ser #: 1257090	354 W 39TH ST NEW YORK, NY 10018	222 ft
CAMBRIDGE WINES & LIQUORS INC Ser #: 1023627	594 8TH AVENUE NEW YORK, NY 10018	454 ft
HUDSON YARDS WINES & SPIRITS INC Ser #: 1320790	486 9TH AVE NEW YORK, NY 10018	506 ft
GM & M RETAIL LIQUOR INC Ser #: 1023628	302 W 40TH STREET NEW YORK, NY 10018	576 ft
AMSTERWINE.COM INC Ser #: 1313979	475 9TH AVE NEW YORK, NY 10018	678 ft
AUTHORITY CELLARS INC Ser #: 1305784	625 8TH AVE SPACE BTS 234 NEW YORK, NY 10018	709 ft
36TH STREET WINE & LIQUOR INC Ser #: 1023632	270 W 36TH STREET NEW YORK, NY 10018	865 ft
WEST 42 WINE & SPIRITS INC Ser #: 1335361	424 W 42ND ST NEW YORK, NY 10036	1,165 ft

Schools within 500 feet		
Name	Address	Distance
STATEN ISLAND HEBREW PUBLIC CHARTER SCHOOL	555 8TH AVE-STE 1703 NEW YORK, NY 10018	355 ft

Churches within 500 feet		
Name	Address	Distance
* Bahai Faith	53 E 11 <sup>TH</sup> ST	180 ft
United Synagogue	330 W 38 <sup>TH</sup> ST (MULTI USE BUILDING)	198 ft
Church Paradigm		244 ft
Galilee Fashions		289 ft
Chinlund Stephen		296 ft
The Word Center		301 ft



Churches within 500 feet	
Name	Distance
Lavender Light The Black People of All Colors Lesbian & Gay Go	339 ft
Baha'! Faith	339 ft
Harvest Christian Fellowship	421 ft
Vision Church	484 ft

Pending On Premises Liquor Licenses within 750 feet		
Name	Address	Distance
GAC RESTAURANT CORP Ser #: 1353323	310 W 38TH ST NEW YORK, NY 10018	158 ft
IMDN HOLDINGS LLC & MIANOR RESTAURANT GROUP LLC Ser #: 1358321	585 8TH AVENUE LATITUDE 39 RESTAURANT & BAR NEW YORK, NY 10018	313 ft
365 MANAGEMENT COMPANY LLC AND WEST 37TH STREET Ser #: 1360255	307 W 37TH ST NEW YORK, NY 10018	335 ft
NY 39TH ST LLC, NY 39TH ST OPRTG TENANT LLC&TB2-39 Ser #: 1345014	350 W 39TH ST NEW YORK, NY 10018	356 ft
SB TAVERN LLC Ser #: 1350080	496 9TH AVE NEW YORK, NY 10018	473 ft
FLAT TOP MIDTOWN LLC Ser #: 1348865	320 W 36TH ST NEW YORK, NY 10018	585 ft

Active On Premises Liquor Licenses within 750 feet		
Name	Address	Distance
TAMBURI TRATTORIA LTD Ser #: 1226604	352 W 39TH STREET 8TH & 9TH AVE NEW YORK, NY 10018	215 ft
JPO CONCEPTS INC Ser #: 1334988	338 W 39TH ST NEW YORK, NY 10018	285 ft
QUADRUN 38 F&B LLC & GG W38 LLC Ser #: 1327317	351 W 38TH ST NEW YORK, NY 10018	298 ft
EDJD PROPERTIES INC Ser #: 1285744	585 8TH AVE NEW YORK, NY 10018	299 ft
TNN ENTERPRISES LLC Ser #: 1260730	315 W 39TH ST NEW YORK, NY 10018	331 ft
TB2 39 LLC & LOPM 39 DE LLC Ser #: 1320365	350 W 39TH ST NEW YORK, NY 10018	352 ft
SNRP WEST 37 LLC & BALLINTEER CORP Ser #: 1302818	326 330 W 37TH ST NEW YORK, NY 10018	378 ft
365 MANAGEMENT COMPANY LLC Ser #: 1270108	307 W 37TH ST NEW YORK, NY 10018	402 ft
CHIPOTLE MEXICAN GRILL OF COLORADO LLC Ser #: 1312878	601 8TH AVE SUITE #3 NEW YORK, NY 10018	450 ft
PISCES BAR & TAVERN INC Ser #: 1026133	543 8TH AVE NEW YORK, NY 10018	453 ft
342 PROPERTY LLC BY STEPHEN F ELLMAN AS TEMPORARY Ser #: 1224867	342 W 40TH ST 8TH & 9TH AVENUES NEW YORK, NY 10018	456 ft

## Active On Premises Liquor Licenses within 750 feet

Name	Address	Distance
334 340 HOTEL MANAGEMENT LLC Ser #: 1235333	334 340 W 40TH STREET 8TH AVENUE AND 9TH AVENUE NEW YORK, NY 10018	457 ft
TIMES SQUARE HOSPITALITY II LLC Ser #: 1223090	330 W 40TH STREET NEW YORK, NY 10018	469 ft
SKY BAR TIMES SQUARE INC & PM HOSPITALITY Ser #: 1229588	330 W 40TH ST 33RD FLOOR 8TH & 9TH AVENUE NEW YORK, NY 10018	469 ft
TIMES SQUARE HOSPITALITY I LLC Ser #: 1253729	326 W 40TH ST NEW YORK, NY 10018	478 ft
NYHK W 40 LLC/346 W 40TH ST RESTAURANT LLC & B HO Ser #: 1298089	346 354 W 40TH ST NEW YORK, NY 10018	493 ft
OTANI INC Ser #: 1316493	359 W 39TH ST NEW YORK, NY 10018	505 ft
WALKINSTOWN INC Ser #: 1265095	508 9TH AVE NEW YORK, NY 10018	508 ft
CHI RESTAURANT & BAR INC Ser #: 1345007	492 494 9TH AVE NEW YORK, NY 10018	508 ft
BARRYDALE SM LLC, BARRYDALE TRS LLC CM 36 MGMT LLC Ser #: 1257365	341 343 W 36TH STREET NEW YORK, NY 10018	519 ft
TABERNACLE LLC Ser #: 1329854	315 W 36TH ST NEW YORK, NY 10018	525 ft
542 TACO LLC Ser #: 1292055	524 9TH AVE NEW YORK, NY 10018	526 ft
IL PUNTO RISTORANTE LLC Ser #: 1156801	507 509 9TH AVE NEW YORK, NY 10018	531 ft
511 9TH COMMERCIAL LLC Ser #: 1297390	511 9TH AVE NEW YORK, NY 10018	535 ft
310 GROUP LLC, ALIZ GROUP LLC & DEAR HUDSON LLC Ser #: 1305044	310 W 40TH ST NEW YORK, NY 10018	538 ft
TB1-8 LLC LSCH 8TH AVE LLC & NY 8TH AVE Ser #: 1342388	525 8TH AVE NEW YORK, NY 10018	550 ft
BEER AUTHORITY INC Ser #: 1261533	613 8TH AVE NEW YORK, NY 10018	566 ft
AIYARA THAI INC Ser #: 1315875	480 9TH AVE NEW YORK, NY 10018	576 ft
CAA 536 9TH AVENUE CORP Ser #: 1307047	536 9TH AVE NORTH STORE NORTH STORE NEW YORK, NY 10018	586 ft
TGANYC LLC Ser #: 1305186	320 W 36TH ST NEW YORK, NY 10018	588 ft
NY 36TH ST MGR V LLC NY 36TH ST OPERATING V LLC NY Ser #: 1317154	338 W 36TH ST NEW YORK, NY 10018	598 ft
NITTI GROUP INC, THE Ser #: 1312915	523 9TH AVE NEW YORK, NY 10018	621 ft
WOLF WESTSIDE LLC Ser #: 1257890	620 8TH AVE RETAIL SPACE C NEW YORK, NY 10018	622 ft
CAMAPA LTD Ser #: 1323797	474 9TH AVE NEW YORK, NY 10018	632 ft
BIG BOWL LLC Ser #: 1147503	625 8TH AVE 2ND FLOOR NEW YORK, NY 10018	653 ft
EIGHTH AVE ENTERPRISES LTD Ser #: 1128483	625 8TH AVENUE PORT AUTHORITY BUS TERM 625	665 ft



## Active On Premises Liquor Licenses within 750 feet

Name	Address	Distance
	NEW YORK, NY 10018	
BLUE RUIN INC Ser #: 1214794	538 9TH AVENUE 39TH & 40TH STREETS NEW YORK, NY 10036	675 ft
BRO 36 CORP Ser #: 1333833	520 8TH AVE STORE #'S 1 AND 2 NEW YORK, NY 10018	676 ft
520 HAPPY TIMES INC Ser #: 1206901	520 8TH AVENUE SE CORNER OF 8TH AVENUE NEW YORK, NY 10018	689 ft
GOGI 37 INC Ser #: 1302259	252 W 37TH ST STE 101 NEW YORK, NY 10018	717 ft
EVEN HOTEL 35 LLC & IHG MANAGEMENT MARYLAND LLC Ser #: 1285625	321 W 35TH ST NEW YORK, NY 10001	736 ft
WWUPD INC Ser #: 1288513	252 W 37TH ST NEW YORK, NY 10018	744 ft



# CERTIFICATE OF OCCUPANCY

Job Number ALT 103289362

Borough: MANHATTAN

Date: DECEMBER 18, 2003

No: 103289362-T-3

This certificate superseded C.O. No. 103289362-T-2

ZONING DISTRICT M1-5

This certifies that the new-altered-existing-building-premises located at  
330 WEST 38TH STREET

Block: 761

Lot: 53

CONFORMS SUBSTANTIALLY TO THE APPROVED PLANS AND SPECIFICATIONS AND TO THE REQUIREMENTS OF ALL APPLICABLE LAWS, RULES, AND REGULATIONS FOR THE USES AND OCCUPANCIES SPECIFIED HEREIN.

## PERMISSIBLE USE AND OCCUPANCY

STORY	LIVE LOAD LBS. PER SQ. FT.	MAXIMUM NO. OF PERSONS PERMITTED	ZONING DWELLING OR ROOMING UNITS	BUILDING CODE HABITABLE ROOMS	ZONING USE GROUP	BUILDING CODE OCCUPANCY GROUP	DESCRIPTION OF USE
CELLAR							STORAGE
1ST FLOOR	120	283			12	F-4	EATING & DRINKING ESTABLISHMENT CABARET
MEZZANINE	120	113			12	F-4	EATING & DRINKING ESTABLISHMENT CABARET
2ND-12TH FLOORS	120 EA.	125 EA.					SHOWROOMS AND FACTORY
13TH-16TH FLOORS	120 EA.	90 EA.					SHOWROOMS AND FACTORY
PH							TANK AND MACHINE ROOM
							TEMPORARY CERTIFICATE OF OCCUPANCY
							TERMS: NINETY (90) DAYS
							EXPIRES: MARCH 18, 2004

THIS CERTIFICATE IS VALID ONLY WHEN USED IN CONJUNCTION WITH THE RULES OF THE DEPARTMENT PROMULGATED MARCH 31ST, 1967.

### OPEN SPACE USES

(SPECIFY-PARKING SPACES, LOADING BERTHS, OTHER USES, NONE)

NO CHANGES OF USE OR OCCUPANCY SHALL BE MADE UNLESS A NEW AMENDED CERTIFICATE OF OCCUPANCY IS OBTAINED. THIS CERTIFICATE OF OCCUPANCY IS ISSUED SUBJECT TO FURTHER LIMITATIONS, CONDITIONS AND SPECIFICATIONS NOTED ON THE REVERSE SIDE.

*[Signatures]*  
Borough Commissioner  
A.A.  
Commissioner

ORIGINAL

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