

Manhattan Community Board 4

(All Fields Must Be Completed)

NYS Liquor License/DOT Dining Out Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Shift Midtown LLC		Shift Midtown	
STREET ADDRESS		CROSS STREETS	ZIP CODE
330 West 38th Street		8th and 9th Avenue	10018
Applicant <small>(Attach a list of all individuals that will be listed/associated with the license)</small>	NAME: Kim Xiong	ATTORNEY/ REPRESENTATIVE	NAME: Terrence Flynn
	PHONE: 347-873-1583		PHONE: 718-945-1000
	EMAIL: Kim@shiftmidtown.com		EMAIL: Trflynnjr@gmail.com
MANAGER	NAME: Bruno Saavedra	LANDLORD	NAME: Marc Bengualid
	PHONE: 646-404-0232		PHONE: 914-261-1512
	EMAIL: Bruno@shiftmidtown.com		EMAIL: marc@bengualidlaw.com
APPLICATION TYPE (<input checked="" type="checkbox"/> New York State Liquor License <input type="checkbox"/> Dept. of Transportation Dining Out)			
<input checked="" type="checkbox"/> New	Has applicant owned or managed a similar business?	YES	<input checked="" type="radio"/> NO
	What is/was the name and address of establishment?	n/a	
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> Corp Change/Class Change/Method of Operation 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="checkbox"/> Liquor/Wine/Beer & Cider <input type="checkbox"/> Beer & Cider <input type="checkbox"/> Wine/Beer & Cider		
ESTABLISHMENT TYPE	<input type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Bar/Tavern <input checked="" type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization – Members Only)		
Has applicant filed with the SLA? If yes, when? If no, when does applicant plan to file?	YES	NO	No. After appearance at the Community Board
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 foot radius of the establishment and the Public Interest Statement.	YES	NO	Yes
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship within a 200 foot radius of the establishment.	YES	NO	No
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	YES	NO	Yes

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

HOURS of Operation		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Indoors	10am-12am	10am-12 am	10am-12 am	10am-1 am	10am-1 am	12pm-1 am	12pm-12 am
	Outdoors	None	N/A	N/A	N/A	N/A	N/A	N/A
	Kitchen	10am-12am	10am-12 am	10am-12 am	10am-1 am	10am-1 am	12pm-1 am	12pm-12 am
	Music (indoors)	10am-12 am	10am-12 am	10am-12 am	10am-1am	10am-1 am	12pm-1 am	12pm-12 am

If yes, what type(s)? (Circle all that apply)	<input checked="" type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input checked="" type="checkbox"/> DJ	<input type="checkbox"/> JUKE BOX	<input type="checkbox"/> KARAOKE
--	---	--	---	--	---

OCCUPANCY

	Capacity Pursuant to Certificate of Occupancy	Maximum Occupancy (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	127	127	10-30	120	3-4 rolling bars	none	none
OUTSIDE <i>(Rooftop/Rear Yard/Patio/Terrace /Garden; within the premises)</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DOT Dining Out: Sidewalk Cafe			N/A	N/A	N/A		
DOT Dining Out: Roadway			N/A	N/A	N/A		

How frequently will the owner(s) be at the establishment?	The owner will be present at each function		
Will there be dancing?	YES	NO	Yes
Will applicant have bottle or table service for alcohol beverages other than wine?	YES	NO	None
Will applicant be hosting private promotional or corporate events?	YES	NO	Yes
Will outside promoters be used on a regular basis? If yes, please describe.	YES	NO	No
Will applicant have a security plan? If yes, please attach.	YES	NO	Yes
Will security plan be implemented?	YES	NO	Yes
Will State certified security personnel be used?	YES	NO	Yes
Will New York Nightlife Association and NYPD Best Practices be followed?	YES	NO	Yes
Does applicant agree to notify MCB4 prior to making changes to its method of operation?	YES	NO	Yes
Will applicant be using delivery bicycles? If yes, how many? Please describe where delivery bicycles will be parked when picking up deliveries?	YES	NO	No

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly marked with the name as described by NYC Law?	YES	NO	N/A
Where will applicants' own delivery bicycles be parked when not making deliveries?	N/A		
If applicant is using third party delivery service, where will third party delivery bicycles park?	N/A		
Where will applicant store its garbage containers when not in use?	Yes		
Where will applicant lay out garbage containers and at what time?	Yes 1/2 hour before pickup		

LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	No
Does the building have a Certificate of Occupancy ("C of O") or a Letter of No Objection?	YES	NO	No Pending
Is a Public Assembly permit required?	YES	NO	Yes Pending
Are your plans filed with DOB?	YES	NO	Yes
What is the zoning designation for this location?	Industrial Business Zone		

Community Notification/Relations

NOTIFICATION: 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	Please see attached Email	
	# 2		
	# 3		
	# 4		
	# 5		
When did applicant post the notice that was provided?			
Where did applicant post the notice that was provided?			
Please provide dates when applicant met with the groups listed above.			
Who was your contact person at each group you met with?			
Will applicant provide a cell phone number to neighbors and respond to complaints that arise? If yes, please provide.	YES	NO	Yes
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicant's jobs webpage?	YES	NO	Yes

MULTIPLE SPACES/FLOORS 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
Ground	Event Space	74	Same as above		Depends on the event	Rolling Bars	0	yes
Mezzanine	Event Space	53	Same as above		Depends on the event	Rolling Bars	0	Yes
Cellar	Back of House	4	Same as above		0	0	0	None

BUILDING DESIGN			
State the name and type of business previously located in the space.	Clothing Manufacture Name unknown		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	No
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	No
Has the applicant/owner(s) read MCB4 ADA Guidelines Memo?	YES	NO	Yes
Is the entrance ADA Compliant?	YES	NO	Yes
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	No
Will applicant have a vestibule within the establishment?	YES	NO	Yes
Will applicant use a storm enclosure?	YES	NO	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?	YES	NO	Yes
Will applicant comply with the NYC noise code?	YES	NO	Yes
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS		GARAGE DOORS
	WINDOWS THAT CAN BE OPENED		
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	YES	NO	Yes
Will applicant close all windows, French doors, garage doors by 11 p.m. Friday and Saturday and 10 p.m. on all other days even if no music or amplified sound is played inside the establishment?	YES	NO	Yes
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	Yes
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	Yes
Will the kitchen exhaust system extend to the roof?	YES	NO	Yes
Will the establishment have an illuminated sign?	YES	NO	Yes
Will the establishment have a pole-supporting canopy extending over the sidewalk?	YES	NO	No
Where will the air conditioner be located? What type is it?	Within the space on the first floor and basement		
When was the air conditioner installed?	Unknown		

OUTDOOR PRIVATE PROPERTY – ROOFTOP, REAR YARD, TERRACE

Has the applicant/owner(s) read MCB4 Rear Yard Rooftop Policy?	YES	NO	Yes
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck, gazebo? If yes, which one(s)?	YES	NO	No
Are the floorplans for the outdoor space(s) included?	YES	NO	N/A
Will applicant close and vacate the outdoor space(s) by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	N/A
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	N/A
Will applicant prohibit patrons from drinking in any outdoor space(s)?	YES	NO	N/A
Will there be no amplified music, as per the law?	YES	NO	N/A
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	N/A
Will applicant agree to post signs outside asking customers to respect the neighbors?	YES	NO	N/A
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	N/A
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants; apartments)	YES	NO	N/A
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

DEPARTMENT OF TRANSPORTATION DINING OUT: SIDEWALK

Has the applicant read MCB4 Sidewalk Café Policy?	YES	NO	Yes
Will applicant be applying for sidewalk seating now or in the future?	YES	NO	No
If you answered no to the question above, jump to the next page			
Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	NO	
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	
Will applicant agree not to use propane heaters?	YES	NO	
Will applicant agree to abide by all applicable fire codes, including not blocking fire escapes?	YES	NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	
Will the café have a 3 foot-wide serving aisle running the entire length of the sidewalk seating?	YES	NO	
Will the sidewalk seating have a platform?	YES	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?	YES	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will the sidewalk seating block subway grate, utility hardware or Siamese water connection?	YES	NO	
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 closes obstruction including construction barricades?			

DEPARTMENT OF TRANSPORTATION DINING OUT: ROADWAY

Did applicant submit an application and dimension site plan at scale to NYC Dept. of Transportation? Please attach a copy of application and plans.	YES	NO	No
If you answered no to the question above, jump to the next page			
Will the roadway structure extend on top of the curb or pedestrian refuge? By how much?	YES	NO	
Will the roadway structure have an ADA compliant ramp (not in the bike lane)?	YES	NO	
Will the roadway structure extend in the striped zone along the bike lane? By how much?	YES	NO	
Will the electric wires be brought over at the roof level?	YES	NO	
Will applicant dismantle and dispose of a shed that is no longer in use, along with its furniture?	YES	NO	
Will there be no music or amplifies sound in any outdoor seating, as per law?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will applicant close and vacate the sidewalk and roadway seating by 11 p.m. on Friday & Saturday and 10 p.m. on all other days?	YES	NO	
Will the Outdoor Dining Sidewalk & Roadway provide no standing space for drinking or smoking?	YES	NO	
Will the service and consumption of alcohol in the Outdoor Dining Sidewalk/Roadway only be via seated food service?	YES	NO	
Will applicant prohibit patrons from drinking in any outdoor space(s) or adjacent sidewalk?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	YES	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?	YES	NO	
Will applicant respect trees and tree pits and insure the health of the tree?	YES	NO	
Will applicant permit NO wait lines or smoking outside?	YES	NO	
Will there be a staff person responsible to ensure no loitering, noise or crowds outside?	YES	NO	
Will applicant agree not to use propane heaters?	YES	NO	
Will the outdoor dining deposit its garbage in a container on the parking lane?	YES	NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

- Applicant will provide on street personnel to expedite traffic management on W 38th Street.

To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.

To the extent any additional stipulation on pages 9 and 10 of this application conflicts with any response on pages 1 – 11 of this application, the stipulations on pages 9 and 10 control.

<p>Manhattan Community Board 4 (MCB4) recommends: <i>(MCB4's recommendation is based on a vote taken at its December 4, 2024 full board meeting, with 42 members voting in favor of the recommendation, 0 members opposed, 0 members abstaining and 0 present but not eligible)</i></p>	<p><input checked="" type="checkbox"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation</p> <p><input type="checkbox"/> Denial <input type="checkbox"/> Approval</p>
--	--

MCB4 REPRESENTATIVES

 <p>Nelly Gonzalez <i>MCB4 Assistant District Manager</i></p>	 <p>Frank Holozubiec <i>MCB4 BLP Committee Co-Chair</i></p>	 <p>Burt Lazarin <i>MCB4 BLP Committee Co-Chair</i></p>
--	--	--

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 representatives and applicant. These stipulations supersede any oral statements, representations, or prior iterations in connection with this application.

<p>SIGN HERE →</p>	<p>Kim Xiong PRINT NAME OF APPLICANT</p>	 SIGNATURE OF APPLICANT	<p>10/9/24 DATE</p>
---------------------------	--	---	---------------------------------

Email notice to community



Kim Xrossing <kim@shiftmidtown.com>

Fwd: Catering Liquor License application at 330 West 38th Street, NY, NY

Kim Xrossing <kim@shiftmidtown.com> Fri, Oct 18, 2024 at 6:04 PM
 To: Terrence Flynn <trflynnjr@gmail.com>, "Gonzalez, Nelly (CB)" <negonzalez@cb.nyc.gov>, "ccba.prez@gmail.com" <ccba.prez@gmail.com>, "ccba.veep@gmail.com" <ccba.veep@gmail.com>, steve@w15ba.com, kimon@w15ba.com, Paul Groncki <pgroncki@gmail.com>, "mattbrob@aol.com" <mattbrob@aol.com>, antonellcipollone2000@yahoo.com, antonellacipollone2000@yaho.it, "antonellacipollone2000@yahoo.it" <antonellacipollone2000@yahoo.it>, "bvh.drf@gmail.com" <bvh.drf@gmail.com>, "michael_glassman@hotmail.com" <michael_glassman@hotmail.com>, "judyklein999@gmail.com" <judyklein999@gmail.com>, wborock@hotmail.com, "ccba1001920@gmail.com" <ccba1001920@gmail.com>, "MWalshny@gmail.com" <MWalshny@gmail.com>, "robert.simon2267@gmail.com" <robert.simon2267@gmail.com>, beacon195@aol.com, "germanygerald@aol.com" <germanygerald@aol.com>, m@meliss-stern.com, "west25thstreetproject@gmail.com" <west25thstreetproject@gmail.com>, susanb1011@aol.com
 Cc: Bruno Saavedra <bruno@shiftmidtown.com>

Hi all,

Apologies for the multiple emails. I just want to jump in here and include my correct cell phone number **(347) 873-1583** should anyone like to reach out to me with any questions, comments or concerns.

Thanks so much and have a wonderful weekend everyone!

Kim Xrossing

Co-Founder | SHiFT Midtown

+1.347.873.1583

email | kim@shiftmidtown.com

Website | [Instagram](#) | [LinkedIn](#) | [Drone Tour](#)



On Thu, Oct 17, 2024 at 4:19 PM Terrence Flynn <trflynnjr@gmail.com> wrote:

----- Forwarded message -----

From: **Terrence Flynn** <trflynnjr@gmail.com>

Date: Thu, Oct 17, 2024 at 4:21 PM

Subject: Catering Liquor License application at 330 West 38th Street, NY, NY

To: Gonzalez, Nelly <negonzalez@cb.nyc.gov>, ccba.prez@gmail.com <ccba.prez@gmail.com>, ccba.veep@gmail.com <ccba.veep@gmail.com>, <steve@w15ba.com>, <kimon@w15ba.com>, Paul Groncki <pgroncki@gmail.com>, mattbrob@aol.com <mattbrob@aol.com>, <antonellcipollone2000@yahoo.com>, <antonellacipollone2000@yaho.it>, antonellacipollone2000@yahoo.it <antonellacipollone2000@yahoo.it>, bvh.drf@gmail.com <bvh.drf@gmail.com>, michael_glassman@hotmail.com <michael_glassman@hotmail.com>, judyklein999@gmail.com <judyklein999@gmail.com>, <wborock@hotmail.com>, ccba1001920@gmail.com <ccba1001920@gmail.com>, MWalshny@gmail.com <MWalshny@gmail.com>, robert.simon2267@gmail.com <robert.simon2267@gmail.com>, <beacon195@aol.com>, germanygerald@aol.com <germanygerald@aol.com>, <m@meliss-stern.com>, west25thstreetproject@gmail.com <west25thstreetproject@gmail.com>, <susanb1011@aol.com>, <kim@shidtmidtwon.com>

Hello

My name is Terrence Flynn and I am representing Shift Midtown LLC who will be applying for a Catering Liquor License at the captioned address. The premises will hold a maximum of 127 people over two floors, and will only be used for private catered events. The premises will operate Sunday through Wednesday closing at 12 am (if an event is booked) and on Thursday through Saturday closing at 1 am (again if an event is booked). There will be no walkin traffic from the street nor will we be open to the public at large. We will only be open for pre-booked private events.

We will be scheduled for the November meeting of Community Board 4 (usually the second Tuesday of the month). Should you have any questions please contact Kim at 347-646-0232.

Terrence R Flynn Jr., Esq.
Flynn & Flynn PLLC
444 Beach 129th Street
Belle Harbor, NY 11694
718-945-1000
718-318-6162

Notice postings

CITY OF NEW YORK
 MANHATTAN COMMUNITY BOARD No. 4
 424 W 33rd Street, Suite 500 New York, NY 10001
 Tel: 212-724-4258
 www.manhattan.nyc.gov

PUBLIC NOTICE
 Business Licenses and Permits Committee
 will discuss an application submitted by
Shift Midtown LLC.
330 W 38th Street

A New Liquor, Wine, Beer & Cider License for a
 Catering Facility Establishment (Private Events Only)
 with a Juke Box, Disc Jockey, Recorded Music,
 Karaoke, Live Music, Patron Dancing, Video/Arcade
 Games, Third Party Promoters, Security Personnel

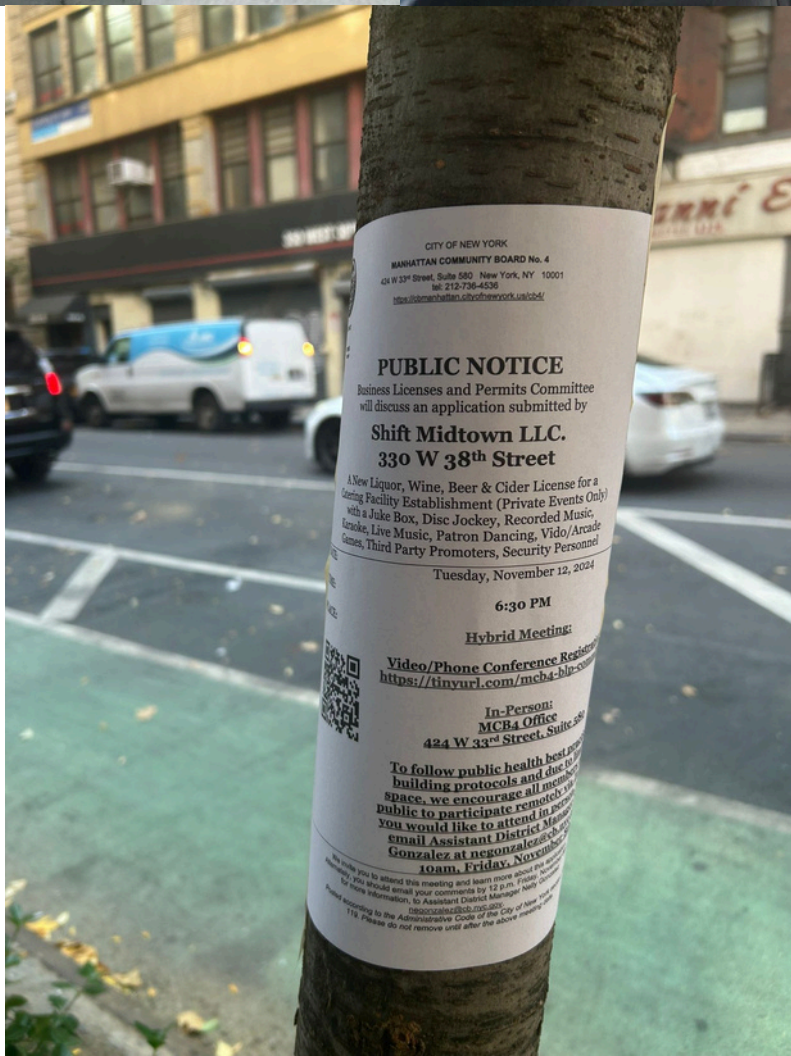
Tuesday, November 12, 2024
 6:30 PM

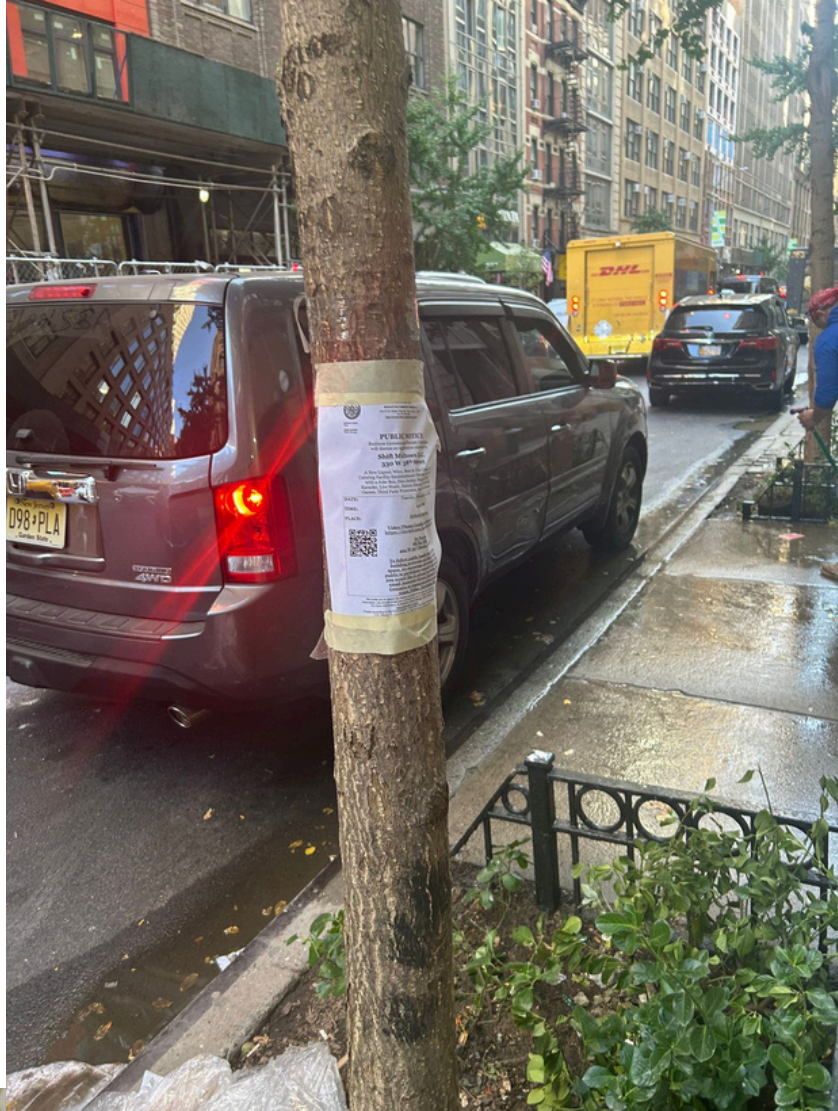
DATE: 6:30 PM
TIME: Hybrid Meeting
PLACE: Video/Phone Conference Registration
<https://tinyurl.com/mcb4-hlp-con>

In-Person
 MCB4 Office
 424 W 33rd Street, Suite 500

To follow public health best practices and building protocols and due to limited space, we encourage all members of the public to participate remotely. If you would like to attend in person, please email Assistant District Manager Gonzalez at negonzalez@nyc.gov by 10am, Friday, November 8, 2024.

If you wish to attend the meeting and learn more about the application, please email your comments by 12 p.m. Friday, November 8, 2024, to Assistant District Manager Gonzalez at negonzalez@nyc.gov.
 For more information, contact Assistant District Manager Gonzalez at negonzalez@nyc.gov.
 Printed according to the Administrative Code of the City of New York, Title 24-00, Section 24-207.11b. Please do not remove until after the above meeting.





CITY OF NEW YORK
BUSINESS LICENSING DIVISION
BUSINESS LICENSING BOARD No. 4
112 Broadway, Suite 500 New York, NY 10037
Tel: 212-312-4300
www.businesslicensing.com

PUBLIC NOTICE
Business Licenses and Permits Committee
will discuss an application submitted by
Stilt Midtown LLC.
330 W 38th Street

A New Liquor, Wine, Beer & Cider License for a
Catering Facility establishment (Private License for a
Wed & Hire Bar, Disc Jockey, Recorded Music,
Karaoke, Live Music, Patron Dancing, Video/Arcade
Games, Third Party Promoters, Security Personnel

Tuesday, November 12, 2024
6:30 PM

Hybrid Meeting:
Video/Phone Conference Registration:
<https://tinyurl.com/mcb4-blp-committee>

In-Person:
MCH4 Office
424 W 33rd Street, Suite 280

To follow public health best practices,
meeting protocols and due to limited
space, we encourage all members of the
public to participate remotely via Zoom. If
you would like to attend in person, please
contact Assistant District Manager Nelly
Gonzalez at ngonzalez@mcb.ny.gov by
10am, Friday, November 8th.

Public notice posted pursuant to the provisions of the Freedom of Information Law, Section 87(2)(b), of the State of New York. The public notice is posted on the website of the City of New York at www.nyc.gov and on the website of the Business Licenses and Permits Committee at www.businesslicensing.com. The public notice is posted on the website of the City of New York at www.nyc.gov and on the website of the Business Licenses and Permits Committee at www.businesslicensing.com. The public notice is posted on the website of the City of New York at www.nyc.gov and on the website of the Business Licenses and Permits Committee at www.businesslicensing.com.

Terrazzo, Travertine, Slate
 Limestone, Granite... Countertops, Floors,
 Walls, Ceiling, Vanity Tops
(NO TOXIC CHEMICALS - NO DUST)
Call Paul: (646) 335-2737
CONCRETE CLEANING & POLISHING
CERAMIC & PORCELAIN
FREE SAMPLE & ESTIMATE
BEST PRICE \$\$\$
 Stripping and Waxing, Vinyl and Linoleum Floors,
 Stain Removal on Rugs with extraction and shampoo.

LLC & CORPORATION OWNERS
 A new law passed recently called the Corporate Transparency Act (CTA) that requires certain
 business owners to report their names and home addresses.
 The new law requires a report be filed for the owners of corporations and LLC's having less
 than 85 million in gross income with less than 20 employees, and an office in the USA.
 This new law applies to MOST small businesses!
 It was passed to combat anti-money laundering and to prevent hiding the
 identities of the owners.
 Registrations must be filed with the US Department of
 Treasury by December 31, 2024 for existing companies.

PENALTIES FOR NOT FILING INCLUDE
 ✓ Civil penalties: Up to \$511 per day for each
 day the violation continues
 ✓ Criminal penalties: Up to \$10,000 in fines
 and/or up to two years in prison

REQUIRED INFORMATION FOR FILING INCLUDES
 ✓ A passport or state issued Driver's License
 ✓ Home address
 ✓ Company's Employer Identification Number (EIN),
 SSN is NOT required.

Contact us at: (321) 659-6888
 to file your registration today.
 Alfa Law Firm, P.C.
 Attorneys Advertising
 Credit Cards Accepted:

STAY IN COMPLIANCE WITH THE LAW
 Our attorneys have successfully filed these registration
 reports. We will prepare and file your report for \$200 for
 the first owner and \$100 for each additional owner.

MARBLE POLISHING
 646-335-2737
MARBLE POLISHING
 646-335-2737
MARBLE POLISHING
 646-335-2737
MARBLE POLISHING
 646-335-2737
MARBLE POLISHING
 646-335-2737
MARBLE POLISHING
 646-335-2737
MARBLE POLISHING
 646-335-2737
MARBLE POLISHING
 646-335-2737

PUBLIC NOTICE
 Business Licenses and Permits Committee
 will discuss an application submitted by
Shift Midtown LLC.
330 W 38th Street
 A New Liquor, Wine, Beer & Cider License for a
 Catering Facility Establishment (Private Events Only)
 with a Juke Box, Disc Jockey, Recorded Music,
 Karaoke, Live Music, Patron Dancing, Video/Arcade
 Games, Third Party Promoters, Security Personnel

DATE: Tuesday, November 12, 2024
 TIME: 6:30 PM
 PLACE: Hybrid Meeting:
 Video/Phone Conference, Registrations:
 https://tinyurl.com/mcb4-330
 In-Person:
 MCB4 Office
 424 W 33rd Street, Suite 580

The following public health best practices, building protocols and other limited space, we encourage all members of the public to participate remotely via Zoom. If you would like to attend in person, please email Assistant District Manager, Neighborhood Administration, District 14, at neogonzalez@dcib.nyc.gov by Friday, November 8th.

To follow public health best practices, building protocols and other limited space, we encourage all members of the public to participate remotely via Zoom. If you would like to attend in person, please email Assistant District Manager, Neighborhood Administration, District 14, at neogonzalez@dcib.nyc.gov by Friday, November 8th.

10am, Friday, November 8th, 2024

Please do not remove until after the above meeting.

KEENFOOTWEAR.C

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD No. 4
 424 W 33rd Street, Suite 580 New York, NY 10001
 Tel: 212-738-4536
<https://c4mcb.manhattan.cityofnewyork.us/c4/>

PUBLIC NOTICE
 Business Licenses and Permits Committee
 will discuss an application submitted by
Shift Midtown LLC.
330 W 38th Street
 A New Liquor, Wine, Beer & Cider License for a
 Catering Facility Establishment (Private Events Only)
 with a Juke Box, Disc Jockey, Recorded Music,
 Karaoke, Live Music, Patron Dancing, Video/Arcade
 Games, Third Party Promoters, Security Personnel

Tuesday, November 12, 2024
 6:30 PM
 Hybrid Meeting:
 Video/Phone Conference Registrations:
<https://tinyurl.com/mcb4-330>
 In-Person:
 MCB4 Office
 424 W 33rd Street, Suite 580

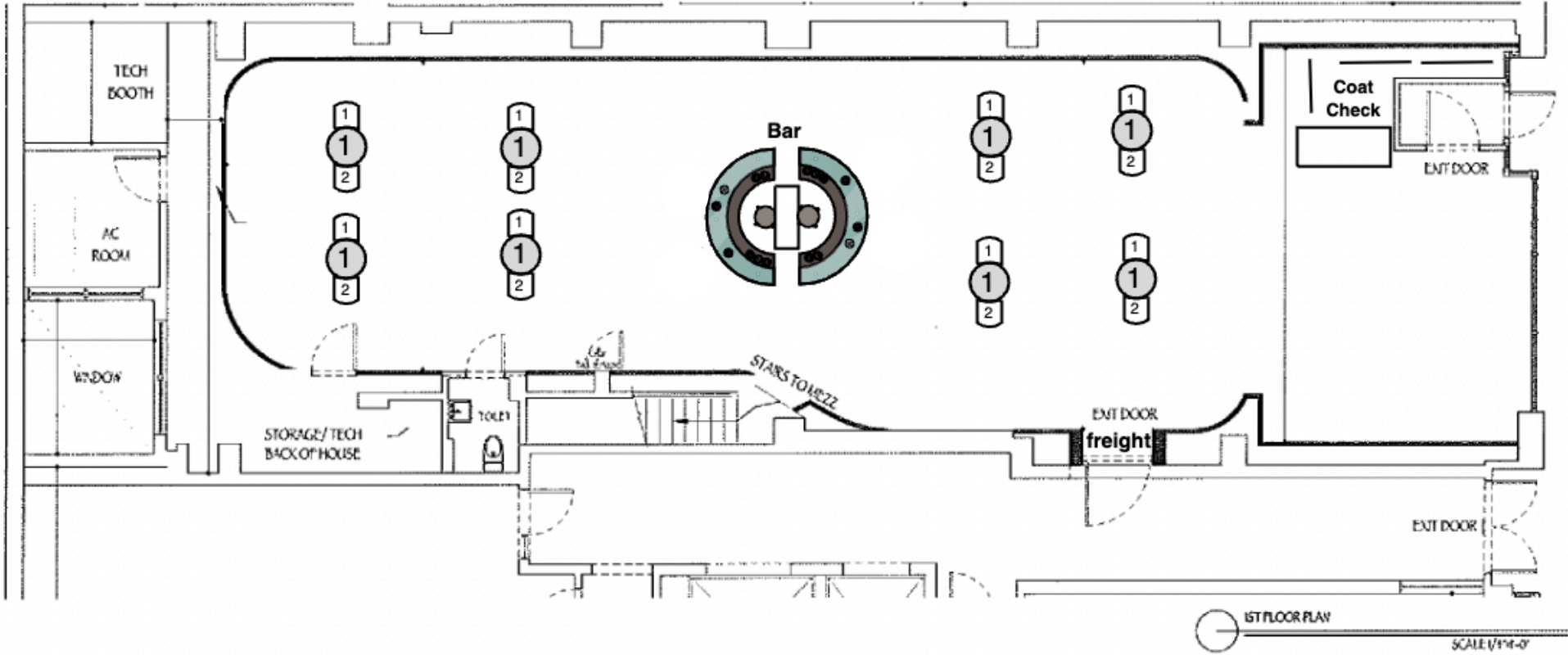
To follow public health best practices, building protocols and other limited space, we encourage all members of the public to participate remotely via Zoom. If you would like to attend in person, please email Assistant District Manager, Neighborhood Administration, District 14, at neogonzalez@dcib.nyc.gov by Friday, November 8th, 2024.

Please do not remove until after the above meeting.

Sample Floorplans

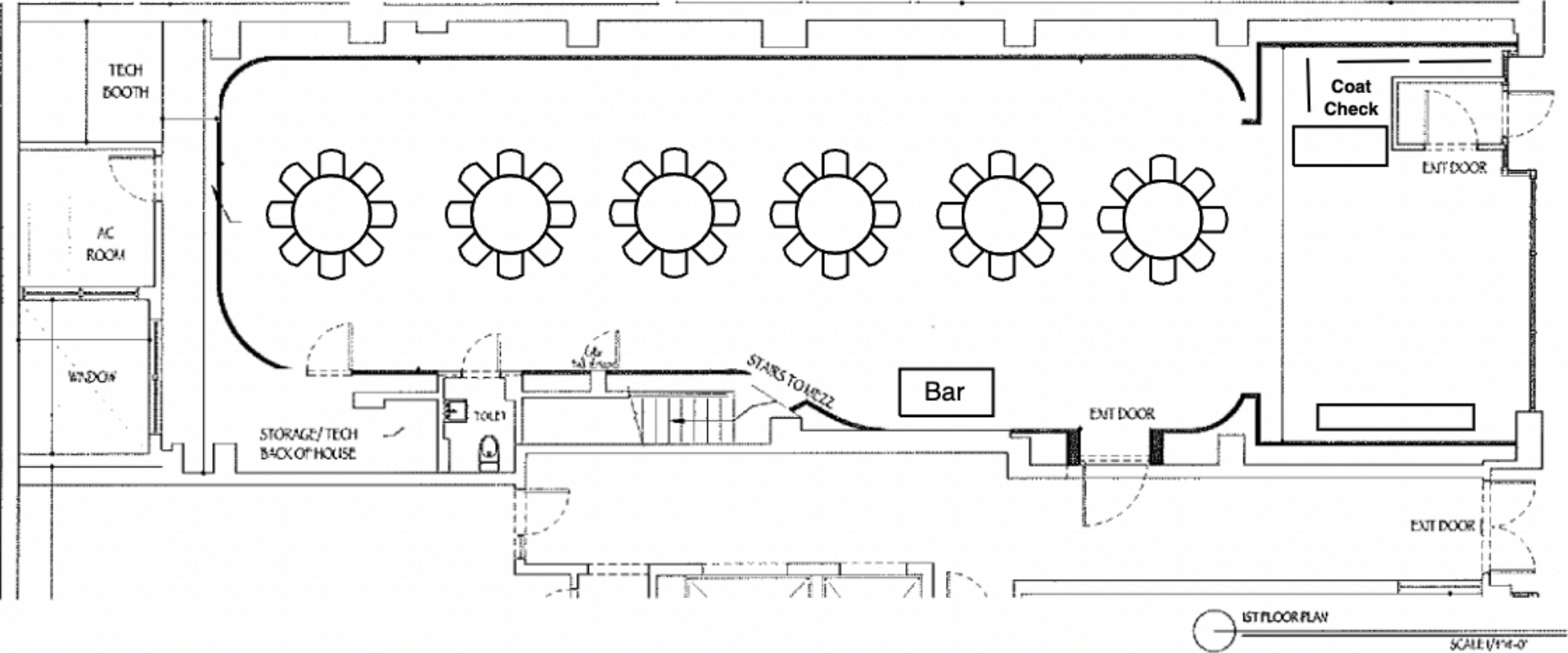
Cocktail Reception

GROUND FLOOR AREA:
2,400 SQ. FT.

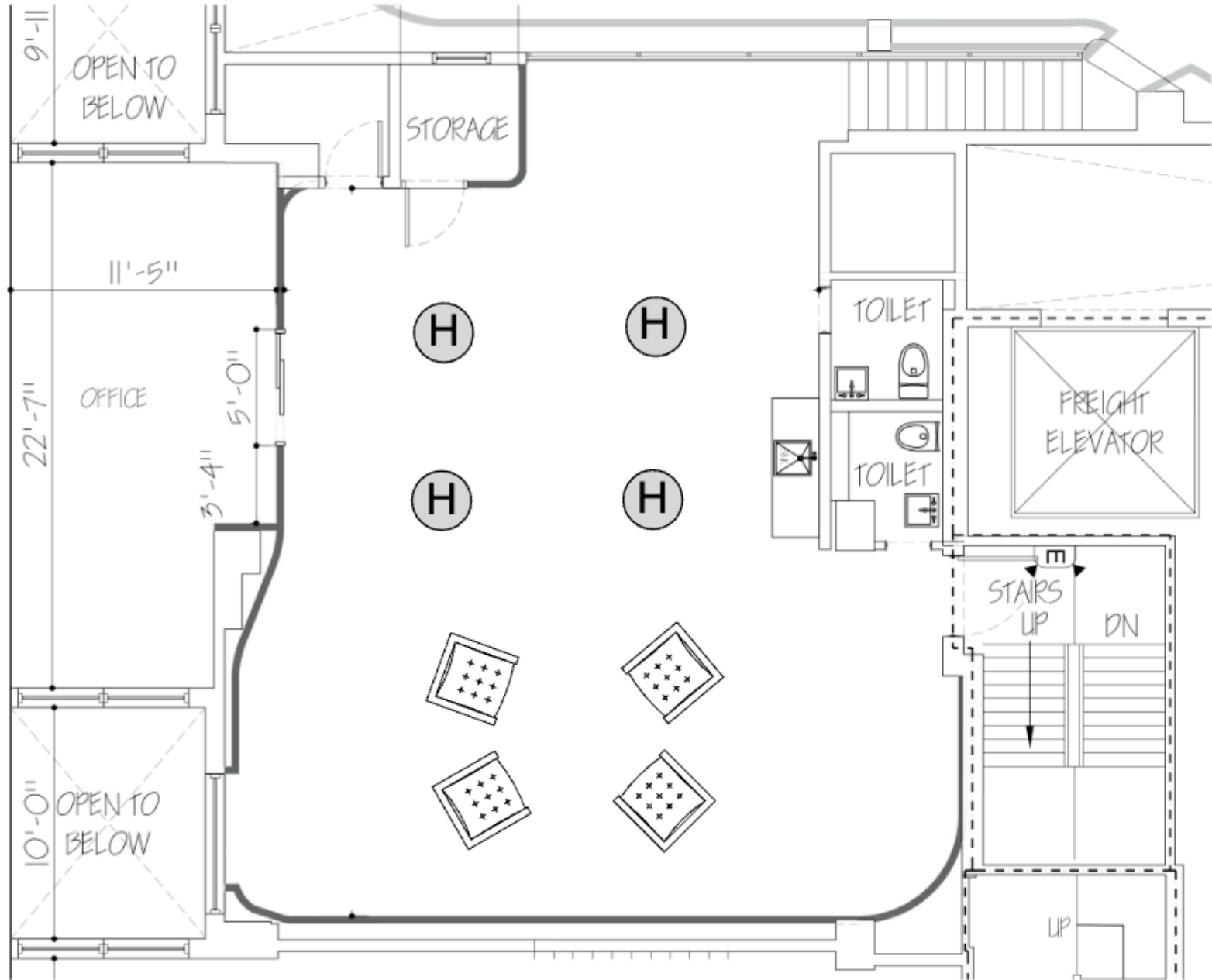


Seated Dinner 60 guests

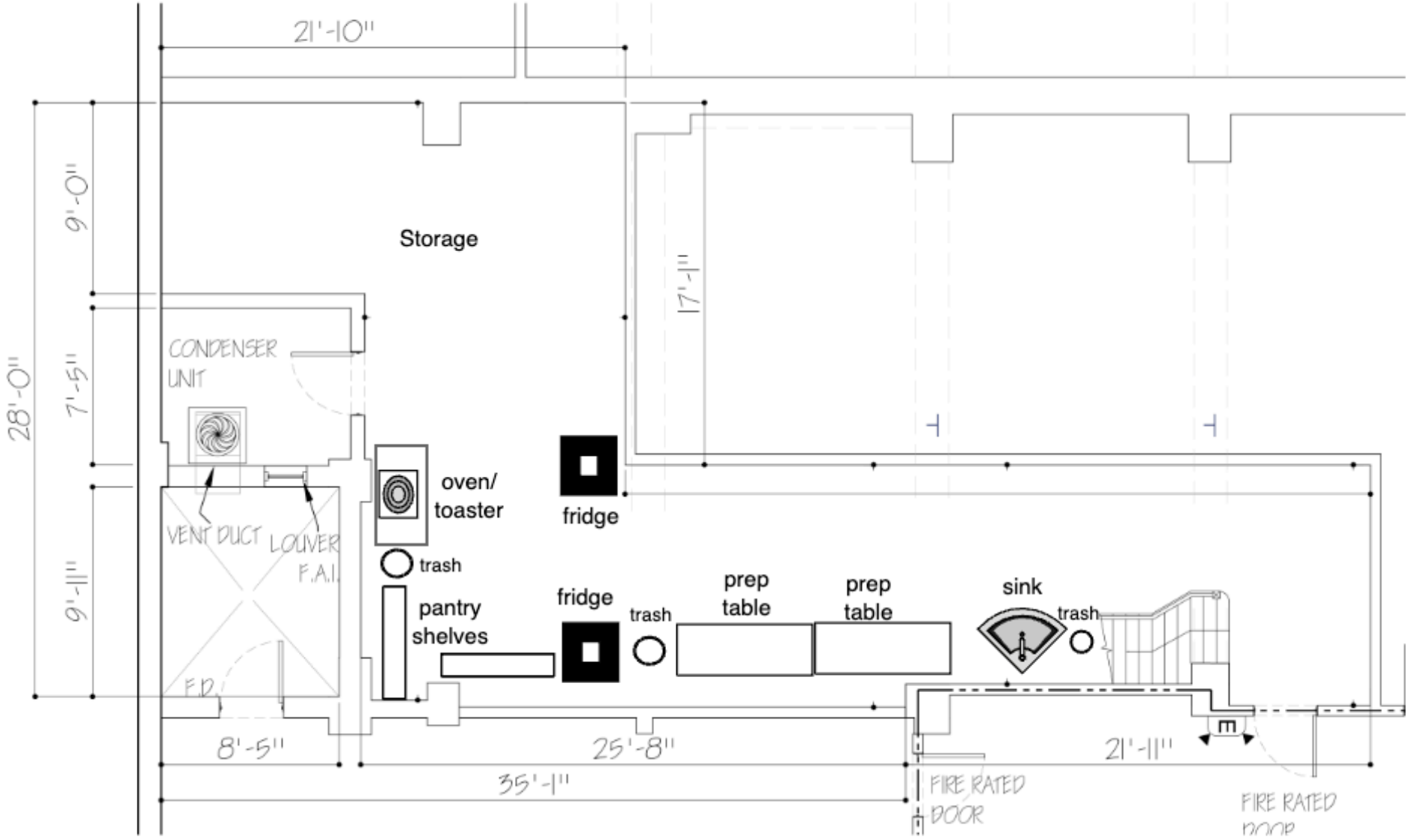
GROUND FLOOR AREA:
2,400 SQ. FT.



Mezzanine



Cellar / Prep kitchen



Photos of space



Entrance area



Ground Floor



Mezzanine



Office



Stairs & Restrooms Mezzanine



Cellar / Prep Kitchen



Dear Community Board 4,

I am writing as a 4-year resident of Glenwood's Emerald Green Luxury Apartments (APT #924) to express my strong support for the application of Shift Midtown LLC to obtain a catering establishment liquor license for their venue. As a local resident, I believe that the presence of this private event space will bring numerous benefits to our neighborhood without causing disruption to the surrounding community.

Here's a more concise version of your text with all the key information included:

Midtown South blends residential living with vibrant commercial activity, and a high-quality event space like Shift Midtown could elevate the neighborhood's profile. By attracting high-profile clientele, it would contribute to a safer, more refined environment and support revitalization efforts, ensuring Midtown South remains a desirable place to live, work, and gather.

As someone who attends corporate events frequently, having a top-tier venue nearby would save time and add convenience. Shift Midtown's local discounts for residents and businesses further enhance its value, making it a great community asset.

I have full confidence that they will continue to maintain the peaceful nature of our area, ensuring that events do not disturb residents. Their thoughtful approach to managing noise, traffic, and crowd control, including collaboration with the Midtown South Precinct, is reassuring to us who call this area home.

This venue would be a welcome addition to the community, offering convenience, prestige, and opportunities for local residents and businesses alike.

Thank you for taking the time to read our letter of support.

Sincerely,


Emily Schreiber & Billy Condon Apt #924

Sample Menu

SHIFT Midtown Menu

Passed Hors D'oeuvres

Vegan

Vegan Goat Cheese Bon Bon

Minted Pea Crostini

Vegetable Summer Roll

Stuffed Grape Leaves

Stuffed Mushroom Caps

Vegetarian

Mac & Cheese Bite

Tomato Mozzarella Skewer

Pupusa with Black Bean

Green Chile Arepa

Poultry

Thai Chicken Satay

Chicken Salad Tartlet

Chicken Pesto Pinwheel

Teriyaki Chicken Bite

Beef/Game

Pigs in a Blanket

Grilled Chimichurri Skirt Steak

Lamb Meatball

Chorizo & Manchego Arepa

Seafood

Smoked Salmon Crostini

Sweet Chili Shrimp Skewer

White Fish & Grits

Crab Rangoon

3 Course Seated Dinner

Appetizer

Caprese Salad

Fresh mozzarella, vine-ripened tomatoes, basil, and a drizzle of balsamic glaze.

Mediterranean Platter

Hummus, baba ghanoush, marinated olives, pita chips & crudite

Beet and Goat Cheese Salad

Beets with crumbled goat cheese, arugula, and a light vinaigrette.

Main Course

Roasted Chicken Breast

Herb-infused Quinoa & Charred Root Vegetables

Oven Baked Beef Tenderloin

Potato Gratin & Sauteed Spinach with Garlic

Cod with Lemon Beurre Blanc

Saffron Risotto & Baby Heirloom Carrots

Cacio & Pepe with a Twist

Your Classic Cacio & Pepe with Toppings of Crunchy Onion Bits and Thick Cuts of Prosciutto

Dessert

Tiramisu Cups

Multi layered with a Dusting of Cocoa

Eton Mess

Crushed Meringue, Fresh Strawberries & Whipped Cream

NY Cheesecake

Homemade Cookie Crust & Mixed Berry Sauce

Security Report



SHIFT MIDTOWN LLC SECURITY PLAN

Exclusively run by AG Security Group, Inc.

Licensed, Bonded and Insured Security Company

AG Security Group, Inc. provides high quality, professional security officers to the hospitality, retail, nightlife, and special event industries. It is our absolute commitment to client satisfaction, attention to detail, superior customer service, and unparalleled personnel that separate us from our competitor. We thrive on the praise and accolades we receive from our clients, and it's because of them that we have been able to enjoy tremendous growth and success over the years.

Notable Clients

Dream Hotel Group

Plaza Hotel

Sanctuary Hotel

Moncler

Michael Kors

Gap Inc.

John Varvatos

Don Julio

Gilt Group

Glade

SONY

Swarovski

Swatch

1. Objectives

- Ensure the safety of all attendees, staff, vendors, local community, and visiting tourists
- Protect the venue's assets and property.
- Minimize the risk of theft, injury, or other incidents.
- Coordinate an effective response to emergencies.

Our security operations will be exclusively managed by **AG Security Group, Inc.**, a professional team with established communication protocols with the **Midtown South Precinct**, Sgt. Cabagrillo and in particular Officer Duquette who patrols 38th st between 8th and 9th. This allows for real-time coordination, particularly in cases involving VIP or celebrity attendees, or events that may affect local traffic or crowd management.



2. Access Control

- **Entrance/Exit Points:**
 - Utilize designated entrance and exit points.
 - Limit the number of entry points to control flow.
- **Checkpoints:**
 - Implement a registration/check-in area with ID verification and guest list.
 - Employ metal detectors or bag checks if necessary.
- **Credentialing:**
 - Provide badges or wristbands to authorized personnel (staff, vendors, VIPs).
 - Differentiate security levels for attendees, VIPs, and staff.

3. Surveillance and Monitoring

- **CCTV Systems:**
 - Installed at SHiFT are closed-circuit television (CCTV) cameras at key locations:
 - All Entry/exit points
 - Office area
 - Basement level
 - Mezzanine level
 - Ensure 24/7 camera monitoring
- **On-Site Security Team:**

At all events, we will maintain the following security staff ratios:

- **1 security guard per 75 guests** under normal conditions.
- **1 security guard per 30 guests** for higher risk events

4. Crowd Management

- **Guest Flow:**
 - Designate clear paths for guest movement.
- **Capacity Management:**
 - Limit the number of attendees based on venue capacity.
 - Monitor attendance in real-time to avoid overcrowding.

For events where check-in may cause delays, we will deploy **two guards at the entrance:**

- One will manage access control at the door.
- The other will maintain a **36-inch clear pathway on the sidewalk** to ensure pedestrian flow. In the event of a guest line, we will take all necessary measures to avoid blocking access to neighboring businesses or residential areas.
- Designate clear area for instances of lines with clearance at openings of other businesses and residences
- Disperse lines of attendees should the venue reach capacity and there is overflow.
- No lingering or idling outside of the venue space.



5. Emergency Response Plan

All venue staff required to know exact points of evacuation, first aid care, fire extinguisher locations and immediate responses for local police, fire department, and medical personnel

- **Evacuation Plan:**
 - Clearly mark emergency exits.
 - Develop a detailed evacuation route and communicate it to staff.
 - Post evacuation maps in key areas.
- **Medical Emergencies:**
 - Set up a designated first-aid area for quick medical response.
- **Fire Safety:**
 - Ensure that fire extinguishers are available and easily accessible.
 - No use of open flame or any items creating smoke/fake smoke inside the venue - no exceptions
- **Communication with Emergency Services:**
 - Establish a direct line of communication with local police, fire department, and medical services.
 - Designate a security manager to liaise with law enforcement.

6. VIP Protection (If Applicable)

- **Special Access Control:**
 - Assign additional security to VIP areas.
- **Escorts:**
 - Provide VIPs with personal security escorts.
 - Have a secure entrance/exit plan for high-profile attendees (through freight)

7. Asset Protection

- **Event Equipment:**
 - Secure all valuable equipment in multiple hidden areas of the space and place security cameras around high-value assets.
- **Cash/Bar Security:**
 - Limit onsite transactions by doing pre-paid packages per person.
 - Limit cash exposure by using electronic payment systems.

8. Communication Systems

- **Radios for Security Team:**
 - Security personnel will be equipped with two-way radios for fast communication with the venue management team
- **Emergency Alerts:**
 - Use a mass notification system (i.e. guest registration apps like POSH or Eventbrite) to send emergency alerts to staff and attendees if necessary.



9. Post-Event Security

- **Load-Out Supervision:**
 - Monitor load-out activities to prevent theft of equipment or supplies.
- **Debriefing:**
 - Conduct a post-event security review to identify successes and areas for improvement.

Our **immediate neighbors** consist of commercial properties, and there is an **empty office suite** located directly above our event space. This ensures minimal disruption to neighboring residents.

Additionally, our security team will be onsite **30 minutes prior to the event's start** and remain **30 minutes post-event** to guarantee complete coverage throughout the event, with the option to extend coverage if needed.

This plan reflects our commitment to ensuring safety and compliance with city regulations while maintaining a respectful relationship with our surrounding community.

A handwritten signature in black ink, appearing to read 'Sonny Kurtajf', is written over a horizontal line.

Sonny Kurtajf

Director of Security

AG Security Group, Inc.

10 Times Square
1441 Broadway, 17th Floor
New York, NY 10018
Tel: 212-616-4160
Fax: 212-997-7387

Sonny@asnysecurity.com

www.allstarsec.com

Sound Proofing Report

Sound Analysis and Compliance Report for SHIFT Midtown

Prepared for: SHIFT Midtown LLC.

Date: October 17, 2024

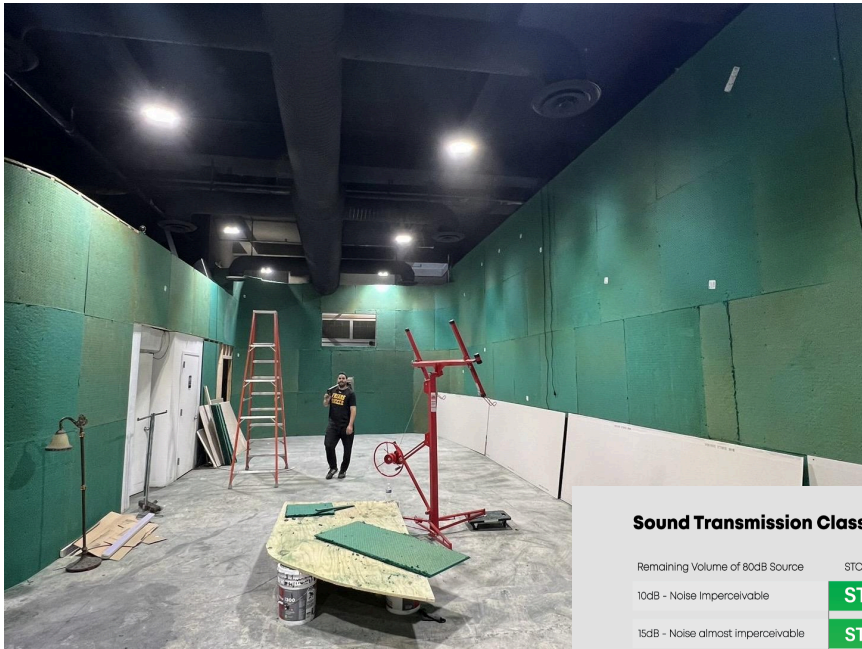
Prepared by: ONE WORLD MUSIC GROUP INC.

SHIFT Midtown is a projection mapped white box event space in Midtown, New York, that has implemented comprehensive soundproofing and acoustic treatment measures to ensure high-quality event experiences while fully complying with NYC Noise Code regulations. The venue has made significant investments in soundproofing technology, and testing confirms that all measures are in place to meet the city's noise restrictions. Additionally, SHIFT Midtown uses a DBX loudspeaker management system with a limiter set to 95dB, ensuring sound levels remain within compliance during private events.

Current Soundproofing Measures at **SHIFT Midtown**:

Walls:

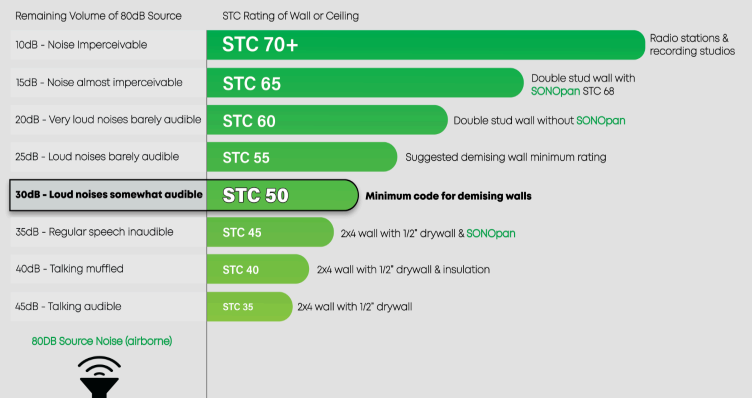
- Material: The venue's walls are treated with **Sonopan acoustic panels**, double stud partitions and double 5/8-inch drywall, providing effective insulation against low- mid - to high-frequency sounds.



Sonopan is used all over the walls at Shift Midtown.

Shift Midtown STC Rating : **STC 68**.

Sound Transmission Class (STC) Ratings

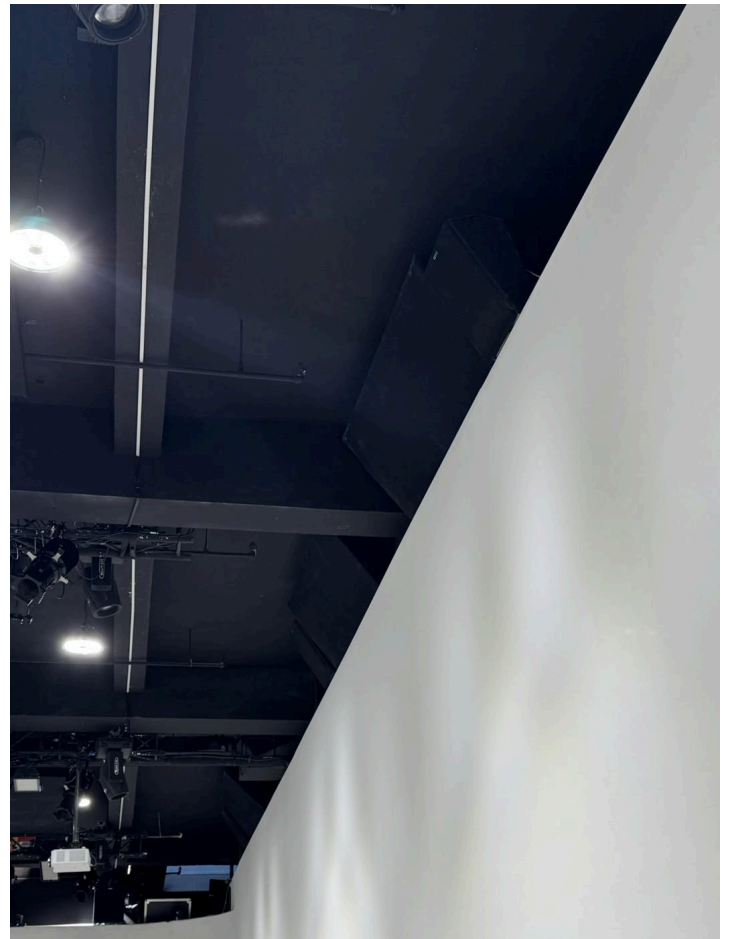


- Evaluation: The wall treatment ensures minimal sound leakage and meets required noise standards for low range, midrange and high-frequency sounds.

Ceiling:

- Ceiling Clouds and Bass Traps: The ceiling features acoustic ceiling clouds and bass traps installed along the top of the walls, effectively controlling internal reverberation and maintaining sound clarity.

- Evaluation: These treatments significantly improve internal acoustics and minimize reverberation.



Windows:

- Material: Street-facing windows are soundproofed with ½-inch plexiglass and backed by soundproof silicone, adding an effective barrier between the venue and the street.
- Evaluation: The current window setup minimizes sound transmission effectively, especially for high- and mid-frequency sounds.



Doors and Sealing:

- Sealed Doors and Windows: All doors and windows are completely sealed with no noticeable sound leakage. The venue also features a double door system at the entrance, providing an additional sound lock to ensure that sound does not escape into the street.

- Evaluation: The double-door system works effectively to contain sound within the venue and prevent external leakage, particularly during guest entry and exit.



HVAC System:

- Sealed with Isolated Foam: The HVAC system is insulated with isolated foam to prevent noise leakage through ducts.
- Evaluation: The HVAC system has been successfully soundproofed and complies with NYC Noise Code regulations, with no significant sound leakage detected through ductwork.

Sound System Management:

- DBX Loudspeaker Management System: SHIFT Midtown employs a DBX loudspeaker management system with a limiter set to 95dB. This ensures that sound levels are actively managed and do not exceed compliant thresholds, even during high-energy events.



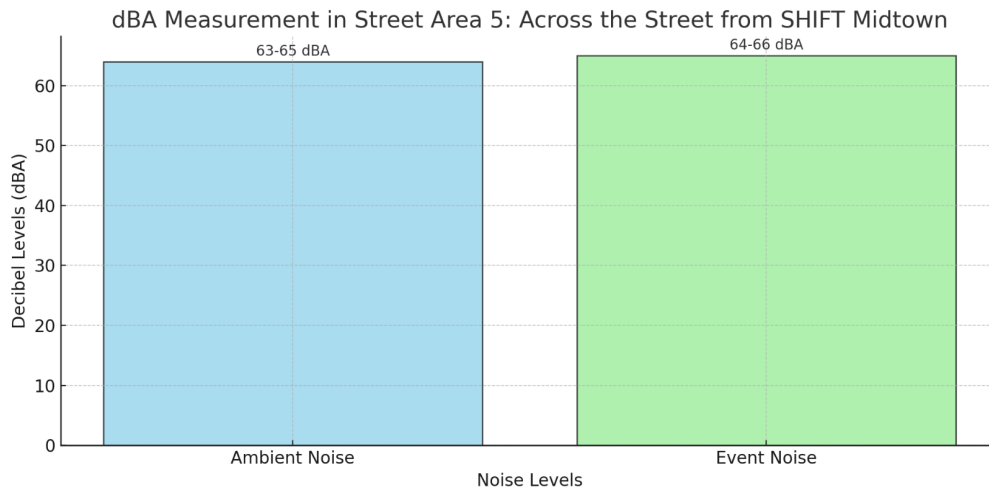
Sound Test

To ensure compliance with NYC Noise Code and confirm the effectiveness of the soundproofing measures at SHIFT Midtown, sound tests were conducted in six different areas around the building, including both street locations and inside the venue. Testing was performed during peak operational times (6PM) to account for typical street noise from pedestrian and vehicular traffic. A calibrated sound level meter (Bruel & Kjaer B&K 2245 Sound Level Meter) was used to measure both ambient and event-related noise levels.

The results from these tests are outlined below:

TEST 5: Across the Street from SHIFT Midtown

- **Location:** Opposite side of 38th Street, across from the venue.
- **Ambient Noise (No Event):**
 - **dBA:** 63-65 dBA
- **Measured Event Levels (During Event):**
 - **dBA:** 64-66 dBA
- **Analysis:** Across the street, the ambient noise remains consistent with general city noise, with levels slightly elevated due to vehicular traffic. Sound from inside SHIFT Midtown did not add significantly to these levels, confirming that sound leakage is minimal, even during loud events.

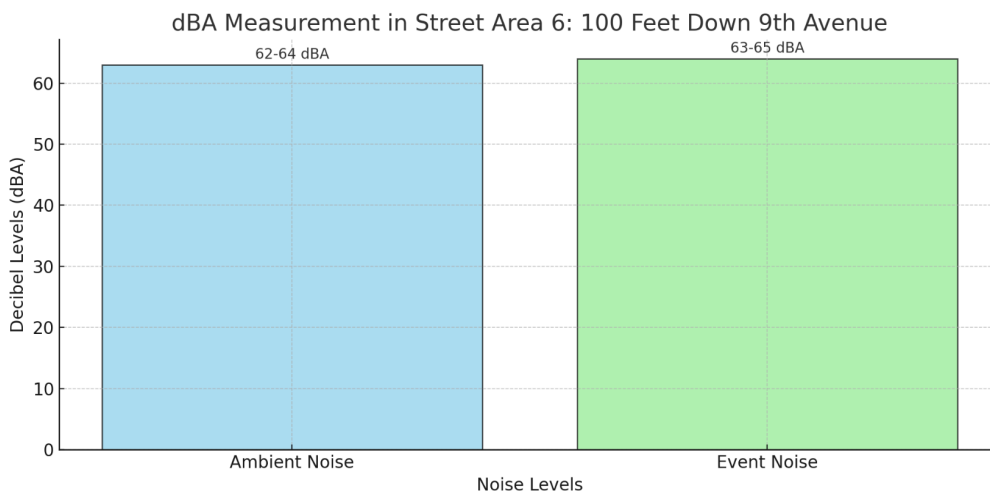


Analysis: Across the street, ambient noise remains consistent with general city noise. Event sound did not significantly increase noise levels, confirming minimal sound leakage.



TEST 4 & 6: 100 Feet West Down 9th and 100 Feet East Down 8th

- **Location:** 100 Feet West Down 9th and 100 Feet East Down 8th from SHIFT Midtown
- **Ambient Noise (No Event):**
 - **dBA:** 62-64 dBA
- **Measured Event Levels (During Event):**
 - **dBA:** 63-65 dBA
- **Analysis:** At 100 feet down the avenue, ambient noise from city traffic continues to dominate, and no discernible increase in noise from SHIFT Midtown's event was detected. This indicates that soundproofing measures effectively contain noise within the venue and prevent leakage into the surrounding environment.

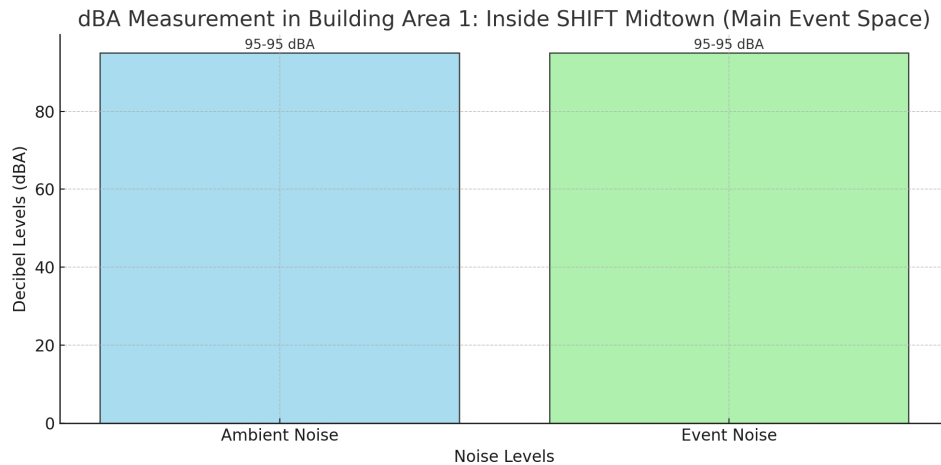


Analysis: At 100 feet down the avenue, ambient noise dominates, and no discernible increase in noise from the event was detected, indicating effective sound containment.



Inside SHIFT Midtown (Main Event Space)

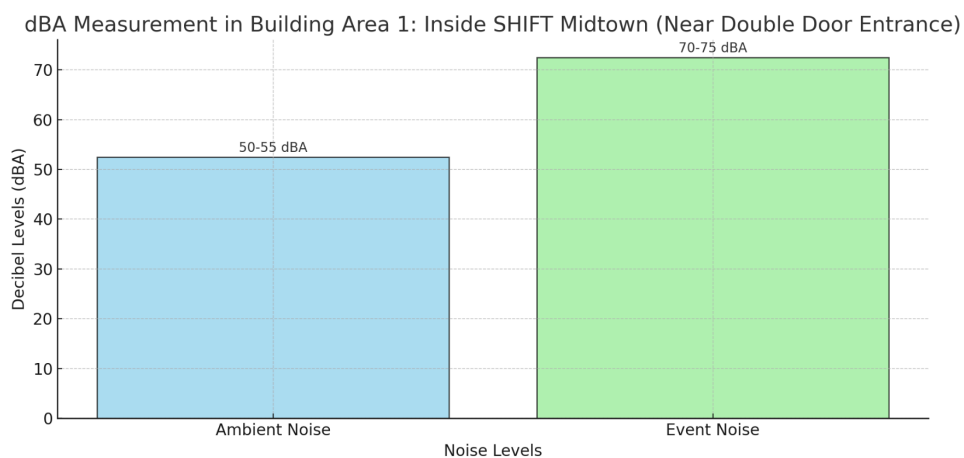
- **Location:** Inside the main event space, near the stage and speaker system.
- **Measured Event Levels:**
 - **dB A:** 95 dBA (with limiter active)
- **Analysis:** Inside the venue, sound levels were maintained at 95 dBA, the limit set by the **DBX loudspeaker management system**. The system's limiter ensures that event noise remains within controlled levels and does not exceed the predetermined threshold, ensuring compliance while maintaining high-quality sound for the event.



Analysis: Inside the venue, sound levels were maintained at 95 dBA with the limiter active, ensuring controlled noise levels and compliance.

Building Area 1: Inside SHIFT Midtown (Near Double Door Entrance)

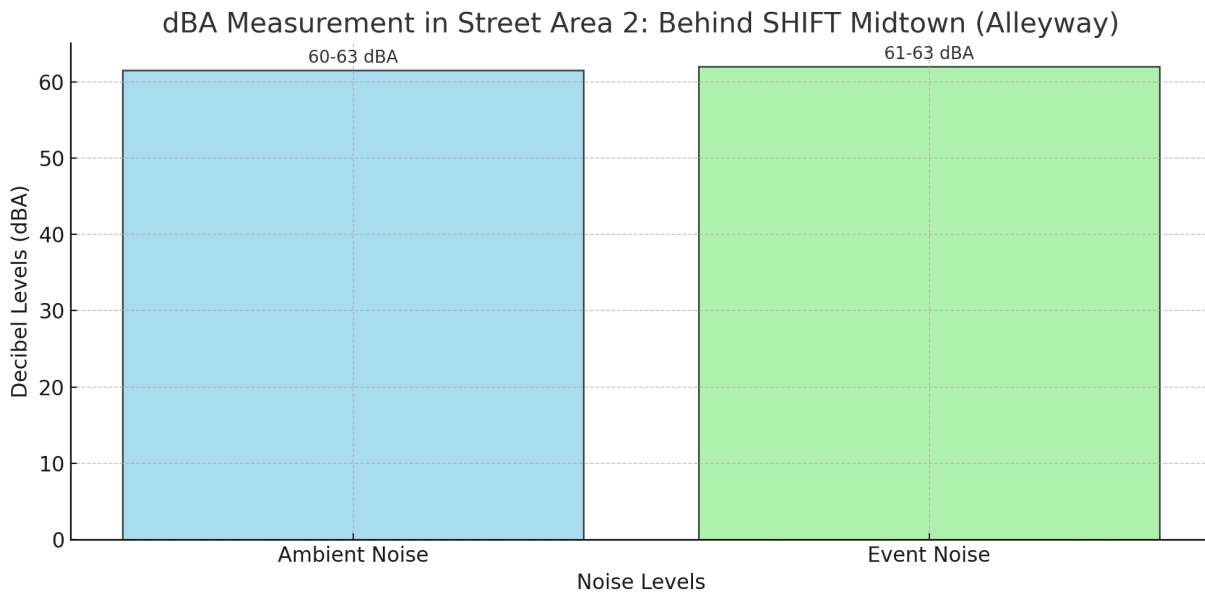
- **Location:** Near the double door entrance of SHIFT Midtown.
- **Ambient Noise (No Event):**
 - **dB A:** 50-55 dBA
- **Measured Event Levels (During Event):**
 - **dB A:** 70-75 dBA
- **Analysis:** Inside the venue near the entrance, sound levels were contained, and the double door system prevented sound from escaping into the street. This system effectively lowers the internal noise heard at the entrance without affecting ambient noise from the street.



Analysis: Near the entrance, sound levels were effectively contained by the double door system, preventing sound from escaping while maintaining low ambient noise.

TEST 2 & 3: Behind SHIFT Midtown (Alleyway & Mezzanine)

- **Location:** Back alley behind the venue and Mezzanine behind the building.
- **Ambient Noise (No Event):**
 - **dBA:** 60-63 dBA
- **Measured Event Levels (During Event):**
 - **dBA:** 61-63 dBA
- **Analysis:** Noise levels at the back alley behind the venue were in line with ambient city noise. No significant sound from inside the venue was detectable, confirming that the soundproofing on the rear side of the building is functioning as intended, effectively containing event noise.



Analysis: Noise levels at the back alley were consistent with ambient city noise, and no significant sound from inside the venue was detected.



Compliance with NYC Noise Code

SHIFT Midtown has implemented all necessary measures to comply with NYC Noise Code §24-231, which governs commercial music noise transmission. Testing confirmed that sound levels inside and outside the venue remain within city regulations:

- Noise transmission from commercial music does not exceed 42 dBA or 45 dB in any one-third octave band (between 63 Hz and 500 Hz) as measured inside neighboring residential properties.
- The DBX system's limiter, set at 95dB, ensures that sound levels within the venue do not exceed regulatory limits.

SHIFT Midtown is fully compliant with NYC Noise Code, and its soundproofing measures, including advanced management of sound levels, ensure that noise disturbances to neighboring properties including residences are minimized.

SHIFT Midtown has successfully implemented a comprehensive set of soundproofing measures, including double drywall, double studs, ceiling clouds, bass traps, sealed windows, a double-door entrance system, and an isolated HVAC system. Additionally, the use of a DBX loudspeaker management system with a limiter set to 95dB ensures that sound levels are carefully controlled during events.

Dario Boente

Prepared by: ONE WORLD MUSIC GROUP INC.

Dario Boente
450 West 17 th st.
Suite # 902.
New York, NY
10011 USA

Phone: (+)1 917 548.3044
Email:
dario@oneworldmusicgroup.net
Website:
www.oneworldmusicgroup.net