



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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**COREY JOHNSON**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

October 17, 2011

Dennis Rosen  
Chairman  
New York State Liquor Authority  
80 S. Swan Street, 9<sup>th</sup> Floor  
Albany, New York 12210

**Re: Boxers Enterprises, LLC d/b/a Boxers HK**  
*766 Tenth Avenue (52<sup>nd</sup> / 53<sup>rd</sup>)*

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new on-premise liquor license, for an eating and drinking establishment, to **Boxers Enterprises, LLC d/b/a Boxers HK**, a full service restaurant with a total capacity of 191 with 16 tables and 80 seats, two stand up bars with 32 seats, and outside space with 36 seats plus 15 lounge seats and 12 tables, as indicated below.

Boxers HK proposes to be located at the corner of West 52<sup>nd</sup> Street and Tenth Avenue. On the south side of West 52<sup>nd</sup> Street is Sacred Heart of Jesus Elementary School. On West 52<sup>nd</sup> Street is P.S. 111 and on Tenth Avenue is the P.S. 111 playground. The subject premises would abut the P.S. 111 playground on the North and the East side (See Enclosed Photos). Based on the proximity of the proposed bar to the schools and schoolyard, the Board recommends denial. The Full Board voted 28 in favor and 9 against.

It should be noted that seven well-known and well-attended community groups appeared to speak against this application. Both the principal and the PTA for P.S. 111 and parents of the elementary school children of both neighboring schools spoke in opposition of the application.

The Board would like to note, however, that Boxers Enterprises, LLC is a reputable operator and they have been operating at 37 West 20<sup>th</sup> Street for many years. Another proposed location at West 50<sup>th</sup> Street and Ninth Avenue was approved by CB4's Business License and Permits Committee but the owner withdrew the lease offer. Had the lease offer not been withdrawn, the Full Board would have approved the license. CB4 would welcome the operator to the Hell's Kitchen community at another location not proximate to these schools and schoolyards.

Additionally, there are three establishments with liquor licenses within 500 feet of the proposed establishment. While renovating a vacant building into a profitable business would provide an economic

benefit for the area, the fact is that the close proximity to the two neighboring schools would negate any such benefit.

If the SLA decides to grant this license despite the Board's concerns regarding proximity to schools, the applicant had agreed to the following stipulations as part of the method of operation:

- Hours of operation will be 1:00 p.m. – 2:00 a.m. Sunday – Wednesday, 1:00 p.m. – 4:00 a.m. Thursday, Friday and Saturday
- Ground floor Capacity: 94 with 8 Tables, one stand up bar w/20 bar stools and eight additional bar stools
- Rooftop: Outdoor space will open at 4:00 p.m. when school is in session; doors will remain closed until that time.
  - Indoor Capacity: 46 with 8 tables, one stand up bar w/12 bar stools and 10 standees
  - Outdoors Capacity: 51 with 12 tables, 36 seats and 15 seats/outdoor lounge
- Rooftop outdoor space will be closed and vacated by 10:00 p.m. Sun.-Thurs and 11:00 p.m. Fri.-Sat., and doors between spaces will be closed/locked at above listed time.
- Smoking in designated outdoor lounge area only.
- A wall will be added to rooftop w/opening facing Tenth Avenue
- No outside promoters
- Sound recommendations will be followed including installation of sound limiters and air conditioning sound baffling as needed.
- Security plan will be implemented to create a safe and secure environment within Boxers HK
- Security plan will be implemented to create a safe and secure environment within Boxers HK for all patrons, to provide a level of control and safety for all arriving and departing guests of Boxers HK, and to ensure that neighbors are not negatively impacted by Boxers HK due to the gathering of people, the applicant's security personnel will monitor the immediate area and encourage patrons to either enter the establishment or leave the area (see attached).
- Garbage will be stored inside and put out for collection between 6:00-7:00 am & sidewalk will be cleaned after collection.

If the SLA decides to grant this license despite the Board's concerns regarding proximity to schools, the applicant had also agreed to the following:

- Applicant will help neighboring institutions through its charitable work.
- Local Hiring.

A signed copy of the stipulations and community agreements is enclosed. This application is for an on-premise liquor license to be used at a restaurant located at *766 Tenth Avenue, New York*

Sincerely,



Corey Johnson  
Chair

[signed 10/17/11]  
Paul Seres  
Co-Chair  
Business License & Permits

[signed 10/17/11]  
Lisa Daglian  
Co-Chair  
Business License & Permits

Committee

Committee