

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>APPLICANT</b>		<b>DOING BUSINESS AS (DBA)</b>		
Midtown Comedy Club Inc		HA! Comedy Cafe		
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>		
358 West 46th Street, New York, NY 10036		Between 8th and 9th Avenues on West 46th Street		
<b>OWNER</b>	<b>NAME:</b>	Edwin Velazquez	<b>ATTORNEY</b>	
	<b>PHONE:</b>	(914) 346-8207		
	<b>FAX:</b>	None		
<b>MANAGER</b>	<b>NAME:</b>	Edwin Velazquez	<b>LANDLORD</b>	
	<b>PHONE:</b>	(914) 346-8207		
	<b>FAX:</b>	None		
		<b>NAME:</b>	Gen Ceballos (Representative)	
		<b>PHONE:</b>	(347) 642-5077	
		<b>FAX:</b>	(888) 502-5620	
		<b>NAME:</b>	Rebbai Loffi	
		<b>PHONE:</b>	(917) 443-1531	
		<b>FAX:</b>	None	
<b>DESCRIPTION OF BUSINESS</b>				
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 type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization – Members Only) <input checked="" type="radio"/> Other (Explain): <u>Comedy Club Serving Beer &amp; Wine + Minimal Amounts of Food (Tavern Set-Up)</u>		
Method of Operation:		<input 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 checked="" type="radio"/> Other (Explain): <u>Comedy Club Serving Beer &amp; Wine + Minimal Amounts of Food (Tavern Set-Up)</u>		
License Type:		<input type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input checked="" type="radio"/> Wine & Beer		
<b>APPLICATION TYPE</b> <i>(check one)</i>	<input type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	<b>YES</b>	<b>NO</b>
		What is/was the name of establishment?	N/A	
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> <b>Transfer</b>	What is the prior license #?	N/A	
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<b>YES</b>	<b>NO</b>
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input checked="" type="radio"/> <b>Alteration</b>	What is the current license #?	1263984	
		What is the expiration date on the current license?	10/31/2013	
<i>Please describe the nature of the alterations and attach the plans</i> <b>Moving to new a location.</b>				

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	
	Music	N/A - No Music								
	Kitchen	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	5pm-4am	
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	
	55 Persons	55 Persons	20	44	0	1	6	N/A	N/A	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	5+			
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input checked="" type="radio"/> NO	N/A			
Will applicant have bottle service?					YES	<input checked="" type="radio"/> NO	N/A			
Will you be hosting private parties and promotional events?					YES	<input checked="" type="radio"/> NO	N/A			
Will outside promoters be used?					<input checked="" type="radio"/> YES	NO	N/A			
Will the security plan submitted be implemented?					<input checked="" type="radio"/> YES	NO	N/A			
Will State certified security personnel be used?					<input checked="" type="radio"/> YES	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					<input checked="" type="radio"/> 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	<input checked="" type="radio"/> NO	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input checked="" type="radio"/> 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?					<input checked="" type="radio"/> YES	NO	N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					<input checked="" type="radio"/> YES	NO	N/A			
If you plan to have music, what type(s)?			BACKGROUND	LIVE MUSIC	DJ					
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="radio"/> 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?					<input checked="" type="radio"/> 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.)					<input checked="" type="radio"/> YES	NO	N/A			

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

**LOCATION & ZONING**

Primary Zoning District:	GEN FILL OUT		Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO <input checked="" type="radio"/>	N/A	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES <input checked="" type="radio"/>	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 <input checked="" type="radio"/>	N/A	We are applying for Beer & Wine Only License this rule is applicable to Full Liquor Establishments Only.
Is a Public Assembly permit required?	YES	NO <input checked="" type="radio"/>	N/A	
Are your plans filed with DOB?	YES <input checked="" type="radio"/>	NO	N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
Adjacent Buildings	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____			
<b>NOTIFICATION:</b> What organizations / community groups have you notified regarding your application?	# 1	46th Street Block Association		
	# 2	47th Street Block Association		
	# 3			

**ADDITIONAL INFORMATION: (Applicant Use)**

Note that this applicant already has an ACTIVE liquor license at 232 West 43rd Street New York, NY 10036. We are moving to the new location due to financial hardship. The rent at our NEW location is significantly LOWER than the current rent.

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

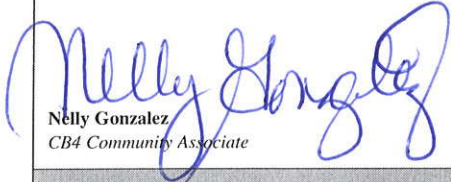
→ Need a security plan  
→ Better outreach and proof from Black Association  
of Outreach  
~~Attorney's~~  
Exec to review Application w/ these requests

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

Manhattan Community Board 4 (MCB4) recommends:

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

**CB4 REPRESENTATIVES**

  
Nelly Gonzalez  
CB4 Community Associate

Lisa Daglian  
CB4 BLP Committee Co-Chair

Paul Seres  
CB4 BLP Committee Co-Chair

**APPLICANT AGREEMENT WITH THE COMMUNITY**

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

**SIGN HERE** →

*Edwin Velazquez*  
SIGNATURE OF APPLICANT

8/20/13  
08/12/2013  
DATE