

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

APPLICANT <b>Moxy Restaurant Associates Inc</b>		DOING BUSINESS AS (DBA) <b>T.B.D.</b>		
STREET ADDRESS <b>138 West 25<sup>th</sup> Street</b>		CROSS STREETS <b>B/n 6<sup>th</sup> &amp; 7<sup>th</sup> Avenues</b>		
OWNER	NAME: <b>Gavin Whiston</b>	ATTORNEY	NAME: <b>Frank w. Palillo</b>	
	PHONE: <b>917-957-6945</b>		PHONE: <b>212-227-1640</b>	
	FAX:		FAX: <b>212-349-1724</b>	
MANAGER	NAME: <b>Gavin Whiston</b>	LANDLORD	NAME:	
	PHONE:		PHONE:	
	FAX:		FAX:	
<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 checked="" type="radio"/> Restaurant <input type="radio"/> Catering Establishment <input type="radio"/> Club (Fraternal Organization - Members Only) <input type="radio"/> Other (Explain): Bar/Arcade		
Method of Operation:		<input checked="" type="radio"/> Restaurant <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Pizzeria <input type="radio"/> Cafe <input type="radio"/> Other (Explain): Bar/Arcade		
License Type:		<input checked="" type="radio"/> On-Premise <input type="radio"/> Wine <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
APPLICATION TYPE <i>(check one)</i>	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES <input type="radio"/> NO	
		What is/was the name of establishment?	<b>Dubcork, Inc &amp; b/l a Smithfield</b>	
		What is/was the address of the establishment?	<b>215 W 28<sup>th</sup> St, NYC</b>	
		What were the dates the applicant was involved with this former premise?	<b>2012 - present</b>	
	<input checked="" type="radio"/> Transfer	What is the prior license #?	<b>1247283</b>	
		What is the expiration date on the prior license?	<b>9-30-14</b>	
		Are you making any alterations or operational changes?	<input checked="" type="radio"/> YES <input type="radio"/> NO	
		If alterations or operational changes are being made, please attach the plans to this form.		<b>extending bar</b>
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

**OPERATIONAL ISSUES**

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	11am-4am	—————	—————	—————	—————	—————	—————	—————
	Music	11am-4am	—————	—————	—————	—————	—————	—————	
	Kitchen	11am-12am	—————	—————	—————	—————	—————	—————	

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
	74	74	16	44	0	1	30	N/A	N/A

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Will outside promoters be used?	YES	<input checked="" type="radio"/> NO	N/A
Will the security plan submitted be implemented?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Will State certified security personnel be used?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	<input type="radio"/> 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	<input type="radio"/> NO	N/A
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="radio"/> YES	<input type="radio"/> 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	<input type="radio"/> NO	N/A
If you plan to have music, what type(s)?	<input checked="" type="checkbox"/> BACKGROUND	<input checked="" type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> 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	<input type="radio"/> NO	<input type="radio"/> 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	<input type="radio"/> NO	<input type="radio"/> 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	<input type="radio"/> NO	<input type="radio"/> N/A

OUTDOOR ITEMS			
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.).	YES	NO	<input checked="" type="radio"/> N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	<input checked="" type="radio"/> N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	<input checked="" type="radio"/> N/A

LOCATION & ZONING			
Primary Zoning District:	MI - 6		Overlay (If Applicable):
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="radio"/> YES	NO	N/A
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO	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	CB # 4	
	# 2		
	# 3		

**ADDITIONAL INFORMATION: (Applicant Use)**

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

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

Empty box for additional stipulations.

Manhattan Community Board 4 (MCB4) recommends:

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

**CB4 REPRESENTATIVES**

Nelly Gonzalez  
CB4 Assistant District Manager

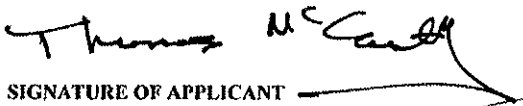
  
Lisa Daglino  
CB4 BLP Committee Co-Chair

  
Paul Seres  
CB4 BLP Committee Co-Chair

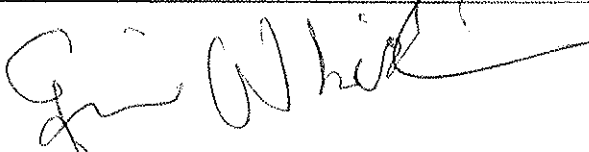
**APPLICANT AGREEMENT WITH THE COMMUNITY**

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 →

  
SIGNATURE OF APPLICANT

11-25-13  
DATE



12/10/13

## SNACKS

CITRUS & HERB  
BRAISED OLIVES \$6

PICKLED POTTED  
VEGETABLES \$7

WARM SCOTCH EGG  
GRAIN MUSTARD \$4

GERMAN PRETZEL \$5

•

## SMALL PLATES

BEER & ONION SOUP  
\$7

BROWN ALE  
CARAMELIZED ONIONS  
& GRUYERE

MINI ENGLISH  
SAUSAGE ROLLS \$10

MARYLAND CRAB  
CAKES \$13

OLD BAY WITH LEMON  
CRÈME FRAICHE & CITRUS  
SALAD

PECAN CHICKEN  
SATAY \$9

PECAN-CRUSTED CHICKEN  
SKEWERS WITH A JACK  
DANIEL'S WHISKEY GLAZE

## MAPLE-GLAZED BACON \$10

DOUBLE THICK HERITAGE  
FARM BACON

PEI MUSSELS \$13  
WITH PERNOT-DIJON  
CREAM SAUCE

SHRIMP BUNS \$9  
STEAMED BUNS FILLED  
WITH LIGHTLY BATTERED  
COCUNUT SHRIMP, CHILLI  
REMOULADE & FUJI  
APPLE SLAW

•

## SHARING PLATES

CHEESEPLATE \$14  
CHEDDAR CHEESE WITH  
PORT WINE, TALEGGIO  
CASHEL BLUE, RICOTTA  
FIG JAM, CANDIED  
WALNUTS & TOASTED  
BROOKLYN BEER BREAD

CHARCUTERIE  
BOARD \$14  
SMOKED SPECK, HOT  
CAPICOLA, COPPA  
SALAMI, OLIVE  
TAPENADE, PICKLED  
VEGETABLES & TOASTED  
BROOKLYN BEER BREAD

## SALADS

GREEK SALAD \$12  
TOMATO, CUCUMBER RED  
ONION, KALAMATA  
OLIVES, GREEN BELL  
PEPPER, CAPERS, FRESH  
OREGANO & FETA  
TOSSED WITH RED  
VINEGAR & OLIVE OIL

HOUSE SALAD \$10  
MIXED BABY GREENS,  
TOMATO, CUCUMBER  
TOSSED WITH A CITRUS  
VINAIGRETTE

CLASSIC CAESAR  
SALAD \$10  
CRISP ROMAINE HEARTS  
PARMESAN CRISP  
CRUNCHY CROUTONS

CAPRESE SALAD \$11  
FRESH MOZZARELLA VINE  
RIPENED TOMATOES  
CANDIED BALSAMIC  
VINEGAR & BASIL OIL

## SANDWICHES

**LOBSTER CLUB \$16**  
AVOCADO, BIBB LETTUCE  
TOMATO, LEMON  
& TARRAGON AIOLI

**CUSTOM BLEND  
BURGER \$12**  
30-DAY DRY-AGED  
PRIME BEEF

**ORGANIC TURKEY  
BURGER \$12**  
ALL NATURAL TURKEY  
BREAST GROUND WITH  
FRESH HERBS

**CROQUE MADAME  
\$10**  
HAM WITH MELTED  
GRUYERE WITH A FRIED  
EGG SERVED ON GRILLED  
COUNTRY BREAD

**APPLEWOOD  
SMOKED SALMON  
\$13**  
BLACK BREAD, PICKLED  
CUCUMBER, RED ONION  
CAPER BERRIES & CITRUS  
HORSERADISH CREAM

**SLOW COOKED  
BRAISED PORK \$11**  
PICKLED RED ONION ON  
TOASTED BRIOCHE

## MAINS

**10OZ SIRLOIN STEAK  
FRITES \$20**  
BONE MARROW,  
CIPOLENI ONION & RED  
WINE SAUCE

**LOBSTER MAC  
& CHEESE \$14**  
SWEET MAINE LOBSTER IN  
A THREE-CHEESE  
MACARONI CASSEROLE

**WILD SALMON \$19**  
BAKED ON A CEDAR  
PLANK WITH OLIVE, RED  
PEPPER & TOMATO RELISH

**BRAISED SHORT RIBS  
\$16**  
DARK ALE & GINGER  
BRAISED BEEF SHORT RIBS,  
CELERIAC MASH  
& FIZZLED ONIONS

**BEER BATTERED  
FISH & CHIPS \$16**  
RED SNAPPER, OLD BAY &  
MALT VINEGAR TARTARE  
WITH HAND CUT  
FRENCH FRIES

**CUMBERLAND  
SAUSAGE & MASH**  
CAMELIZED ONION  
MARMELLADE

## DESSERTS

**GUINNESS &  
CHOCOLATE WARM  
MOLTEN CAKE \$8**

**WILD GINGER  
& STRAWBERRY  
TRIFLE \$8**

**STICKY TOFFEE  
PUDDING \$8**

**FROZEN KEY LIME  
SOUFFE IN A JAR \$8**

**SELECTION OF  
GELATOS \$7**



RE: 138 WEST 25<sup>TH</sup> STREET

1. PRIME CAFE - 125 WEST 26<sup>TH</sup> STREET - 347'
2. BLACK DOOR - 127 WEST 26<sup>TH</sup> STREET - 336'
3. HELEN MILLS EVENT SPACE - 135 WEST 26<sup>TH</sup> STREET - 306'
4. TILLMANS - 165 WEST 26<sup>TH</sup> STREET - 378'
5. THE ANSWORTH - 122 WEST 26<sup>TH</sup> STREET - 297'
6. TRE DICI - 138 WEST 26<sup>TH</sup> STREET - 269'
7. RARE - 152 WEST 26<sup>TH</sup> STREET - GROUND FLOOR - 328'
8. RARE ROOFTOP - 152 WEST 26<sup>TH</sup> STREET - ROOF - 428'
9. RLJ III F26 MAN LESSEE LLC (HOTEL) - 152 WEST 26<sup>TH</sup> STREET - 305'
10. BLUE DOG - 101 WEST 25<sup>TH</sup> STREET - 404'
11. WESTSIDE BREWHOUSE - 158-160 WEST 25<sup>TH</sup> STREET - 219'
12. ROGUE - 757 6<sup>TH</sup> AVENUE - 462'
13. ONE STAR - 147 WEST 24<sup>TH</sup> STREET - 226'
14. YES LOUNGE - 157 WEST 24<sup>TH</sup> STREET - 303'
15. GOURMET EXPRESS LTD - 137 WEST 25<sup>TH</sup> STREET - 48'

NO CHURCHES OR SCHOOLS WITHIN 500' OF  
THIS PREMISE.

BANK

FAIRWAY SUPERMARKET

PHARMACY  
GROCERY  
TANNING SALON  
WIRELESS STORE  
COFFEE STORE

PARKING LOT

COFFEE BAKERY  
TRADE CO.  
NAIL SALON  
VACANT  
CLEANERS  
CREDIT UNION  
FREIGHT ENT.  
VACANT  
HOTEL  
PRIME CAFE  
OFF. BUILD. ENTRANCE  
BLACK DOOR  
KITCHEN SUPP.  
FURNITURE ST.  
FREIGHT ENT.  
OFF. BUILD. ENT.  
ELEN MILLS  
EVENT SPACE  
FREIGHT ENT.  
OFF. BUILD. ENT.  
BURGUNDY WINE COMPANY  
HOME FURNISHINGS  
HARDWARE ST.  
OFF. BUILD. ENTRANCE  
SWEDISH INSTITUTE  
CONSTRUCTION  
FREIGHT ENT.  
LILLMANS  
ANDROMAT  
FAST FOOD  
CHIPOTLE MEXICAN GRILL

COLOTHING STORE  
GOURMET GROCERY  
CLEANERS  
DELL  
PHYSICIAN  
ROGUE  
PIZZERIA  
RESIDENTIAL GARAGE  
OFF. BUILD. ENTRANCE  
POTTERY GALLERY  
NAIL SALON  
OFF. BUILD. ENTRANCE  
OFF. BUILD. ENTRANCE  
CLOTHING STORE  
FREIGHT ENT.  
OFF. BUILD. ENTRANCE  
THE ANSWORTH  
FREIGHT ENT.  
TRE DIET  
OFF. BUILD. ENTRANCE  
BICYCLE ST.  
OFF. BUILD. ENTRANCE  
FITNESS EQUIP.  
COMMERCIAL SPACE  
FREIGHT ENT.  
OFF. BUILD. ENTRANCE  
HOME FURNISHINGS  
BOOKSTORE  
FURNITURE ST.  
OFF. BUILD. ENTRANCE  
PUMP & MOTOR EQUIP.  
HOTEL RARE  
RARE ROOFTOP  
VACANT  
OFFICE BUILDING ENT.  
TEA STORE  
NUTRITION STORE  
BANK  
OFFICE BUILD. ENTRANCE  
OPTICAL STORE  
BUSINESS SERVICES  
PAPER STORE  
OFFICE BUILD. ENTRANCE  
BEAUTY SPA  
BLUE DOG  
GOODWILL ST.  
OFF. BUILD. ENTRANCE  
FURNITURE ST.  
ANTIQUA STORE  
BEDDING ST.  
KNIFE STORE  
ANTIQUA STORE  
COMMERCIAL BUILDING  
OFF. BUILD. ENTRANCE  
EXPLORATION CENTER  
GALLERY  
FREIGHT ENT.  
OFFICE BUILDING ENTRANCE  
FREIGHT ENTRANCE  
CLOTHING STORE  
OFF. BUILD. ENTRANCE  
CLOTHING STU.  
OFF. BUILD. ENT.  
HOME FURNISHINGS  
FREIGHT ENTRANCE  
FREIGHT GARAGE  
BARBER SHOP  
OFFICE BUILD. ENTRANCE  
OPTICAL STORE  
BUSINESS SERVICES  
PAPER STORE  
OFFICE BUILD. ENTRANCE

BRIDAL STORE  
FREIGHT ENTRANCE  
GALLERY  
PARKING GARAGE  
ANTIQUA STORE  
JEWELRY ST.  
JOHNNY'S LUNCHEONETTE  
FABRIC CO.  
OFFICE BUILD. ENTRANCE  
CLOTHING STUDIO  
FREIGHT ENT.  
OFF. BUILD. ENTRANCE  
APPLICANT  
FLOORING ST.  
ACCESSORIES  
OFF. BUILD. ENTRANCE  
PHOTO LAB  
FREIGHT ENT.  
OFFICE BUILD. ENTRANCE  
CONSTRUCTION  
FREIGHT ENT.  
HOTEL  
WESTSIDE BREWHOUSE  
LIGHTING ST.  
FREIGHT ENTRANCE  
MILANESE RESTAURANT  
RESIDENTIAL  
HAIR SALON  
FABRIC STORES  
GROCERY  
PIZZERIA  
JAPANESE AMERICAN UNITED CHURCH  
RESIDENTIAL  
BANK RESD.  
NYC WINE MERCHANTS  
TRAVEL AGENCY  
BEAUTY SPA  
WIRELESS STORE  
RESIDENTIAL  
OFFICE BUILD. ENTRANCE  
RESIDENTIAL  
OFFICE BUILD. ENTRANCE  
MEDITATION CENTER  
OFF. BUILD. ENTRANCE  
FLOORING STORE  
COMMERCIAL BUILDING  
WINDOW TREATMENT STORE  
RESIDENTIAL ANTIQUE STORE  
LIGHTING ST.  
RESIDENTIAL LIGHTING ST.  
PET GROOMING  
ONE STAR  
RESIDENTIAL LIGHTING ST.  
CLEANERS  
XES LOUNGE  
GARAGE  
DOORS  
RESIDENTIAL  
BANK RESD.

DELI/CAFE  
RESIDENTIAL  
CAR RENTAL COMPANY  
HOTEL  
PRINTING COMPANY  
COMMERCIAL BUILDING  
RESIDENTIAL  
ANTIQUA STORE  
OFFICE BUILDING ENTRANCE  
OFFICE BUILDING ENTRANCE  
DELIVERY SERVICE  
BICYCLE STORE  
JEWELRY STORE  
OFFICE BUILDING ENTRANCE  
VACANT  
VACANT  
VACANT  
CONSTRUCTION  
FREIGHT ENT.

BANK

BANK  
BABY STORE

WHOLE FOODS  
OFFICE BUILD. ENT.  
SUPER MARKET

AREA SURVEY  
138 WEST 25TH STREET  
NEW YORK, N.Y.  
NOVEMBER 14, 2013

-W. 26TH ST-

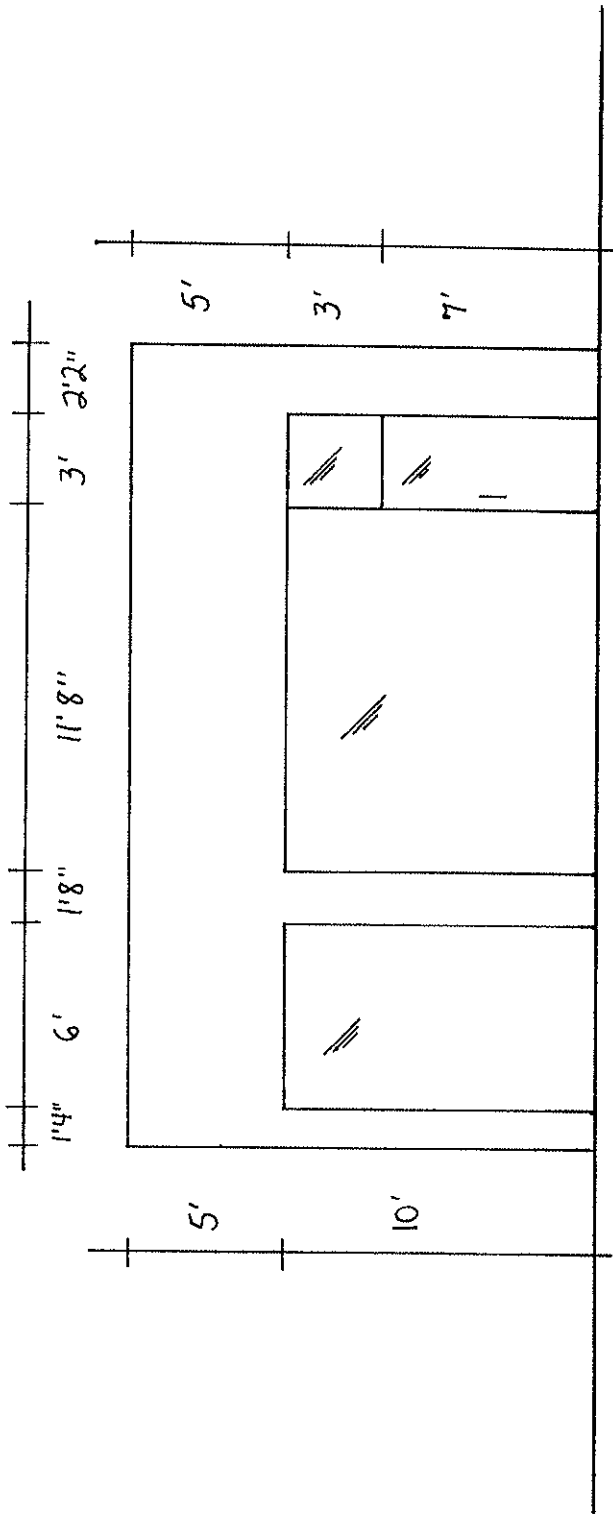
W. 25TH ST

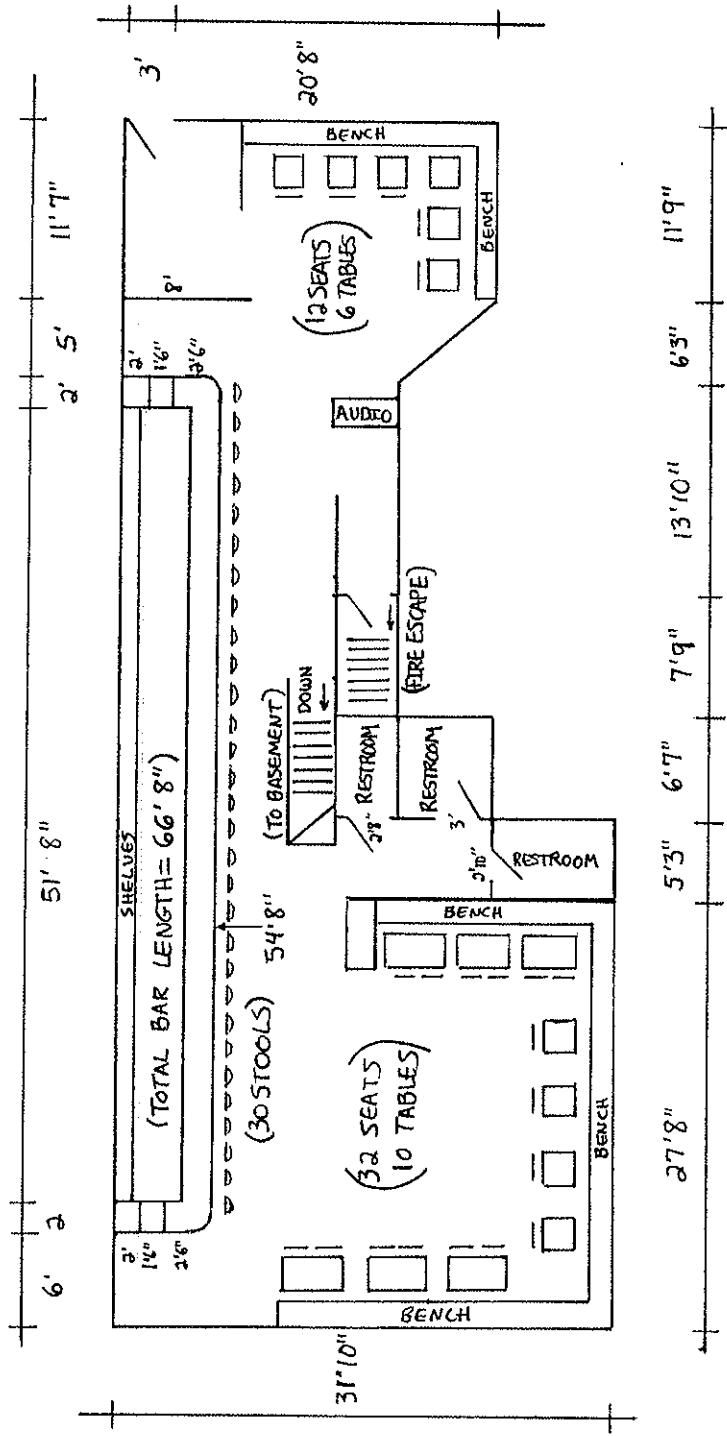
W. 24TH ST

- 6TH AVE. -

- 7TH AVE. -

FRONT ELEVATION  
138 WEST 25<sup>TH</sup> STREET  
NEW YORK, N.Y.  
NOVEMBER 14, 2013  
SCALE - 1/4" = 1'0"





INTERIOR DIAGRAM-PROPOSED  
 138 WEST 25<sup>TH</sup> STREET  
 NEW YORK, N.Y.  
 NOVEMBER 14, 2013  
 NOT TO SCALE

