



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

JOHN WEIS
Chair

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

October 20, 2010

Jonathan Mintz
Commissioner
City of New York
Department of Consumer Affairs
42 Broadway
New York, NY 10004

Re: Times Square Arts Center LLC d/b/a Times Square Comedy
671 Eighth Avenue (42nd /43rd Streets)

Dear Commissioner Mintz and Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a cabaret license for Times Square Arts Center LLC d/b/a Times Square Comedy, unless the following stipulations, agreed to by the applicant, are part of their method of operation:

- Hours of operation will be no earlier than 6:00 pm and no later than 1:00 am Sunday through Wednesday and no earlier than 3:00 pm and no later than 4:00 am Thursday through Saturday.
- The establishment will have a total capacity of no more than 700 with no more than 175 tables and 400 seats.
- There will be one stand up bar with 6 seats and one service bar in the establishment.
- The applicant agrees to never use outside promoters.
- The applicant will not distribute advertisement fliers around the exterior of the establishment.
- The applicant agrees to follow the best practices as outlined by the New York Nightlife Association which was developed in cooperation with the New York City Police Department.
- To ensure that neighbors are not negatively impacted by sound emanating from the sidewalk in front of the establishment due to the gathering of people, the applicant's security personnel will monitor the area and encourage patrons to either enter the establishment or leave the area. The security guards employed by

this establishment will be certified, as per law, and will work to control crowd and pedestrian traffic flow in front of the subject address.

- No outdoor sidewalk space will be used for queuing of patrons waiting to enter the establishment.
- There will be no other changes to the method of operation.
- Applicant will arrange for representatives to regularly attend Precinct Council, Block Association and Community Board meetings to address and resolve any community problems that may arise from this establishment.
- There will be no use of any outdoor spaces (rooftop, patio or sidewalk café) at this time for the sale or consumption of alcoholic beverages.
- The applicant is simultaneously applying to the NY SLA to incorporate this cabaret license into their method of operation of their liquor license.
- The cabaret license will only permit dancing when the establishment is rented for private parties. The cabaret license will not be used to be open to the general public or for a dance club.

Times Square Arts Center is currently a comedy club that is looking to enhance revenue by obtaining a cabaret license that will be used only for private parties, not for general admission to a dance club. The establishment will remain as a comedy club as its main line of business. A copy of the stipulations agreed to by the applicant is enclosed.

Sincerely,



John Weis
Chair
Manhattan Community
Board 4

Lisa Daglian
Co-Chair
Business License & Permits
Committee - North



Chuck Spence
Co-Chair
Business License & Permits
Committee - North