

# Manhattan Community Board 4

(All Fields Must Be Completed)

## Liquor License Stipulations Application

<b>CORPORATION NAME</b> Momofuku 232 Eighth Avenue LLC		<b>DOING BUSINESS AS (DBA)</b> Momofuku Nishi	
<b>STREET ADDRESS</b> 232 Eighth Avenue,		<b>CROSS STREETS</b> W 21st & W 22nd	<b>ZIP CODE</b> 10011
<b>OWNER</b> <i>(Attach a list of all the people that will be associated/listed with the license)</i>	<b>NAME:</b> Andrew Salmon	<b>ATTORNEY/ REPRESENTATIVE</b>	<b>NAME:</b> Elke A. Hofmann Law, PLLC
	<b>PHONE:</b> (212) 228-0031		<b>PHONE:</b> (212) 487-9100
	<b>EMAIL:</b> drew@momofuku.com		<b>EMAIL:</b> elke@eahlaw.com
<b>MANAGER</b>	<b>NAME:</b>	<b>LANDLORD</b>	<b>NAME:</b> 232 8th Avenue Realty Corp.
	<b>PHONE:</b>		<b>PHONE:</b> (212) 463-0505
	<b>EMAIL:</b>		<b>EMAIL:</b>
<b>APPLICATION TYPE (Check One)</b>			
<input type="radio"/> <b>New</b>	Has applicant owned or managed a similar business?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<input type="radio"/> <b>Transfer</b>	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input checked="" type="radio"/> <b>Alteration</b>	What is the current license # and expiration date?	1287643; exp. 10/31/2017	
	<b>Method of Operation Change</b>	<i>Please list/describe the nature of all the changes and attach the plans:</i> This is for a change to the hours of operation only	
<b>METHOD OF OPERATION</b>			
<b>TYPE OF ALCOHOL</b>	<input checked="" type="checkbox"/> Liquor/Wine/Beer <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer		
<b>ESTABLISHMENT TYPE</b>	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Bar/Tavern <input 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/owner filed with the SLA? If yes, when? If no, when do you plan to file?	<input type="checkbox"/> YES	<input checked="" type="radio"/> NO	
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.	<input type="checkbox"/> YES	<input checked="" type="radio"/> NO	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	<input type="checkbox"/> YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	<input type="checkbox"/> NO	

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

HOURS* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	11a.m. - 1a.m.	11a.m. - 1a.m.	11a.m. - 1a.m.	11a.m. - 2a.m.	11a.m. - 2a.m.	10a.m. - 2a.m.	10a.m. - 1a.m.
	Kitchen	11a.m. - 1a.m.	11a.m. - 1a.m.	11a.m. - 1a.m.	11a.m. - 2a.m.	11a.m. - 2a.m.	10a.m. - 2a.m.	10a.m. - 1a.m.
	Music	Background Music Only						
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="checkbox"/> BACKGROUND	<input type="checkbox"/> LIVE MUSIC	<input type="checkbox"/> DJ	<input type="checkbox"/> JUKE BOX	<input type="checkbox"/> KARAOKE	

**OCCUPANCY**

	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 Stand-Up Bar
<b>INSIDE</b>	74	74	6	68	0	1	7
<b>OUTSIDE</b> <i>(Other than sidewalk café)</i>							
<b>SIDEWALK CAFÉ</b>							

How many floors are there? What is the capacity for each floor? 1 dining floor and one basement

How frequently will the owner(s) be at the establishment? Weekly

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?	YES	<input checked="" type="radio"/>	
Will applicant have bottle or table service for beverage alcohol?	YES	<input checked="" type="radio"/>	
Will you be hosting private; promotional or corporate events?	YES	<input checked="" type="radio"/>	
Will outside promoters be used on a regular basis? If yes please describe.	YES	<input checked="" type="radio"/>	
Will you have a security plan? If, yes please attach.	YES	<input checked="" type="radio"/>	
Will security plan be implemented?	YES	<input checked="" type="radio"/>	
Will State certified security personnel be used?	YES	<input checked="" type="radio"/>	
Will New York Nightlife Association and NYPD Best Practices be followed?	YES	NO	N/A
Will applicant be using delivery bicycles? If yes, how many?	<input checked="" type="radio"/>	NO	
Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?	<input checked="" type="radio"/>	NO	
Where will delivery bicycles be stored during the day when not in use?			

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/>	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/>	NO	
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/>	
Are your plans filed with DOB?	<input checked="" type="radio"/>	NO	

Community Notification/Relations			
<b>NOTIFICATION:</b> 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	<b>See below.</b>	
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.	<b>Meeting was not requested</b>		
Who was your contact person at each group you met with?	<b>Meeting was not requested</b>		
When did applicant post the notice that was provided?	<b>Week prior to meeting</b>		
Where did applicant post the notice that was provided?	<b>Week prior to meeting</b>		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/>	NO	
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/>	NO	

**Notification list**

- 300 West 21st/22nd/23rd Streets Block Association: Eleanor Horowitz at eleanor@quiltedcorner.com
- 300 West 21st/22nd/23rd Streets Block Association: Andra Gabrielle at 300wba@gmail.com
- 300 West 21st/22nd/23rd Streets Block Association: Phyllis Waisman at phylliswaisman@gmail.com
- 300 West 21st/22nd/23rd Streets Block Association: Zazel Loven at zazeloven@yahoo.com
- Penn South 8th Ave/9th Ave (23-29) - Mario Mazzoni at education@pennsouth.coop
- West 25th Street Block Association: Carla Norstrom at west25thstreetproject@gmail.com
- Bill Borock at wborock@hotmail.com
- 400 West 21/22/23 Streets Block Association: Mary Swartz at mis@nyc.rr.com
- 400 West 21/22/23 Streets Block Association: Eileen McElduff at emce33@aol.com
- 400 West 21/22/23 Streets Block Association: Jean Blair at jblair@bobchristianson.com
- 400 West 21/22/23 Streets Block Association: Karen Jacob at w400ba@gmail.com
- 400 West 21/22/23 Streets Block Association: Joanne Downes at jdownesnyc@yahoo.com
- Elliot-Chelsea Houses Tenant Association: Florence Dent atfdenthunter@gmail.com
- Elliot-Chelsea Houses Tenant Association: Darlene Waters atdwatersh@gmail.com
- London Terrace Gardens: Andy Humm atandyhummm@aol.com
- Donna Langman Costumes: Donna Langman atdonna@donnalangman.com

<b>BUILDING DESIGN</b>			
Slate the name and type of business previously located in the space.	N/A		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	The applicant
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant have a vestibule within the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use a storm enclosure?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<b>FRENCH DOORS</b>	<b>GARAGE DOORS</b>	<b>WINDOWS THAT CAN BE OPENED</b>
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
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	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	N/A, existing
Will the establishment have an illuminated sign?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Where will the air conditioner be located? What type is it?	N/A, existing		
When was the air conditioner installed?			

BS

<b>OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ</b>		
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	NO
Are the floorplans for the outdoor space(s) included?	YES	NO
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	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 applicant agree to post signs outside asking customers to respect the neighbors?	YES	NO
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO

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<b>OUTDOOR ITEMS – SIDEWALK CAFÉ</b>		
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO
Will applicant be applying for a sidewalk café now or in the future?	YES	NO
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	YES	NO
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO
Will all furniture be stored inside between December 21 <sup>st</sup> and March 21 <sup>st</sup> , and any other day when it rains or snows?	YES	NO
Will applicant use umbrellas?	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?	YES	NO

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

- No use of rear yard by patrons or staff at any time
- Any storm enclosure will extend no further than 18" from building facade
- Hours of Operation: 11a.m. - 1a.m. Monday through Wednesday, 11a.m - 2a.m. Thursday through Friday, 10a.m. - 2a.m. Saturday, 10a.m. - 1a.m. Sunday

***To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.***

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

***To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.***

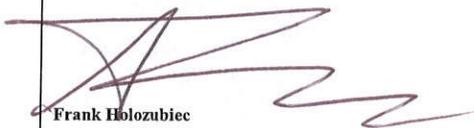
Manhattan Community Board 4 (MCB4) recommends:

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation

Denial  Approval

**CB4 REPRESENTATIVES**

**Nelly Gonzalez**  
*CB4 Assistant District Manager*

  
**Frank Holozubiec**  
*CB4 BLP Committee Co-Chair*

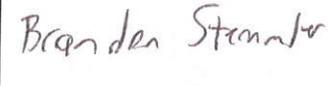
  
**Burt Lazarin**  
*CB4 BLP Committee Co-Chair*

**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 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

**SIGN HERE**

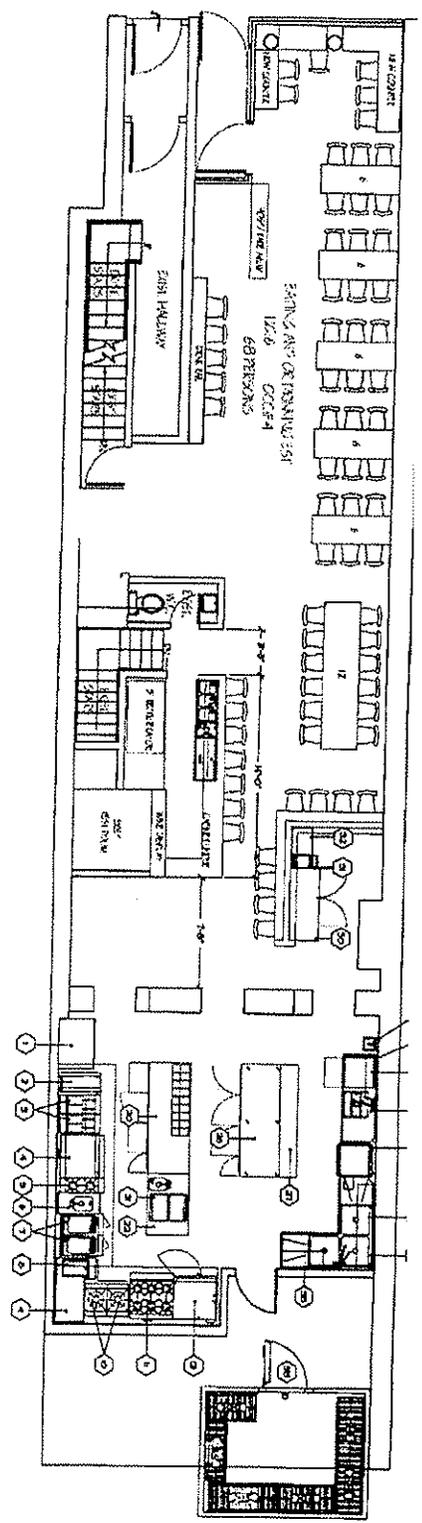


  
**PRINT NAME OF APPLICANT**

  
**SIGNATURE OF APPLICANT**

7/12/16  
**DATE**

8TH AVENUE

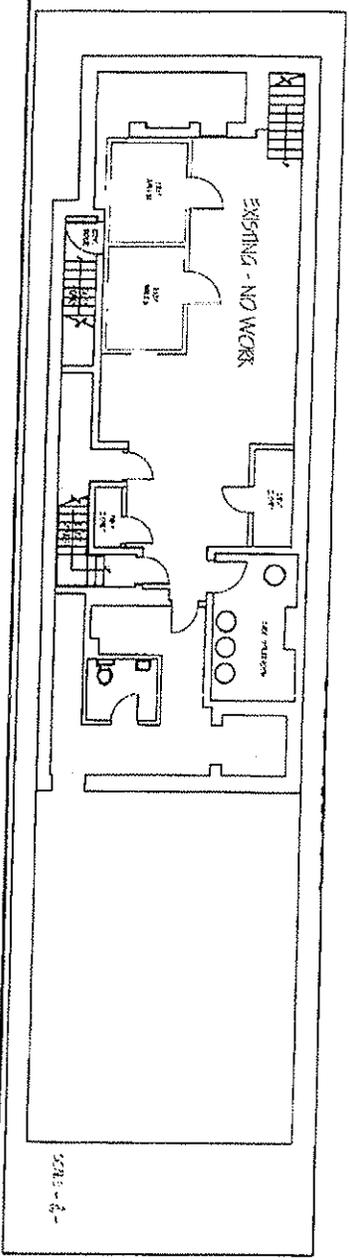


EQUIPMENT SCHEDULE

NO	DESCRIPTION	MANUFACTURER	MODEL NUMBER	QUANTITY	NOTES
1	STANDARD OUTDOOR				
2	STANDARD OUTDOOR				
3	STANDARD OUTDOOR				
4	STANDARD OUTDOOR				
5	STANDARD OUTDOOR				
6	STANDARD OUTDOOR				
7	STANDARD OUTDOOR				
8	STANDARD OUTDOOR				
9	STANDARD OUTDOOR				
10	STANDARD OUTDOOR				
11	STANDARD OUTDOOR				
12	STANDARD OUTDOOR				
13	STANDARD OUTDOOR				
14	STANDARD OUTDOOR				

EQUIPMENT SCHEDULE

NO	DESCRIPTION	MANUFACTURER	MODEL NUMBER	QUANTITY	NOTES
1	STANDARD OUTDOOR				
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10	STANDARD OUTDOOR				
11	STANDARD OUTDOOR				
12	STANDARD OUTDOOR				
13	STANDARD OUTDOOR				
14	STANDARD OUTDOOR				



SCALE - 1/4"

## Nishi's Dinner menu

Menu last updated on June 25, 2016

Last edited 6/25/16

### 涼菜 **appetizer**

- Mackerel Tataki – yuzu, celery 15
- Red Snapper – grapefruit, pink peppercorn 16
- Diver Scallop – tiger's milk, shio kombu 17
- Raw Beef – watermelon radish, dashi ponzu 19
- Tomato Salad – tomato, basil oil 13
- Soft Tofu – soy milk, bonji 9
- Romaine – walnut & tamarind 13
- Papaya Salad – miso, toasted rice 12
- Mixed Greens – kimchi vinaigrette 10
- Fried Whole Shrimp – salt & sansho pepper 17

### 麵 **noodle**

- Butter Noodle – chickpea hozon, black pepper 17
- Clams Grand Lisboa – chow mein, oregano, cabbage 24
- Shanghai Noodle- chilled broth, pickled vegetable 16
- Spicy Beef – shells, mint, crispy shallots 21
- Chili Squid – lo mein, xo 23
- Jajangmyeon – pork sausage, pan mee 20

### 主菜 **entree**

- Roast Pork – asparagus, rye 27
- Ocean Trout– shishito, bok choy 27

### 小菜 **side dish**

- Grilled Squash & Perilla & Soy Bean 10
- Fried Potato & Smoked Yolk & Tarragon 11
- Grilled Sweet Potato & Anchovy 9
- Bitter Greens & Vegetarian XO 8

### 甜點 **dessert**

- Pistachio Bundt Cake 10

Strawberry Rhubarb Panna Cotta 8

**Starting June 4th, Nishi's prices will no longer include gratuity.**



nishi is part of momofuku group





500ft List of Licenses

Name	Address	Approx. Distance
FORAGERS HOLDINGS LLC	233 8TH AVE	60 ft
SPICE CORNER 236 INC	236 8TH AVE	80 ft
BARRACUDA LOUNGE INC	275 W 22ND STREET	205 ft
GOLDEN SEA BEACH INC	300 W 23RD ST	325 ft
B & R SORRENTO CORP	202 8TH AVE	375 ft
DISH RESTAURANT CORP	201 8TH AVENUE	380 ft
ERS RESTAURANT INC	318 W 23RD ST	400 ft
BE TEMERARIO GROUP LLC	198 8TH AVE	400 ft
23RD & 8TH LLC	261 8TH AVENUE	410 ft
ZENITH CORPORATION	271 WEST 23RD STREET	420 ft
EISEN & SON INC	196 8TH AVE AKA 258 W 20TH ST	445 ft
254 WEST 23RD ST REST CORP	254 W 23RD STREET	480 ft
TEQUILA CHITO'S MEXICAN GRILL INC	358 W 23RD ST	565 ft