

# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003 Phone (212) 533-5300 www.cb3manhattan.org - info@cb3manhattan.org

Jamie Rogers, Board Chair

Susan Stetzer, District Manager

# **Community Board 3 Liquor License Application Questionnaire**

Please bring the following items to the meeting:

|                       | Photographs of the in Schematics, floor pla A proposed food and Petition in support or residential tenants at proposed location. Prestaurant, sports ba Notice of proposed by community groups a http://www.nyc.gov/Photographs of proof If applicant has been | aside and outside of the premise. In sor architectural drawings of the inside of the proposed business or change in business with set location and in buildings adjacent to, across the retition must give proposed hours and method of the proposed hours and method of | ignatures from street from and behind operation. For example: d) ts. You can find anity group listings.shtml per showing date. |
|-----------------------|--|--|--|
| Che                   | ck which you are appl  | ving for   |  |
|                       | ew liquor license  | alteration of an existing liquor license   | □ corporate change   |
| □ sa                  | ck if either of these ap<br>ale of assets<br>ay's Date: 4/21/2017  | ply:  upgrade (change of class) of an existing li  | iquor license  |
| If apare Is lo If alt | oplying for sale of ass<br>buying business or h<br>cation currently licen-<br>teration, describe naturious or current use of   | sets, you must bring letter from current owner have the seller come with you to the meeting.  sed? Yes No Type of license: On Premise, Calure of alteration:  The location: Night Club, Live Entertainment Venue me of current license: Webster Hall Entertainment   | abaret   |
| Prer<br>Cros          | PLICANT: mise address: 119-125 as streets: 3rd Avenue ne of applicant and all id Smalley and David An  | and 4th Avenue principals: Facility Concession Services, Inc.  |  |
| _                     | A - M COLO - LONG COMO LONG  | rum Catering and Concessions   |  |
| irac                  | ie name (DBA): opeen   | The second secon |  |

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| PREMISE:  |
|---|
| Type of building and number of floors: Freestanding with 5 floors   |
| Will any outside area or sidewalk cafe be used for the sale or consumption of alcoholic beverages   |
| (includes roof & yard) ■ Yes ■ No If Yes, describe and show on diagram:   |
| Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any   |
| back or side yard use?   ■ Yes  No What is maximum NUMBER of people permitted?   est. 2080 post renov   |
| Do you plan to apply for Public Assembly permit? ■ Yes ■ No   |
| What is the zoning designation (check zoning using map: <a href="http://gis.nyc.gov/doitt/nycitymap/">http://gis.nyc.gov/doitt/nycitymap/</a> -   |
| please give specific zoning designation, such as R8 or C2):  C6-2A  |
| PROPOSED METHOD OF OPERATION:   |
| Will any other business besides food or alcohol service be conducted at premise? \(\mathbb{Z}\) Yes \(\mathbb{D}\) No   |
| If yes, please describe what type: Live entertainment venue with club nights, boxing, private events at food/beverage events  |
| What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space)  General hours 6PM - 4AM. On occasion, will open earlier for film shoots or special events. |
| Possibly open with extended hours on New Years Eve  |
| Number of tables? TDB, depending on event Total number of seats? TDB, depending on event  |
| How many stand-up bars/ bar seats are located on the premise? 8 bars  |
| (A stand up bar is any bar or counter (whether with seating or not) over which a patron can ord   |
| pay for and receive an alcoholic beverage)  |
| Describe all bars (length, shape and location): 8 rectangle bars, five 10', one 12', one 20', one 30' (see diagram  |
| Does premise have a full kitchen □ Yes ☒ No?  |
| Does it have a food preparation area? ■ Yes ■ No (If any, show on diagram)  |
| Is food available for sale? ■ Yes ■ No If yes, describe type of food and submit a menu Personal Pizza, Mozzarella Sticks, Ham & Cheese pocket   |
| What are the hours kitchen will be open? All open hours   |
| Will a manager or principal always be on site? ■ Yes ■ No If yes, which? Manager  |
| How many employees will there be? 40  |
| Do you have or plan to install $\square$ French doors $\square$ accordion doors or $\square$ windows?   |
| Will there be TVs/monitors? □ Yes □ No (If Yes, how many?) TBD  |
| Will premise have music? Ves \ No   |

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| If other type, please describe   |                                |
|--|--------------------------------|
|  |                                |
| What will be the music volume? $\square$ Background (quiet) $\square$ Entertainment  |                                |
| Please describe your sound system: Existing sound system or comparable.  |                                |
| Will you host any promoted events, scheduled performances or any eve   | ent at which a cover fee is    |
| charged? If Yes, what type of events or performances are proposed and  | I how often?                   |
| Yes, live music events, club nights, boxing, private events and food/beverage  | events                         |
| How do you plan to manage vehicular traffic and crowds on the sidewal establishment? Please attach plans. (Please do not answer "we do not a |                                |
| Will there be security personnel? ■ Yes ■ No (If Yes, how many and wh  | hen) 18-20 on event days       |
| How do you plan to manage noise inside and outside your business so naffected? Please attach plans.  | neighbors will not be          |
| Do you have sound proofing installed?   ✓ Yes   No   |                                |
| If not, do you plan to install sound-proofing? ☐ Yes ☐ No  |                                |
| APPLICANT HISTORY:   |                                |
| Has this corporation or any principal been licensed previously? ■ Yes  | <b>J</b> No                    |
| If yes, please indicate name of establishment: See attached  |                                |
|  | Community Board #_See attached |
| Dates of operation: See attached   |                                |
| If you answered "Yes" to the above question, please provide a lette  | er from the community          |
| board indicating history of complaints or other comments.  |                                |
| Has any principal had work experience similar to the proposed busines.   | s? 🛮 Yes 🗖 No If Yes, please   |
| attach explanation of experience or resume.  |                                |
| Does any principal have other businesses in this area? ☐ Yes ☒ No If Ye  | es, please give trade name     |
| and describe type of business See attached   |                                |
| Has any principal had SLA reports or action within the past 3 years?   | Yes 🛮 No If Yes, attach list   |
| of violations and dates of violations and outcomes, if any.  |                                |

Attach a separate diagram that indicates the location (name and address) and total number of establishments selling/serving beer, wine (B/W) or liquor (OP) for 2 blocks in each direction. Please indicate whether establishments have On-Premise (OP) licenses. Please label streets and avenues and identify your location. Use letters to indicate Bar, Restaurant, etc. The diagram must be submitted with the questionnaire to the Community Board before the meeting.

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| LC                     | OCATION:   |
|------------------------|--|
|                        | ow many licensed establishments are within 1 block? 2  |
|                        | ow many On-Premise (OP) liquor licenses are within 500 feet? 9   |
| Is                     | premise within 200 feet of any school or place of worship? ☐ Yes ☒ No  |
| Ple<br>im<br>ou<br>lic | OMMUNITY OUTREACH:  ease see the Community Board website to find block associations or tenant associations in the smediate vicinity of your location for community outreach. Applicants are encouraged to reach to community groups. Also use provided petitions, which clearly state the name, address, ense for which you are applying, and the hours and method of operation of your establishment at e top of each page. (Attach additional sheets of paper as necessary). |
| me                     | e are including the following questions to be able to prepare stipulations and have the<br>eeting be faster and more efficient. Please answer per your business plan; do not plan to<br>gotiate at the meeting.  |
| 1.                     | ■ I agree to close any doors and windows at 10:00 P.M. every night?  |
| 2.                     | □ I will not have □ DJs, □ live music, □ promoted events, □ any event at which a cover fee is charged, □ scheduled performances, □ more than DJs/ promoted events per, □ more than private parties per   |
| 3.                     | ☐ I will play ambient recorded background music only.  |
| 4.                     | ☑ I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.  |
| 5,                     | $\square$ I will not seek a change in class to a full on-premise liquor license. Or $\square$ my business plan is to seek an upgrade at a later date.  |
| 6.                     | ■ I will not participate in pub crawls or have party buses come to my establishment.   |
| 7.                     | ☑ I will not have a happy hour. Or ☐ Happy hour will end by  |
| 8.                     | $\blacksquare$ I will not have wait lines outside. $\blacksquare$ There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.   |
| 9.                     | ☑ Residents may contact the manager/owner at the following phone number. Any complaints  |

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will be addressed immediately and I will revisit the above-stated method of operation if

necessary in order to minimize my establishment's impact on my neighbors.

#### **New York Liquor Licenses**

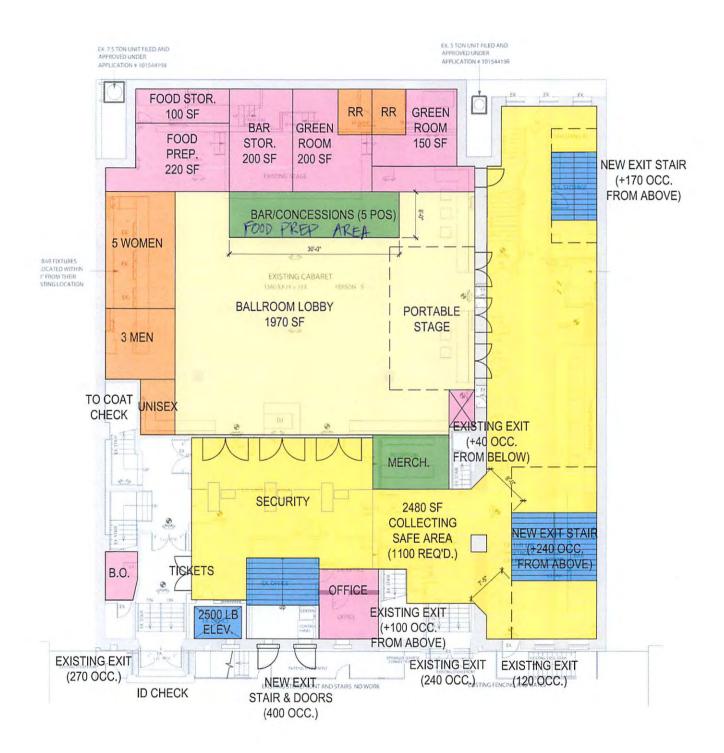
| Premises Name                  | Address             | Start Date | End Date | Community<br>Board |  |
|--------------------------------|---------------------|------------|----------|--------------------|--|
| The Kings Theatre              | 1027 FLATBUSH AVE   | 7/1/2014   | Active   | CB1                |  |
|                                | BROOKLYN, NY 11226  | //1/2014   | Active   | ÇD1                |  |
| Terminal 5                     | 610 W 56TH ST       | 12/16/2016 | Active   | CB4                |  |
|                                | NEW YORK, NY 10019  | 12/10/2010 | Active   |                    |  |
| The Music Hall of Williamsburg | 66 N 6TH ST         | 12/16/2016 | Active   | CB1                |  |
|                                | BROOKLYN, NY 11211  | 12/10/2016 | Active   |                    |  |
| Rough Trade                    | 64 N 9TH ST         | 12/16/2016 | Active   | CB1                |  |
|                                | BROOKLYN, NY 11249  | 12/10/2016 | Active   | CB1                |  |
| Brooklyn Steel                 | 319 Frost St        | 4/5/2017   | Active   | CB1                |  |
|                                | BROOKLYN, NY 11249  | 4/3/201/   | Active   | CBI                |  |
| The Westbury Theatre           | 960 Brush Hollow RD | 10/21/2012 | 3/5/2017 | Nassau County      |  |
|                                | Westbury, NY 11590  | 10/31/2013 | 3/3/201/ | ivassau County     |  |

Experience: Through Facility Concession Services, Inc., David Smalley and David Anderson have been managing venue concessions nationwide for the past 25 years. The venues range in size and location. Most recently, they are managing Terminal 5, The Music Hall of Williamsburg, Rough Trade and Brooklyn Steel in New York City. David Anderson is also the CEO of ACE Theatrical Group which manages the Kings Theatre in Brooklyn, the Saenger and Mahalia Jackson Theatres in New Orleans, and the Majestic and Empire Theatres in San Antonio.

#### Other Facility Concessions Services, Inc. licensed venues.

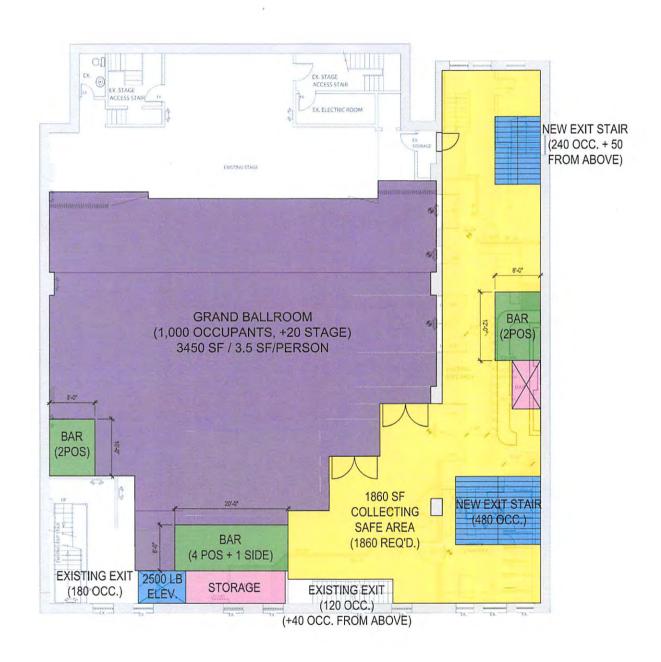
- The Hippodrome: 12 North Eutaw Street Baltimore, MA 21201; License: CG-00945
- The Indian Farmers Coliseum: 1202 East 38th St Indianapolis, IN 46205; License: RR 4923796
- Lone Star Convention Center: 9055 Airport Road Conroe TX 77303; License: MB476865
- Mahalia Jackson Theatre: 801 N Rampart St New Orleans, LA 70116; License: AG-E.36.0000012517-BL
- The State: 800 LaSalle Ave Suite 120 Minneapolis, MN 55402; License L074 50009
- The Orpheum: 910 Hennepin Ave Minneapolis, MN 55402; License: L182 50033
- The Pantages: 710 Hennepin Ave Minneapolis, MN 55402; License: L182 50035
- NorVa: 317 Monticello Ave Norfolk VA, 23510; License: 079461
- National: 708 E Broad St Richmond VA 23219; License: 079451
- Portsmouth Pavilion: 16 Crawford Cir Portsmouth VA 23704; License: 089906
- Saenger: 1111 Canal Street New Orleans, LA 70112; License: 36-0087710
- Woodforest Bank Club: 2005 Lake Robbins Drive 'A' The Woodlands TX 77380

|  | All Newdory-Chair Bach.  All Sendory-Chair Bach.  All Sendory-Chair Bach.  Bill Sendory-Chair Ba   |  | North<br>y Emadeay Kinten<br>urger/Hummus, S. Pila Co.  | Neckh 700 Ernabway Ralamij Nr Lights (Lashy Wang (Central Ari Callery 700 Ernabway Hansan Niseau (Iga Belles 700 Ernabway Hansan Niseau (Lashe) 700 Ernabway Erial Iyan (Kentralia) (Iwashun) Windows 700 Ernabway Erial Iyan (Kentralia) (Iwashun) Windows  |   | 783 Broadway Oure Bank<br>779 Broadway Milli & Hope (B/W)  |  | 11.1.200-  | North<br>Brillians Hall (NYU Zorm)   |  |  |  |
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FIRST FLOOR PLAN

SCALE: 1/16" = 1'-0"

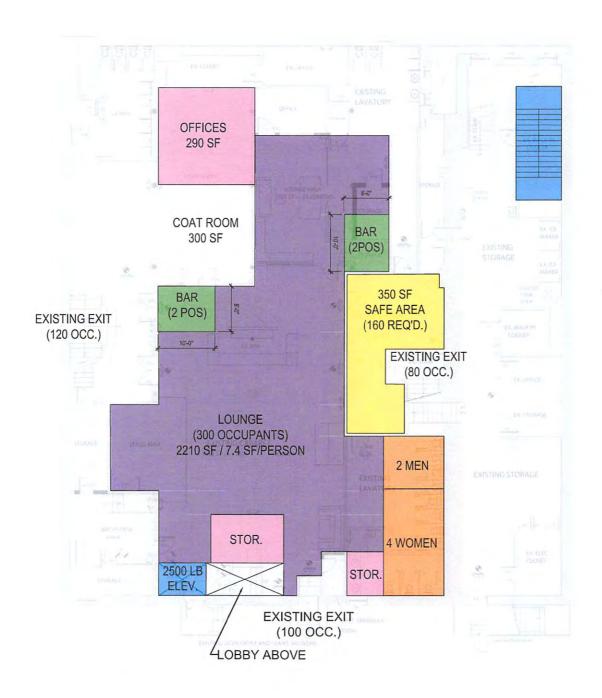


SECOND FLOOR PLAN

SCALE: 1/16" = 1'-0"

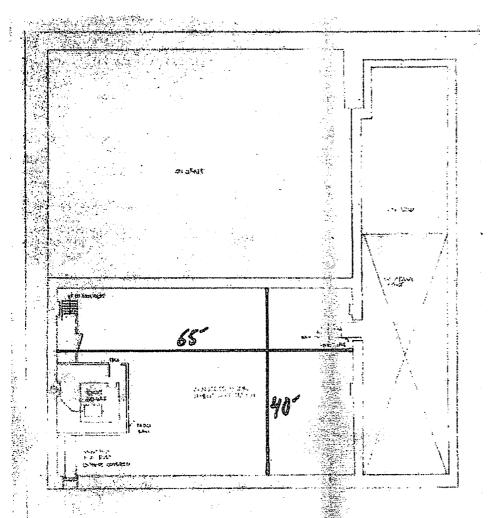


THIRD FLOOR PLAN SCALE: 1/16" = 1'-0"



BASEMENT PLAN

SCALE: 1/16" = 1'-0"



DOLAR PLOCK HAN

#### **SECURITY PLAN**

This Security Plan constitutes the "Standard Operating Procedures" relating to physical and procedural security for **125 East 11**<sup>th</sup> **Street**. This plan creates a safe environment for all patrons, and staff at "the venue" and its surrounding areas. It contains a comprehensive overview of the security program, and procedures to use to execute the security plan. Security personnel and venue managers shall be familiar with the information and procedures associated with this Security Plan.

Venue management will designate a point person to liaise with Community Board 3 and the NYPD 9<sup>th</sup> Precinct Community Council on venue security matters.

# **SECURITY STAFF RESPONSIBILITIES:**

Security staff will be a licensed and bonded third party security team hired by the venue manager. Their responsibilities include the following:

- Processing (physical search) of all patrons entering the venue to prohibit illegal contraband, as well as other restricted items from being brought into the venue.
- Enforcing alcohol compliance policies (removing all patrons in violation of policy)
- Enforcing venue policies (removing all patrons in violation of policy)
- Developing and ensuring compliance with emergency evacuation procedures
- Controlling access to restricted areas
- Facilitating safe egress from the venue
- Monitoring and patrolling the area surrounding the venue
- Security will be placed on adjacent to all venue entrances to direct patrons into the venue and minimize impact in the surrounding residential areas
- Venue management will also confer with the security provisions under the "Best Practices established for Nightlife Establishments", published by the NYPD and the New York Nightlife Association

#### **SECURITY PROCEDURES**

The following describes each of the procedures used by the security staff to execute the security plan  $\rightarrow$ 

#### **CREDENTIALS**

All working staff and performing artists will be required to wear a day pass distributed by venue operator. There will be multiple levels of passes per event that will have access to several restricted areas. A security key will be created to clearly identify the passes and define the restrictions on all credentials. Security will control the access to the restricted areas of the venue.

There will be a meeting with all department heads and security staff to discuss and understand all details of the day's events, including beginning and end times, times of each performance, credential key, as well as venue emergency policies.

## PROCESSING/LINE CONTROL

#### Queuing

- Patrons will be encouraged to enter the venue even prior to official doors opening to alleviate crowds on the sidewalk
- Security will patrol the sidewalk and announce the prohibited items list below to incoming patrons
- Any lines will be maintained in an orderly fashion
- A bike rack will be used to divide the sidewalk to maintain access for local pedestrians

#### <u>Search</u>

- Patrons will be subject to metal detection before entering the venue
- Patrons will be subject to a bag check/pat down search based on the nightly assessment of Security Director and Venue Manager before entering the venue

- Patrons will be directed to dispose of any items found on them that appear on the prohibited items list
- Refusal to comply with policy will result in denial of entry to the venue
- Patrons under the age of 21 will be denied entry if they are found to be in possession of any alcoholic beverages
- Patrons found to be intoxicated prior to entry will not be permitted into the venue

# **Prohibited Items**

Weapons of any kind
Illegal substances

Outside food/beverages, including alcohol

Glass containers of ANY kind

Bicycles, skateboards, scooters, and personal motorized vehicles

Fireworks and explosives

Pets (exception for service dogs)

Video equipment - no video recording will be allowed

Audio recording equipment

No illegal vending is permitted - no unauthorized/unlicensed vendors allowed

### **ALCOHOL COMPLIANCE**

- All patrons entering the venue will have their identification checked by "ID Checkers" at the main entrance of the venue
- All patrons over the age of 21 will be given a wristband which will be on the security key allowing permission to purchase and consume alcoholic beverages within the venue
- Any patron under the age of 21 will have a black "x" marked on each hand
- Any patron under the age of 21 found to be in possession of an alcoholic beverage within the venue will be immediately escorted out of the venue.
- Any patron found to be providing a patron under the age of 21 an alcoholic beverage will be immediately escorted out of the venue
- Security will monitor bar areas to intervene with any patron found to be intoxicated
- Security will escort intoxicated patrons away from other patrons to assess necessary

action

- Security will be posted at all exits of the venue and will stop alcoholic beverages from exiting the lines of alcohol consumption
- Beverages are distributed in different sized cups, to help differentiate between alcoholic and non-alcoholic drinks

#### **EJECTION POLICY**

Security will escort out of the venue any patron found to:

- Be in violation of any venue policy
- Be in violation of any alcohol compliance policy
- Pose a danger to his/herself and/or other patrons
- Knowingly enter a restricted area without proper access credentials

#### **COMMUNICATION**

- Radios will be located at key security positions throughout the venue
- A security supervisor will be in direct radio contact with venue management

#### **VEHICULAR TRAFFIC**

- The New York City Department of Transportation controls parking on the street adjacent to the venue
- Within the past few years, the area immediately outside of the venue was rezoned so that there is "No Standing" in front of the building, and "No Parking" to both the left and right of the building
- The majority of patrons will be travelling to the venue by public transportation
- Venue management will work with NYPD to establish a designated drop off/pick up area

• Venue management will enter into arrangements with local parking lots

#### **End of Event**

- Egress lighting will be activated
- All exits will be checked by security to be clear of obstruction
- Security will direct patrons toward all exits
- Security will direct all patrons away from the venue in an orderly fashion
- Security will monitor surrounding area to minimize patron impact on the community
- Security will be posted in strategic locations within the surrounding area to direct patrons away from nearby residential areas in a quiet and orderly manner

#### **EMERGENCY SITUATIONS**

In the case of an emergency that may require an evacuation, security supervisors along with venue management will convene to discuss the details of the emergency and properly disseminate all information to venue staff. Announcements will be made from the stage informing the audience. Emergency lights will be activated. All emergency exits will be opened and prepared for evacuation. Security staff will direct all patrons to the nearest clearly defined emergency exit. Once outside, venue security will continue to direct patrons to a safe destination away from the venue.