



JOHN WEIS
Chair

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

June 10, 2010

Dennis Rosen
Chairman
New York State Liquor Authority
84 Holland Avenue, 2nd floor, A-Wing
Albany, NY 12208

Re: **355 Hell's Kitchen Group LLC**
355 West 52nd Street (8th / 9th Avenues)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new full liquor license for 355 Hell's Kitchen Group, unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- 1) Hours of operation will be no earlier than 4:00 pm and no later than 4:00 am, 7 days per week.
- 2) The establishment will have a capacity of no more than 290 with no more than 19 tables and 143 seats. There will be only two bars with no more than 26 seats.
- 3) Only soft background music and the occasional DJ will be used. All doors and windows will be kept closed when music is being played.
- 4) The applicant is not applying for a cabaret license with this current application.
- 5) 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.
- 6) 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.
- 7) The applicant agrees to staff each evening with one New York licensed security guard for every 75 patrons expected in attendance. Additionally, the applicant agrees to install an 8-camera video surveillance system.
- 8) There will be no waiting lines in front of the premises. A double-door vestibule will be constructed at the entrance consisting of 140 square feet of space holding approximately 40 patrons who will be efficiently moved into the

establishment. Additionally, a staffed coat check will be located at the rear of the establishment to enhance patron movement away from the front entrance.

- 9) The applicant will utilize professional sound attenuation methodologies specified by a licensed sound engineer.
- 10) 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.
- 11) The applicant will not use outside promoters.
- 12) The applicant will send a representative to the CB4 Quality of Life and police precinct community council meetings regularly to proactively resolve any issues with the community. The applicant will also distribute 24 hour contact information to the CB4 office, the 10th Precinct Police Department, and the local neighborhood and tenant associations.
- 13) There will be absolutely no use of delivery bikes.
- 14) The applicant will never install a storm vestibule enclosure.
- 15) There will be no French doors and/or windows that open to the street front.

A signed copy of the stipulations and community agreements is enclosed. This application is for a new lounge.

Sincerely,



John Weis
Chair
Manhattan Community
Board 4



John Owens
Co-Chair
Business License & Permits
Committee - North



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