

October 8th, 2004

Commissioner Edward Kelly
New York State Liquor Authority
84 Holland Avenue, 2nd floor, A-Wing
Albany, NY 12208

Re: JMED Holdings Inc. 618 West 46th Street.

Dear Commissioner Kelly,

At its September 14th, 2004 meeting, the Business Licenses and Permits Committee of Manhattan Community Board No. 4 voted to recommend approval of an on-premises liquor license for JMED Holdings Inc. located at 618 West 46th Street.. The establishment shall be operated as a nightclub. The occupancy will be 2,600 and the total square footage will be 30,000.

The previous license holder at this location, Sound Factory, lost its license due to narcotics activity. Although we are confident that the present applicant will be a great improvement, we are understandably concerned about a nightclub of this size. Therefore, this recommendation is contingent on the owner's agreement to incorporate the following stipulations into its method of operation on its New York State Liquor Authority Application:

1. JMED Holdings Inc. shall hire a professional security company with at least five years experience in venue security and crowd control in New York City that is bonded and licensed to:
 - a. Prevent minors from entering the establishment when alcohol is served.
 - b. Manage the dropping off and picking up of customers in the street to avoid unnecessary traffic congestion.
 - c. Manage customer queuing outside to minimize noise and litter.
 - d. Manage the entering and exiting of customers to avoid crowds and noise near the entrance/exit of the establishment.
 - e. Manage patrons congregating outside to smoke and to ensure they do not carry alcoholic beverages outside.
2. JMED Holdings Inc. shall provide no less than six security personal outside during a regular night.
3. JMED Holdings Inc. shall install a lockable sound system limiter.

4. JMED Holdings Inc. shall notify the Community Board and the Midtown North Police Precinct of any large scheduled events or any events that may affect the neighbors.
5. All employees who serve alcohol must have TIPS Alcohol Awareness Certification.
6. JMED Holdings Inc. shall clean the sidewalk in front of the establishment (and/or the rear if used) from 11th Avenue to 12th Avenue, both sides of the street, of any handouts, fliers, beverage containers, urine or vomit.
7. JMED Holdings Inc. shall provide contact phone numbers for local residents to call if there are any problems.
8. JMED Holdings Inc. shall cooperate with the Community Board and the police and be available to discuss problems as they arise.
9. JMED Holdings Inc. shall send a decision capable representative to the Community Board No. 4 Quality of Life Committee and/or the Midtown North Police Precinct Community Council meetings as requested and if a situation arises that disrupts or interferes with the local residences or businesses.
10. JMED Holdings Inc. shall close no later than 7am.

At its full board meeting on October 6th, 2004, Manhattan Community Board 4 voted to approve this recommendation with the above stipulations attached.

Sincerely yours,



Walter Mankoff
Chair
Manhattan Community Board No. 4

Kevin Kossi
Chair
Business Licenses & Permits Committee

cc: Fred Gioffre
Applicant
Local Elected Officials