

July 22, 2003

Beverly Gotay  
Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

**Re: Cabaret License application by JCC Ventures, Inc., d/b/a The Lobby, 330 W. 38<sup>th</sup> St.**

Dear Ms. Gotay,

In May, we sent you a letter explaining that Manhattan Community Board No. 4 had voted to recommend denial of the cabaret license application of JCC Ventures Inc., d/b/a The Lobby, pending improvement in the operation of the club (see attached). At that time, we said that we would reconsider the application in 60 days, and asked that the Lobby do the following in the interim:

- Complete the sound-proofing of their entry/exit way.
- Augment and train security personnel on the street in crowd management and traffic control. Staff and management, must understand their obligation to maintain order and reasonable quiet on the street during hours of club operation, learn how to accomplish this, and demonstrate their commitment to doing it.
- Management must attend the monthly Midtown South Police Precinct Community Council meetings regularly and respond promptly and effectively to any community complaints.
- Management must demonstrate a commitment to work effectively with neighbors to mitigate the disruptive conditions created on the street by their club.

Representatives of the Lobby and of the community returned to our Business Licenses & Permits meeting on July 8, 2003. At that time, the Lobby reported that it had make significant efforts to improve soundproofing of the entryway and increase security. Nevertheless, community members reported that noise and disruptive conditions on the street continue. Lobby representatives decided not to attend the Midtown South Community Council meetings because they believe it would be ineffective given the opposition of community members who also attend the meetings. There was no evidence of cooperation between the club owners and their neighbors.

Given the significant efforts made by the applicant, the Committee voted to postpone reconsideration of the matter for another 30 days, in the hope that there will be some marked

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improvement of the situation by then. We respectfully ask that DCA similarly postpone its decision until there is proof of the applicant's ability to limit disruptions caused by the operation of its establishment. Thank you for your consideration.

Sincerely,



Walter Mankoff  
Chair  
Manhattan Community Board No. 4

Kevin Kossi  
Co-Chair  
Business Licenses & Permits Committee



Cheryl Kupper  
Co-Chair  
Business Licenses & Permits Committee

cc: Applicant  
Local Elected Officials