

**Manhattan Community Board 4**  
(All Fields Must Be Completed)

Liquor License Stipulations Application

<b>APPLICANT</b> Rise Bar NYC, LLC		<b>DOING BUSINESS AS (DBA)</b> Rise Bar & Lounge		
<b>STREET ADDRESS</b> 859 Ninth Avenue		<b>CROSS STREETS</b> West 55th and West 56th Streets		
<b>OWNER</b>	<b>NAME:</b> John Blair	<b>ATTORNEY</b>	<b>NAME:</b> Donald M. Bernstein	
	<b>PHONE:</b> 914-388-5139		<b>PHONE:</b> 212-486-6000	
	<b>FAX:</b> None		<b>FAX:</b> 212-486-8668	
<b>MANAGER</b>	<b>NAME:</b> Ted Arenas	<b>LANDLORD</b>	<b>NAME:</b> Trevi Retail	
	<b>PHONE:</b> 917-405-7905		<b>PHONE:</b> 646-937-5094	
	<b>FAX:</b> None		<b>FAX:</b>	
<b>DESCRIPTION OF BUSINESS</b>				
<b>Establishment Type:</b>	<input checked="" type="checkbox"/> Bar/Tavern <input type="checkbox"/> Bed & Breakfast <input type="checkbox"/> Eating Place Beer <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input type="checkbox"/> Restaurant <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Club (Fraternal Organization – Members Only) <input checked="" type="checkbox"/> Other (Explain): <del>Bar/Hotel</del> First Class Lounge			
<b>Method of Operation:</b>	<input type="checkbox"/> Restaurant <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Pizzeria <input type="checkbox"/> Cafe <input checked="" type="checkbox"/> Other (Explain): <del>Bar/Hotel</del> First Class Lounge			
<b>License Type:</b>	<input checked="" type="checkbox"/> On-Premise <input type="checkbox"/> Wine <input type="checkbox"/> Beer <input type="checkbox"/> Wine & Beer			
<b>APPLICATION TYPE</b> (check one)	<input checked="" type="checkbox"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
		What is/was the name of establishment?	See attached	
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="checkbox"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
		If alterations or operational changes are being made, please attach the plans to this form.		
	<input type="checkbox"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	2PM - 4AM	
	Music	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	4PM - 4AM	2PM - 4AM	
	Kitchen	4PM - 3AM	4PM - 3AM	4PM - 3AM	4PM - 3AM	4PM - 3AM	4PM - 3AM	4PM - 3AM	2PM - 3AM	
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	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 Bars	Number of Seats	Number of Tables	
	74	74	8	30	0	1	14	N/A	N/A	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					<input checked="" type="radio"/> 1-2	<input type="radio"/> 3-4	<input type="radio"/> 5+	Ground Floor: Basement:		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A			
Will applicant have bottle service?					<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A			
Will you be hosting private parties and promotional events?					<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A			
Will outside promoters be used?					<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A			
Will the security plan submitted be implemented?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A	See attached		
Will State certified security personnel be used?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					<input type="radio"/> YES	<input checked="" type="radio"/> NO	<input type="radio"/> N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					<input type="radio"/> YES	<input type="radio"/> NO	<input checked="" type="radio"/> N/A			
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
Will you inform the Community Board office of your job openings and/or provide a hyperlink to your jobs webpage?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
If you plan to have music, what type(s)?				<input checked="" type="radio"/> BACKGROUND	<input type="radio"/> LIVE MUSIC	<input type="radio"/> DJ				
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			
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	<input type="radio"/> N/A			
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					<input checked="" type="radio"/> YES	<input type="radio"/> NO	<input type="radio"/> N/A			

2 AM → 2 AM → 2 AM → 2 AM

(B)

OUTDOOR ITEMS NO OUTDOOR SPACE			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	N/A

LOCATION & ZONING			
Primary Zoning District:	R8	Overlay (if Applicable):	C1-5
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	NO	N/A
Is a Public Assembly permit required?	YES	NO	N/A
Are your plans filed with DOB?	YES	NO	N/A
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:		
Adjacent Buildings	<input checked="" type="radio"/> Residential <input type="radio"/> Commercial <input checked="" type="radio"/> Mixed Use <input type="radio"/> Other, describe:		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1		
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

- WINDOWS + DOORS WILL  
NOT BE OPEN AT ANY  
TIME.

- RECOMMENDATIONS OF  
ACOUSTICIAN REPORT  
DATED 4/4/14 WILL  
BE ADOPTED +  
IMPLEMENTED.

✓

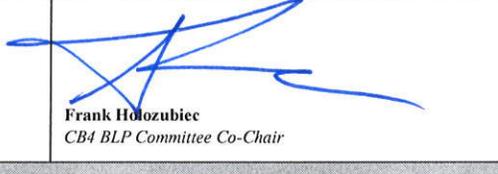
**ADDITIONAL STIPULATIONS: (Office Use Only)**

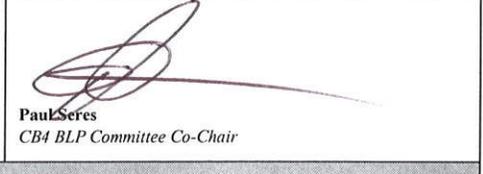
Manhattan Community Board 4 (MCB4) recommends:

- Denial unless all agreed to by applicant is part of the method of operation  
 Denial  Approval

**CB4 REPRESENTATIVES**

  
Nelly Gonzalez  
CB4 Assistant District Manager

  
Frank Holozubiec  
CB4 BLP Committee Co-Chair

  
Paul Seres  
CB4 BLP Committee Co-Chair

**APPLICANT AGREEMENT WITH THE COMMUNITY**

Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

SIGN HERE



  
SIGNATURE OF APPLICANT

  
DATE

## **ABOUT THE OWNERS**

## **ABOUT THE OWNERS**

### **JOHN BLAIR**

John Blair has been working in NYC nightlife for over 30 years. He was a member of the Community Board for 7 years in Chelsea. He has owned XL Lounge, XI Nightclub, Avalon, and many others. He is a NYC nightlife legend with an impeccable reputation for running his businesses flawlessly. He has also been a promoter for some of the best venues in NYC.

### **BETO SUTTER**

Beto Sutter has been working in NYC nightlife for over 30 years. He has owned XL Lounge, XI Nightclub, Avalon, and many others. He is a nightlife legend with an impeccable reputation for running his businesses flawlessly. His background as a TV child actor in Brazil and his passion for production has allowed him to reinvent the wheel as he produces shows throughout the city.

### **THEODORE ARENAS**

Theodore Arenas has been working in NYC nightlife for 17 years. He has worked at various hot spots in the city, including XL Lounge, G Lounge, Barrage, and XI Nightclub just to name a few. He was an operator of Bartini from 2009-2011. In the design world he has been creating graphics for sporting apparel companies for over 7 years, designing for labels such as Champion, Everlast, Disney, Marvel, Nickelodeon, and many more. He earned his BS in Graphic Design from the School of Visual Arts.

**RISE**  
BAR & LOUNGE

**Liquor License Stipulations Application of  
Rise Bar NYC, LLC**

The owners of the applicant have previously owned and/or managed the following licensed premises:

John Blair:	Flatiron Entertainment LLC 656 6 <sup>th</sup> Avenue a/k/a 47-49 West 20 <sup>th</sup> Street New York, NY 08/2001 –
	XL Dance Bar LLC 512 West 42 <sup>nd</sup> Street New York, NY 10036 01/2012 – 05/2013
Beto Sutter:	XL Dance Bar LLC 512 West 42 <sup>nd</sup> Street New York, NY 10036 01/2012 – 05/2013
Thoedore Arenas:	Lux Bar & Lounge LLC 642 10 <sup>th</sup> Avenue New York, NY 10036 09/2009 - present

# **SECURITY INFORMATION**

## SECURITY PLAN

Rise Bar understands how important the proper security staff is for maintaining a safe and enjoyable environment for clients and neighbors. Our security team is made up of certified security guards who have many years of experience working with bar patrons.

Below is a list of security duties.

- 1) The Front Door- Checking id's, explaining the rules of the venue, securing the pedestrian traffic on sidewalk, directing smokers into a designated area, keeping the noise levels of patrons to a minimum and having a good relationship with the neighbors.
- 2) Roaming the premises- being on the lookout for any potential problems of patrons, keeping the customers safe, securing the cash on the premises, and protecting the staff.
- 3) Emergency Exit- In the event of an emergency, the security guards will help lead the customers into safety. If there is a fire or any other emergency on the premises, they will help customers and staff find the emergency exits.

## STAFFING SECURITY MEASURES

All of our employees will be TIPS certified. TIPS (Training for Intervention ProcedureS) is the global leader in education and training for the responsible service, sale, and consumption of alcohol.

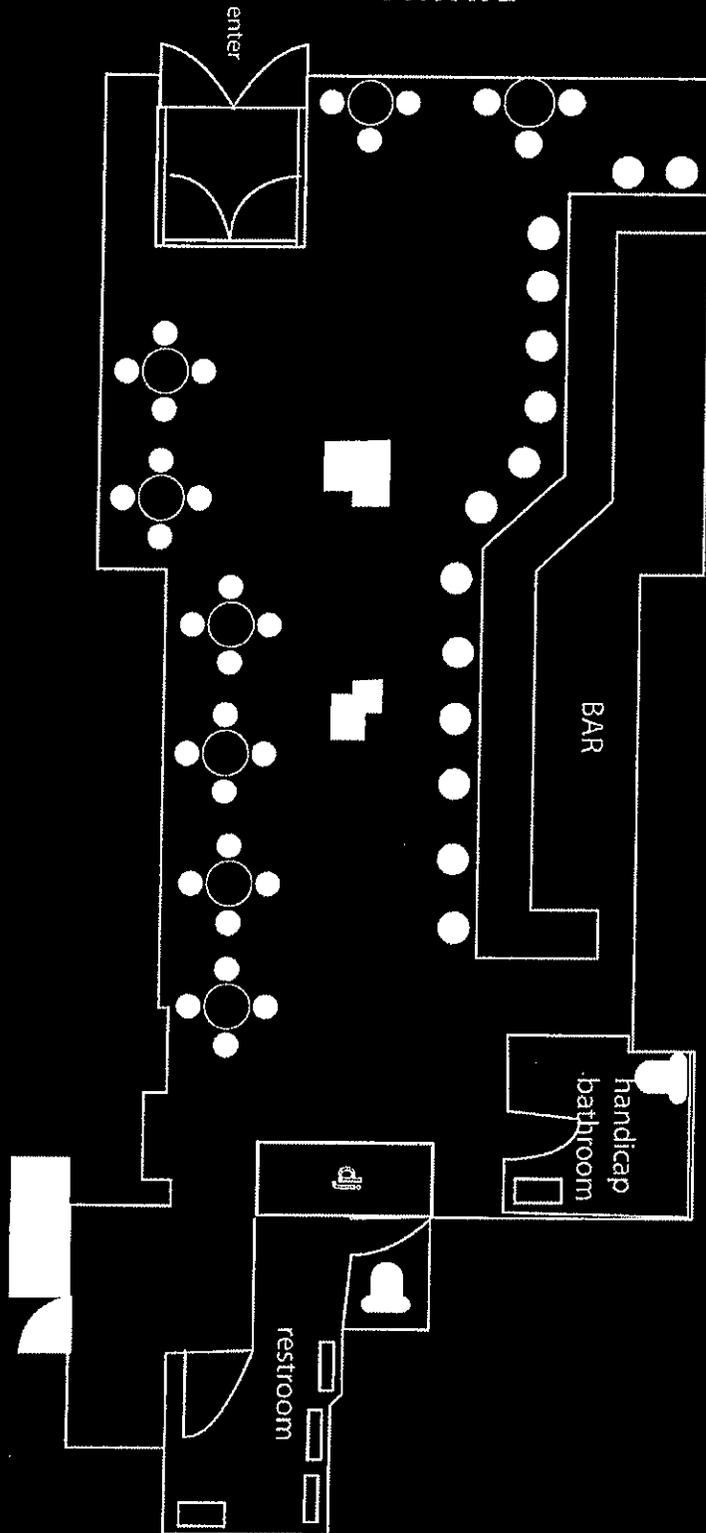
This course is a responsible alcohol training and certification program that is designed to prevent intoxication, underage drinking, and drunk driving by enhancing the fundamental "people skills" of servers, sellers and consumers of alcohol. TIPS gives individuals the knowledge and confidence they need to recognize potential alcohol-related problems and intervene to prevent alcohol-related tragedies.

**RISE**  
BAR & LOUNGE

# FLOOR PLANS

THE LAYOUT

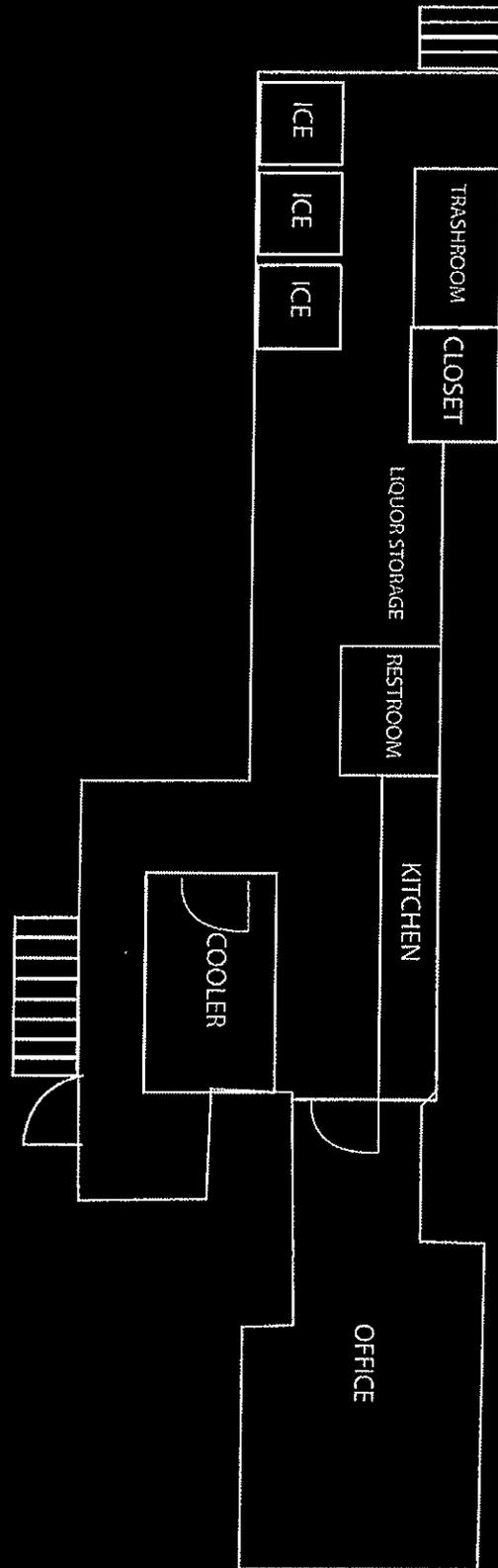
9TH AVE



MAIN ROOM

THE LAYOUT

9TH AVE



BASEMENT

# PLOT DIAGRAM & SLA PROXIMITY REPORT

# SURROUNDING BUSINESSES

TERAKAWA RAMEN  
 MANHATTAN TOBACCO & GROCERY  
**MORNING STAR RESTAURANT**

THE WINDERMERE HOTEL DEVELOPMENT

→ 855 9TH AVENUE ★

HAMAMI SUSHI  
*kilo*  
 SHOE REPAIR  
 NYC DELI  
 ALVIN PALLET

**CHASE**  
 FUB-A-DUB NAILS  
 9TH 55 EXPRESS CLEANERS  
 SACCO PIZZA  
 9TH AVENUE ROYAL DELI

V. M. M. M.  
**BAR NINE**

59TH STREET

58TH STREET

HELEN'S NAILS  
 YANZA SHOE REPAIR  
 ROOSEVELT'S BARBER SHOP  
 YOUNG'S GROCERY & FLOWER

57TH STREET

PIZZA IN THE PARK

56TH STREET

COLUMBUS HARDWARE  
 UNIQUE THREADING  
 LIBERTY BICYCLES  
 citibank

55TH STREET

GREEN ORGANIC CLEANER

54TH STREET

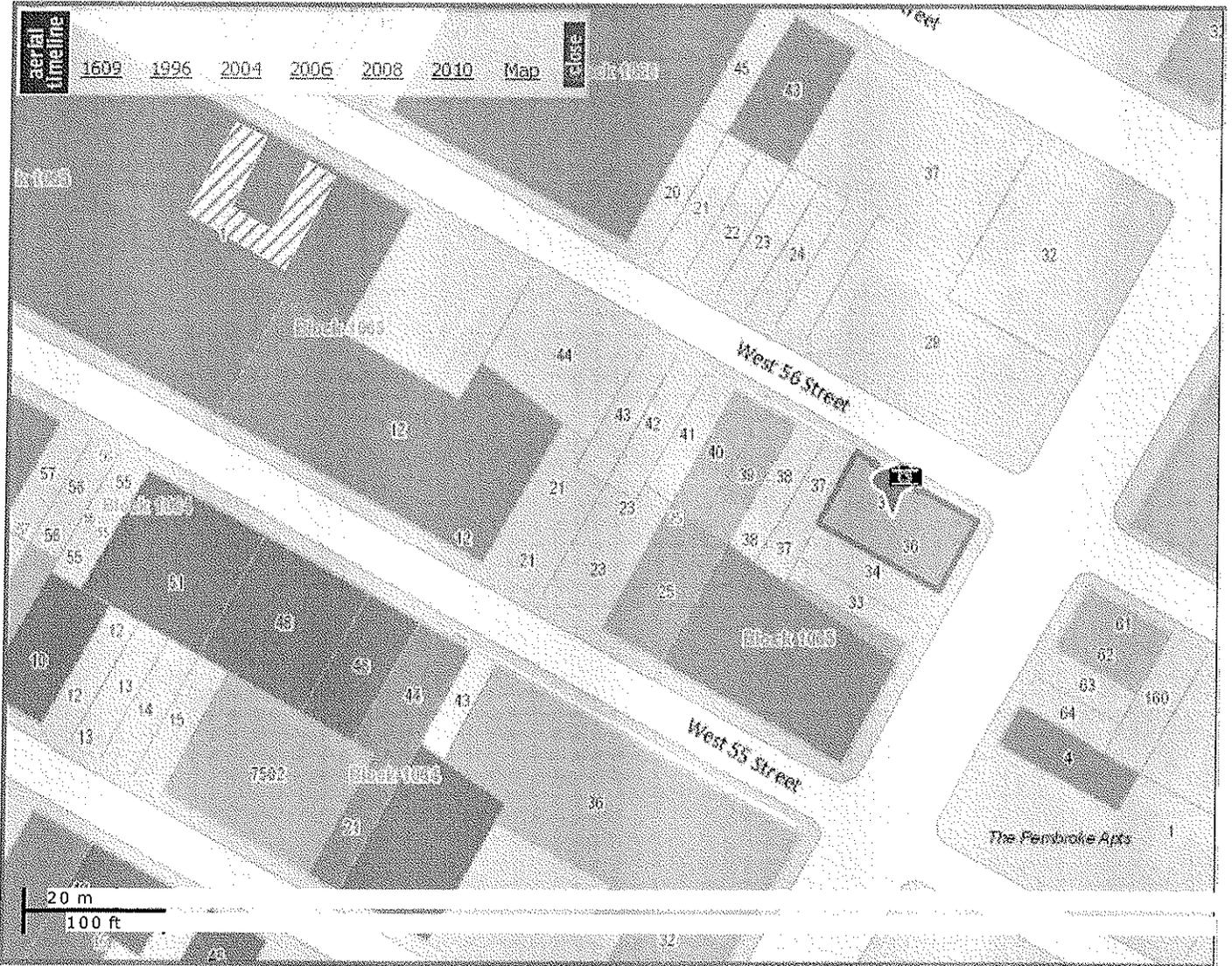
PARKING LOT

**ALFIE'S**

53RD STREET

N  
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Address	Block & Lot	ZIP Code	Neighborhood	Community District	County/Borough
859 ninth avenue			Manhattan		
					<input type="button" value="Search"/>



## Proximity Report for Location:

March 31, 2014

859 9TH AVE, New York, 10019

\* This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

### Closest Liquor Stores

Name	Address	Approx. Distance
NINTH AVENUE WINE & LIQ CORP	860 9TH AVENUE	20 ft
CHOSEN TRADING CORP	400 WEST 55TH ST AKA 839 9TH A	250 ft
WEST 54 LIQUORS LLC	453 W 54TH ST	670 ft
ROYAL WINES & LIQUORS INC	789 9TH AVE	900 ft
921 WESTERLY LIQUOR CORP	921 8TH AVE	935 ft
501 WEST 57 LIQUORS INC	501 W 57TH ST	970 ft
CELLAR 53 WINE & SPIRITS INC	785 10TH AVE	1165 ft

### Churches within 500 Feet

Name	Approx. Distance
Catholic Apostolic Church	465 ft

### Schools within 500 Feet

Name	Address	Approx. Distance
HS FOR ENVIRONMENTAL STUDIES	444 W 56TH ST	325 ft
CAREER EDUC CTR	448 W 56TH ST	355 ft

### On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
SCENIC ROUTE 66 CAFE INC	858 9TH AVENUE	30 ft
LISSETTE 861 CORP	401 W 56TH STREET	60 ft
KASHKAVAL KITCHEN LLC	852 9TH AVE	100 ft
DYLMAN RESTAURANT GROUP INC	867 9TH AVENUE	115 ft
PBQ LLC	832 836 9TH AVE	285 ft
BACCO 828 9TH AVE CORP	828 9TH AVE	385 ft
CHOW DOWN INC	824 NINTH AVENUE	440 ft
LAZAR EDIBLES INC	440 W 57TH STREET	475 ft
WEST 57TH HOTEL L P	426 440 W 57TH ST	485 ft
TPMJV BAR & REST CORP	815 9TH AVE	505 ft
KALESMENO CORP	893 9TH AVENUE	505 ft
PUCCINI RESTAURANT TWO LLC	400 1/2 W 54TH ST	515 ft
58TH STREET BAR COMPANY LLC & HUDSON LEASECO LLC	353 61 W 57 ST AKA 356 W 58 ST	535 ft
HUDSON LEASECO LLC & GU PIRKLE LLC	353 61 W 57TH STREET	535 ft

Name	Address	Approx. Distance
LEITRIM PUB INC	351 WEST 57TH STREET	550 ft
MEDI WINEBAR LLC	811-13 9TH AVENUE	575 ft
GUSTOSO LLC	807 9TH AVE	645 ft
9TH AVE LIME JUNGLE INC	803 9TH AVE	715 ft
STOKES & MCGINLEY INC	800 9TH AVE	750 ft

### **Pending Licenses within 750 Feet**

Name	Address	Approx. Distance
1843 BROADWAY LIQUORS INC	344A W 57TH STREET	560 ft
S SCOTTY ENTERPRISES INC	802 9TH AVE	720 ft

### **Unmapped licenses within zipcode of report location**

Name	Address
VEGG 58TH LLC	887 889 9TH AVE

# PROPOSED MENU

# RISE

BAR & LOUNGE

## RISE AND SHINE

(CHAMPAGNE, ORANGE JUICE AND A SPLASH OF PEACH SNAPPS)

## SUPERFRUIT SANGRIA

(VEEV AÇAÍ SPIRIT, PAMA POMEGRANATE LIQUEUR, CRANBERRY JUICE, & RED WINE)

## HELLS KITCHEN

(SAINT GERMAN, STOUT, MUDDIED CUCUMBER, SPLASH OF CRANBERRY AND LIME)

## THE ANTIOXIDANT

(PAMA POMEGRANATE LIQUEUR, PEARL FLUVA VODKA, & A SPLASH OF CRANBERRY JUICE)

## CUCUMBER MARTINI

(PEARL CUCUMBER VODKA, SPLASH OF SOUR, GARNISHED WITH A FRESH SLICE OF CUCUMBER)

## LYCHEE MARTINI

(SOHO LYCHEE, VODKA, SPLASH OF LYCHEE JUICE, & A FRESH LYCHEE)

# RISE

BAR & LOUNGE

## **CHICKEN TENDERS**

SERVED WITH YOUR CHOICE OF DIPPING SAUCE.

## **NACHOS**

SMOTHERED WITH QUESO, FRESH SALSA, SHREDDED LETTUCE, RED ONION, JALAPEÑOS & OLIVES. SERVED WITH SOUR CREAM & SALSA.

## **CHEESE QUESADILLA**

CRILED TORTILLA FILLED WITH RED ONION TOMATO, MOZZARELLA AND CHEDDAR.

## **TURKEY PANINI**

(OVEN ROASTED TURKEY BREAST, AMERICAN CHEESE SHREDDED LETTUCE, TOMATO AND RED ONION)

## **CHICKEN PANINI**

(SLICED CHICKEN BREAST, AMERICAN CHEESE SHREDDED LETTUCE, TOMATO AND RED ONION)

## **3 CHEESE TUNA MELT PANINI**

(TUNA, AMERICAN CHEESE, CHEDDAR CHEESE AND MOZZARELLA)

# EXTERIOR PHOTOGRAPH

**THE SPACE**



**THE STORE FRONT**

# **PUBLIC INTEREST STATEMENT**

PUBLIC INTEREST STATEMENT / 500' RULE STATEMENT

Rise Bar NYC LLC  
d/b/a Rise Bar & Lounge  
859 Ninth Avenue  
New York, NY 10019

The subject premises will be a small first class lounge occupying the ground floor and basement at 859 Ninth Avenue between 55<sup>th</sup> and 56<sup>th</sup> Streets.

Rise Bar & Lounge aims to be venue for people from the community, both community residents and those who work in the area, to meet in an environment accepting of all.

The ground floor is 1,700 square feet and the basement is 1,000 square feet with a total occupancy of 74. The basement is used for storage, prep and office. Patrons will not access the basement.

There will be approximately 8 tables with 30 seats. There will be one stand-up bar with 14 bar stools.

There will be recorded background music and there will be a DJ. There will not be any live music and there will not be any outdoor space. The premises will be open from 4PM to 4AM daily.

The following sub-sections of section 64 of the ABC Law specifically address the statutory requirements for the public convenience and advantage when there are three or more establishments with full liquor licenses within 500 feet of the applicant:

**(a) The number, classes and character of licenses in proximity to the location and in particular municipality or subdivision thereof.**

There are numerous locations within 500 feet of the applicant that hold full liquor licenses. The applicant premises will be a small first class lounge offering a welcoming environment to the LGBTQ and straight community alike in which to meet with friends.

**(b) Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies**

The applicant will apply for all necessary licenses, permits and certifications including but not limited to a Department of Health and Mental Hygiene permit, a Fire Department inspection and a Certificate of Authority to Collect Sales Taxes together with Workers Compensation Insurance and Disability Insurance.

**(c) Effect of the grant of the license on vehicular traffic and parking in proximity to the location**

The premises is located on busy Ninth Avenue and was previously licensed. Therefore issuance of a new liquor license will not negatively impact traffic patterns in and around the area. The premise is easily accessible by mass transit and taxis. There is also a parking just around the corner of 55<sup>th</sup> Street.

**(d) The existing noise level at the location and any increase in noise level that would be generated by the proposed premises**

The premises was previously licensed, is located on busy Ninth Avenue and there is no outdoor space. Thus, issuance of a new on-premises liquor license will not cause an unusual increase in noise levels in this area.

**(e) The history of liquor violations and reported criminal activity at the proposed premises**

There are no known SLA violations for the premises and, upon information and belief, there is no known history of criminal activity at the premises.

Issuance of the instant license will promote the public interest in that it will be a positive contribution to the economy by way of the jobs maintained, continued wages paid, income, sales and other taxes collected, state and local license revenues, and maintenance of the local real estate tax base.

Accordingly, we believe approval of this application and issuance of an On-Premises Liquor License will promote the public interest and convenience and we request that the Community Board should so find.