BUSINESS LICNESE & PERMITS COMMITTEE **Item # 13**

May 2, 2012

Dennis Rosen
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

Re: Sleep No More NA LLC. d/b/a Sleep No More
530 West 27th Street (10/11)
License # 1251659

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends **denial** of an alteration to an existing on-premise liquor license for **Sleep No More NA LLC. d/b/a Sleep No More - 530 West 27th Street (10/11)**, **unless** the following stipulation, agreed to by the applicant, is part of the method of operation to add a bar.

A signed copy of the questionnaire, stipulations and community agreements are enclosed.

Sincerely,

Corey Johnson Chair	Paul Seres Co-Chair Business License & Permits Committee	Lisa Daglian Co-Chair Business License & Permits Committee

DRAFT

Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

APPLICANT	DOING BUSINESS AS (DBA)
Sleep No More NA LLC	Sleep No More
STREET ADDRESS	**CROSS STREETS**
530 W 27th Street	10th & 11th Avenues

OWNER	NAME:	Edward Weiner	ATTORNEY	NAME:	Terry Flynn
	PHONE:	212-982-9301		PHONE:	718-945-1000
	FAX:			FAX:	718-318-6162
MANAGER	NAME:	Rick Criswell	LANDLORD	NAME:	
	PHONE:	212-904-1880		PHONE:	212-308-4443
	FAX:			FAX:	

DESCRIPTION OF BUSINESS

Establishment Type:	◯ Bar/Tavern ◯ Bed & Breakfast ◯ Eating Place Beer ◯ Cabaret ◯ Night Club ◯ Hotel ◯ Restaurant ◯ Catering Establishment ◯ Club (Fraternal Organization – Members Only) ◯ **Other (Explain): Theatrical Entertainment and Cabaret**
Method of Operation:	◯ Restaurant ◯ Dance Club ◯ Sports Bar ◯ Adult Entertainment ◯ Wine Bar ◯ Pizzeria ◯ Cafe ◯ **Other (Explain): Interactive Theatre**
License Type:	◯ **On-Premise** ◯ Wine ◯ Beer ◯ Wine & Beer

APPLICATION TYPE *(check one)*				
◯ **New**	Has applicant owned or managed a similar business?		YES	NO
	What is/was the name of establishment?			
	What is/was the address of the establishment?			
	What were the dates the applicant was involved with this former premise?			
◯ **Transfer**	What is the prior license #?			
	What is the expiration date on the prior license?			
	Are you making any alterations or operational changes?		YES	NO
	If alterations or operational changes are being made, please attach the plans to this form.			
✓ **Alteration**	What is the current license #?	1251659		
	What is the expiration date on the current license?	April 30, 2012		
	Please describe the nature of the alterations and attach the plans	**To add a bar to the license**		

OPERATIONAL ISSUES

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation		7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.
	Music		7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.
	Kitchen		7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.	7 p.m. – 12 a.m.

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
		700	5	20	0	2	20	0	0

How many floors are there? What is the capacity for each floor? (please respond in space provided)	**1-2**	3-4	5 +	
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	**YES**	NO	N/A	
Will you be hosting private parties and promotional events?	**YES**	NO	N/A	
Will outside promoters be used?	YES	**NO**	N/A	
Will the security plan submitted be implemented?	**YES**	NO	N/A	
Will State certified security personnel be used?	**YES**	NO	N/A	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	**YES**	NO	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)	YES	**NO**	N/A	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	YES	**NO**	N/A	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	YES	NO	N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?	**YES**	NO	N/A	
If you plan to have music, what type(s)?	**BACKGROUND**	**LIVE MUSIC**	**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.	**YES**	NO	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?	**YES**	NO	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.)	YES	NO	N/A	

OUTDOOR ITEMS				
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:	8b	Overlay (If Applicable):			
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	◯ Residential ◯ **Commercial** ◯ Mixed Use ◯ Other, describe: _____				
Adjacent Buildings	◯ Residential ◯ **Commercial** ◯ Mixed Use ◯ 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)

ADDITIONAL STIPULATIONS: (Office Use Only)

- **This application is to add a bar only.**
- **No change in the method of operation (see attached December 16, 2010 stipulations)**

Manhattan Community Board 4 (MCB4) recommends:	◯ Approval ✓ **Denial unless all agreed to by applicant is part of the method of operation** ◯ Denial

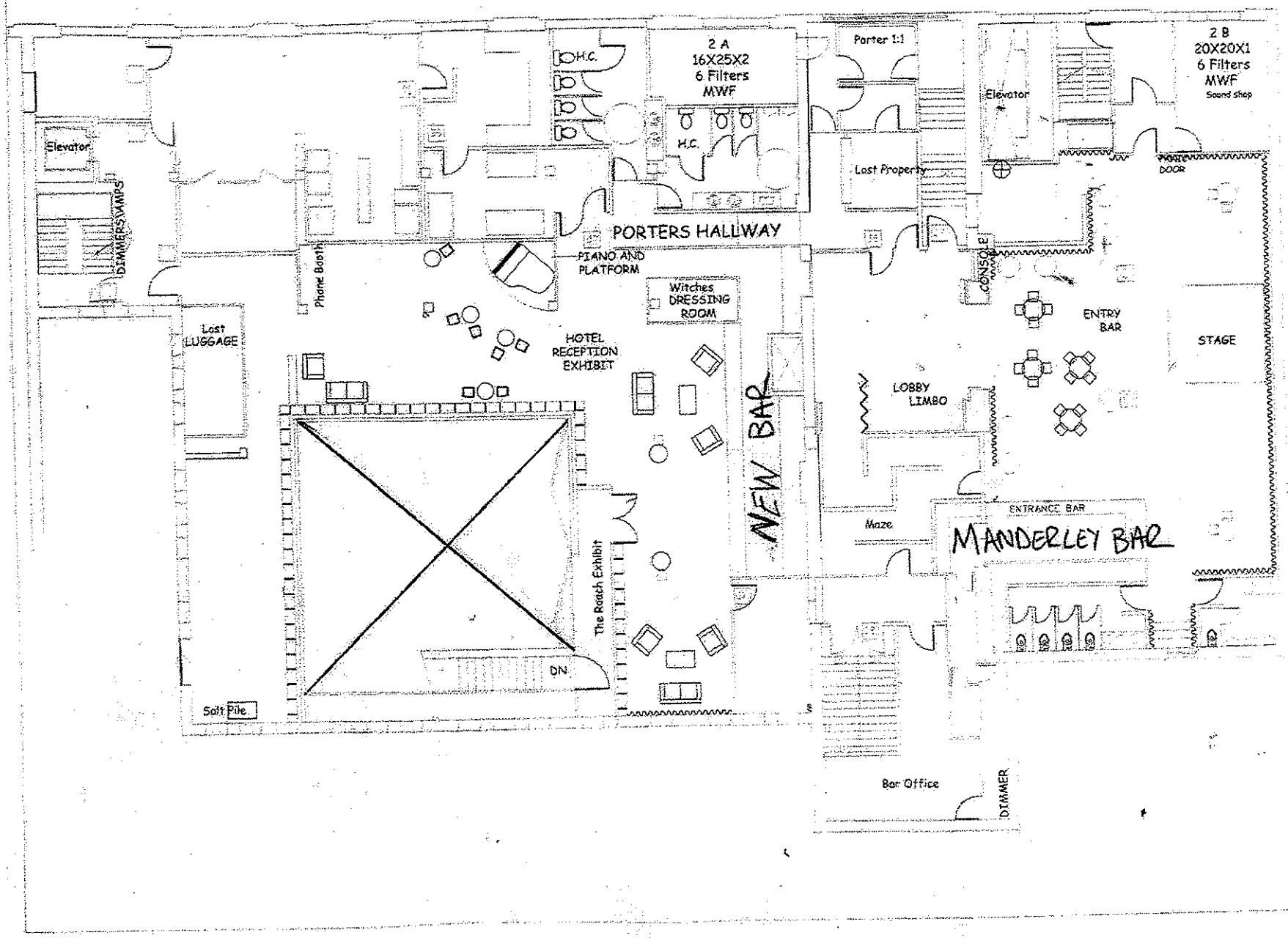
CB4 REPRESENTATIVES

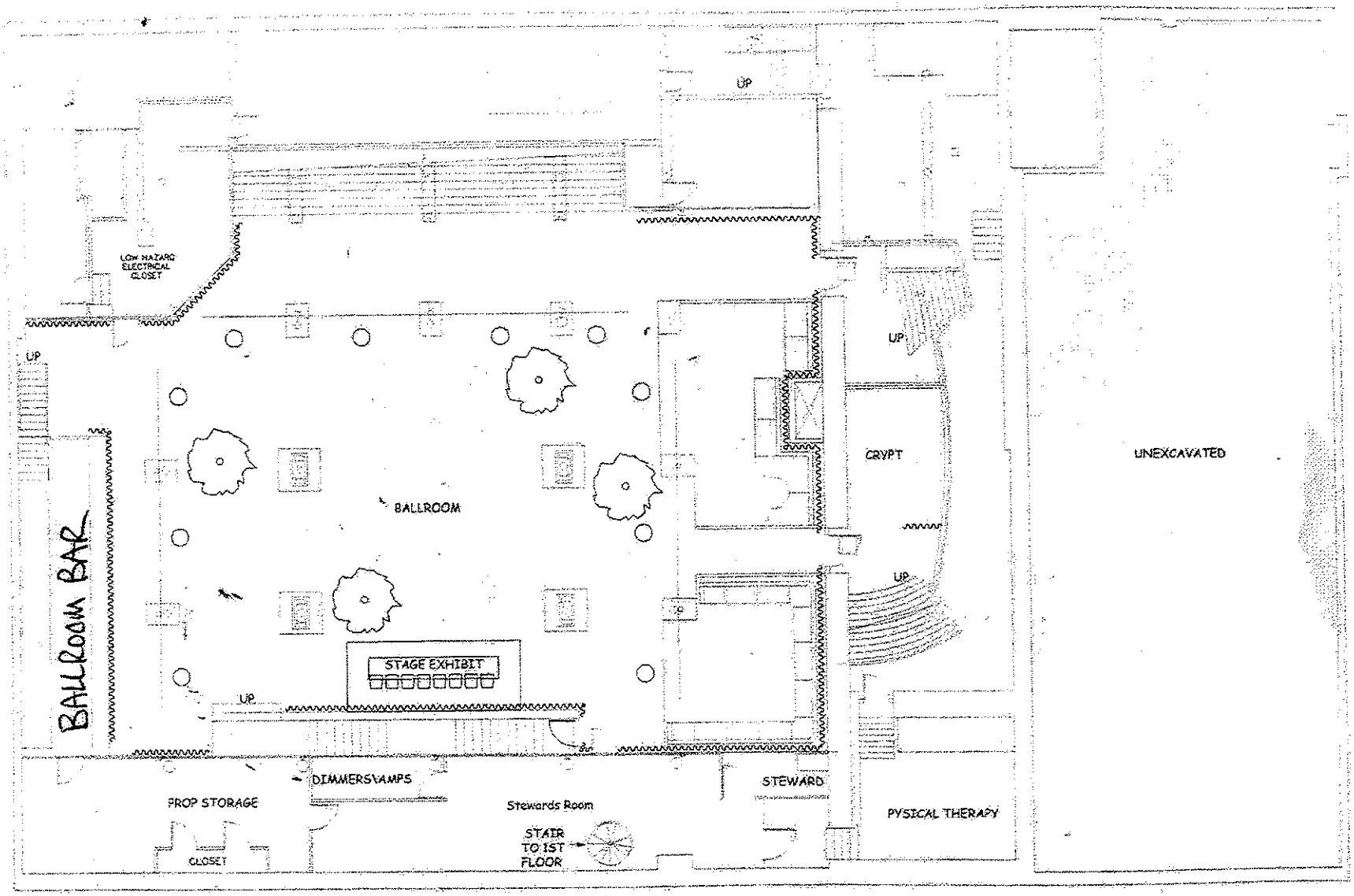
Nelly Gonzalez *CB4 Community Associate*	**Lisa Daglian** *CB4 BLP Committee Co-Chair*	**Paul Seres** *CB4 BLP Committee Co-Chair*

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** 4/10/12

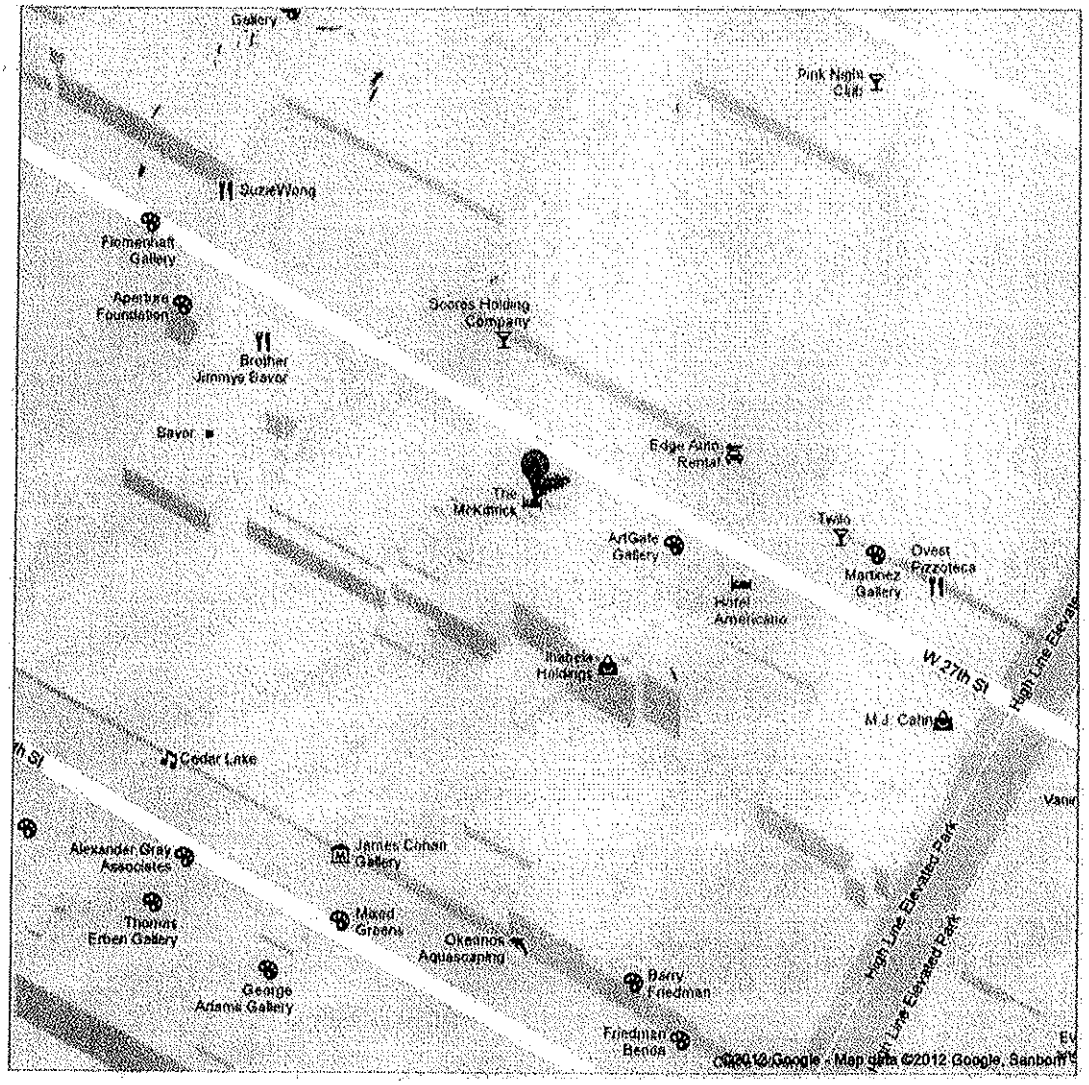

2 A
16X25X2
6 Filters
MWF
H.C.
H.C.
Porter 1:1
2 B
20X20X1
6 Filters
MWF
Sound shop
Elevator
Elevator
Lost Property
DOOR
PORTERS HALLWAY
PIANO AND PLATFORM
Phone Booth
DIMMERS/SWITCHES
Witches DRESSING ROOM
CONSOLE
ENTRY BAR
STAGE
Lost LUGGAGE
HOTEL RECEPTION EXHIBIT
LOBBY LIMBO
NEW BAR
ENTRANCE BAR
Maze
MANDERLEY BAR
The Roach Exhibit
ON
Salt Pile
Bar Office
DIMMER


UP
LOW HAZARD ELECTRICAL CLOSET
UP
BALLROOM BAR
BALLROOM
STAGE EXHIBIT
UP
UP
CRYPT
UP
UNEXCAVATED
DIMMERS\AMPS
PROP STORAGE
CLOSET
Stewards Room
STAIR TO 1ST FLOOR
STEWARD
PYSICAL THERAPY

Google

Address **530 W 27th St**
New York, NY 10001

Get Google Maps on your phone
Text the word "GMAPS" to 466453



Sleep No More
Bar Menu

Chicken liver pate on toast points, topped with onion jam
$17.00

Deviled eggs topped with capers (anchovies upon request)
$15.00/$20.00

Basket of Gougeres
$15.00

Crisp celery stalks stuffed with fresh crabmeat salad
$17.00

Bacon wrapped dates, served over a blue cheese fondue
$21.00

Pot of spicy pickled vegetables
$15.00

Chicken salad pinwheels
$17.00

Basket of French fried potatoes tossed with Parmesan and fresh herbs
$15.00

Jar of candied cashews with bacon
$15.00

Mushroom turnovers
$17.00

Plate of assorted canapés (chef's choice)
$27.00

Sandwiches

On Tuscan White, Wheat, or Focaccia

Prosciutto and Asiago, tomato and arugala
$8.50

Speck (Smoked Prosciutto), mozzarella and tomato
$9.25

Grilled Eggplant and Peppers, goat cheese and arugula
$8.00

Smoked Turkey, green apple and cheddar
$8.50

Black Forest Ham, brie and Dijon mustard
$8.50

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR
330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

JOHN WEIS
Chair

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

December 16, 2010

Dennis Rosen
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

Re: Sleep No More North America LLC
530 West 27th Street (Between 10th and 11th Avenues)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a transfer for a full on-premise cabaret liquor license for Sleep No More North America LLC unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment with a total occupancy of 700 persons:

- Hours of operation will be 7:00 PM to Midnight, Tuesday through Thursday and Sunday, 7:00 PM to 3 AM, Friday and Saturday.
- The applicant agrees to follow the best practices as outlined by the New York Nightlife Association that was developed in cooperation with the New York City Police Department.
- The applicant will not use outside promoters.
- The applicant will utilize professional sound attenuation methodologies specified by a licensed sound engineer, including taking the extraordinary step of installing insulation.
- The applicant will employee New York State licensed security guards on any given night depending on the programming that will vary in numbers as prescribed by the New York Nightlife Association's Best Practices, with an emphasis, to control crowding and help mitigate street noise in front of the venue.
- Kitchen exhaust vent to be installed compliant with New York City's Department of Buildings and FDNY code.

A signed copy of the stipulations and community agreements is enclosed. This application is for a full on-premise liquor license to be used as a theatrical, entertainment and cabaret located at 530 West 27th Street, New York, NY. At this location there will be 5 tables, and 2 stand up bars with 10 seats at each bar.

Sincerely,

	[Signed 12/16/10]	[Signed 12/16/10]
John Weis	Burt Lazarin	Paul Seres
Chair	Co-Chair	Co-Chair
Manhattan Community	Business License & Permits	Business License & Permits
Board 4	Committee – South	Committee – South

Manhattan Community Board 4

Liquor License Application Questionnaire

APPLICANT		DOING BUSINESS AS (DBA)
Sleep No More North America LLC		
STREET ADDRESS		**CROSS STREETS**
530 West 27th Street, New York, NY 10001		Between 10th and 11th Avenues

OWNER	NAME	Edward H. Weiner	ATTORNEY	NAME	Terry Flynn
	PHONE	212-982-9301		PHONE	917-913-4974
	FAX	212-982-9335		FAX	718-318-6162
MANAGER	NAME	Daniel Sneen	LANDLORD	NAME	Rodney Sheenan I/Centaur Properties LLC
	PHONE	551-486-3253		PHONE	212-308-4443
	FAX			FAX	

DESCRIPTION OF BUSINESS

Please description the nature of your proposed venue:	Theatrical entertainment and cabaret

License Type: ○ Restaurant Wine & Beer ☒ On-Premises Liquor ○ Eating Place Beer ○ Hotel Beer ○ Club Beer ○ Cabaret Liquor ○ Club Wine & Beer ○ Tavern Wine ○ Catering Establishment ○ Hotel Wine & Beer

APPLICATION TYPE (SELECT ONE)

☒ New	Has applicant owned or managed a similar business?	YES	NO
	What was the name of former premises?		
	What was the address of the former premises?		
	What were the dates the applicant was involved with this former premise?		
○ Transfer	What is the prior license #?		
	What is the expiration date on the prior license?		
	Are you making any alterations or operational changes?	YES	NO
	If alterations or operational changes are being made, please attach the plans to this form.		
○ 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		

Is the 500 Foot Rule Triggered?	YES	NO	
Is the 200 Foot Rule Triggered?	YES	NO	
Are your plans filed with DOB?	YES	NO	
Is a Public Assembly permit required?	YES	NO	

OPERATIONAL ISSUES

		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
HOURS	Operation		7pm - 12am	7pm - 12am	7pm - 12am	7pm - 3am	7pm - 3am	7pm - 12am
	Music		7pm - 12am	7pm - 12am	7pm - 12am	7pm - 3am	7pm - 3am	7pm - 12am
	Kitchen							

OCCUPANCY	Occupant Capacity (Chairs/Occupants)	Authorized Occupancy of Outdoor Seating Area	Number of Seats	Number of Tables	Number of Seats (Only bar)	Number of Tables (Only bar)	Number of Seats (Kitchen)	Number of Seats (Other)	Number of Tables (Other)
	~~475~~ 700	~~475~~ 70	20	5		2	20		

Will you be applying or intending to apply for a cabaret license?	YES	NO	N/A
Will you be hosting private parties and promotional events?	YES	NO	N/A
Will outside promoters be used?	YES	NO	N/A
Will the security plan submitted be implemented?	YES	NO	N/A
Will State certified security personnel(s) be used?	YES	NO	N/A
Will New York Nightlife Association recommendations be followed?	YES	NO	N/A
Will the applicant be using delivery bicycles?	YES	NO	N/A
Will applicant have music?	YES	NO	N/A
If you plan to have music, what type(s)?	BACKGROUND	LIVE MUSIC	DJ

3 piece jazz

BUILDING DESIGN

French doors and sliding windows will be closed when any amplified music is played (per law) and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	YES	NO	N/A	
Will the kitchen exhaust system be designed to be compliant with NYC building codes and be constructed to not disturb neighboring tenants?	YES	NO	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?	YES	NO	N/A	existing soundproofing
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.)	YES	NO	N/A	
If applicant decides to apply for alterations, as defined by SLA or DCA (as applicable), he/she will reappear before CB4 to describe these alterations.	YES	NO	N/A	

[illegible]				
Will applicant use the rooftop or rear yard?	YES	NO	NA	
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	NA	
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	NA	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	NA	
Will applicant 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	NA	
Will applicant 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	NA	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	NA	

[illegible]			
Primary Zoning District:	8b	Overlay (If Applicable):	
Does the building have a Certificate of Occupancy ("C of O")?	YES	NO	NA
If the building has a "C of O" is the proposed occupancy permitted?	YES	NO	NA
Building Type	○ Residential ● Commercial ○ Mixed Use ○ Other, describe: _____		
Adjacent Buildings	○ Residential ● Commercial ○ Mixed Use ○ Other, describe: _____		

NOTIFICATION: What organizations / community groups have you notified regarding your application?		
	# 1	Community board 4
	# 2	
	# 3	
	# 4	

ADDITIONAL NOTES

This will be an imersive theatre experience. The occupancy will be scaled back substantially from the permissable amount for the space.

[illegible]

Nelly Gonzalez CB4 Community Associate	CB4 BLP Committee Co-Chair	CB4 BLP Committee Co-Chair

[illegible]

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.

[illegible]	SIGNATURE OF APPLICANT OR ATTORNEY	DATE