

CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD FOUR

P.O. Box 2622 New York, NY 10108
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<https://cbmanhattan.cityofnewyork.us/cb4/>

LOWELL D. KERN
Chair

JESSE R. BODINE
District Manager

September 4, 2020

Vincent G. Bradley
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

**Re: The Spot Bar NYC LLC d/b/a The Spot
599 Tenth Avenue (43/44 Streets)**

Dear Chairman Bradley:

Manhattan Community Board 4 (MCB4) recommends **denial** of the application for an OP license for The Spot Bar NYC LLC d/b/a The Spot, 599 Tenth Avenue (43/44).¹ Granting this license would not be in the public interest because this establishment risks seriously compromising reasonable residential quality of life. This location is on a heavily residential block that is already highly-saturated with four (4) existing OP licenses. The addition to this block of a large 147-person capacity bar with karaoke and live performances, open until 2:00 a.m. weekdays and 4:00 a.m. weekends, risks bringing significant additional noise and disruption to this area, affecting thousands of residents who live within a one-block radius of this location.

This establishment is in an area with a high concentration of liquor licenses -- 17 (seventeen) OP liquor licenses within 500 feet of this address (per the SLA LAMP report). The applicant stated that its survey showed that there are 11 (eleven) OP liquor licenses within 500 feet of this address. Either way, granting another license under these circumstances would not be in the public interest. Adding a live-performance, late-night venue to this block will increase vehicular and pedestrian traffic as patrons arrive and depart from the establishment all the night long. Of particular concern is the noise made by patrons, often loud and inebriated, as they leave the establishment and loiter in the immediate vicinity -- particularly given the number of large residential buildings nearby. For example, one of the 46-story towers of the Manhattan Plaza complex, housing thousands of residents, is less than one block away. Although the applicant may have good-faith intentions to control noise from their patrons, the applicant's ability to do is

¹ MCB4's recommendation is based on a vote taken at its July 22, 2020 full board meeting, with 37 members voting to recommend denial of the application, 9 members opposed to denial, 1 members abstaining and 0 present but not eligible.

limited once patrons leave the establishment. Finally, the proposed establishment, catering to the LGBTQ community, would add little new to the neighborhood as there are already at least two LGBTQ bars within five blocks of this establishment, and the applicant's own other establishment, Rise Bar at 859 Ninth Avenue (55/56 Streets), is approximately 13 blocks away.

At both the July 14, 2020 meeting of the Business Licenses and Permits (BLP) Committee of MCB4 and the July 22, 2020 full board meeting of MCB4, MCB4 heard multiple speakers (via Zoom) and considered extensive written submissions and petitions -- both opposed to and in support of the application. Community members opposed to the application expressed concerns about such issues as the oversaturation of OP licenses on this residential block; the noise and other issues that would likely accompany a large, late-night venue here; and the method of operation including karaoke and live performances -- neither of which had previously been licensed at this location, to the best of our knowledge. Of particular note, the two nearest and most impacted associations of residents both expressed serious concerns about this applicant and opposed the application: the West 44th Street Better Block Association and the Manhattan Plaza Tenant Association, speaking through its duly-elected leaders and representing thousands of Manhattan Plaza residents (although a small percentage of Manhattan Plaza residents did submit their individual support for the application).

Individuals in support of the application spoke, among other things, of the applicant's experience in the industry; the applicant's support of charitable activities; the need for "safe spaces" for the LGBTQ community; and the fact that establishments such as this animate street life adding to security.

At the time of the applicant's appearances before the BLP Committee and the full MCB4, the owners of the applicant were identified as John Blair and Theodore Arenas. Those two individuals previously or currently owned and/or operated three other licensed establishments in this district: Rise Bar, XL Dance Bar/The Out NYC, and Lux Bar & Lounge d/b/a Bar Tini. At both MCB4 meetings, there was discussion that all three of those establishments had been the source of significant problems during their early years of operation -- problems that, in the case of XL Dance Bar, had continued until that establishment closed. For example, community members noted that Rise Bar (whose principals include both Mr. Blair and Mr. Arenas) had been a source of constant problems, including excessive noise, overcrowding, patrons obstructing the sidewalk, and activities outside the agreed-to method of operation. In particular, Rise Bar's original method of operation, as agreed with MCB4, included only background music and a DJ, but Rise Bar installed a stage and featured karaoke, open mike nights, singing competitions, and lip-syncing performers. (Some of these issues are summarized in MCB4's letter to the Liquor Authority dated November 15, 2016, copy attached.) In response, the applicant stated that any problems at Rise Bar had been resolved and presented a petition of support for the applicant signed by a majority of the residents in the building housing Rise Bar.

On March 12, 2020 -- three weeks after the full MCB4 vote on this application -- the applicant notified MCB4 that “John Blair will not be an owner of the applicant. The current owners will be Theodore Arenas and Moises Lachman.” That change of ownership does not change MCB4’s recommendation of denial. First, the applicant only states that Mr. Blair will not be an “owner”; the applicant does not state whether Mr. Blair will be involved in the proposed establishment in any other capacity, such as consultant, promoter, or manager. To the extent Mr. Blair is involved, the concerns about his prior establishments remain relevant. Second, per the SLA’s website, the new co-owner here, Mr. Lachman, is one of four principals on the liquor license for Rise Bar (also including Mr. Blair and Mr. Arenas) and thus shares responsibility for the operational issues there.

Although MCB4 appreciates the efforts of the applicant and the enthusiasm of the applicant’s supporters, it remains the belief of MCB4 that this is the wrong location for an establishment with the requested method of operation (karaoke, live performance). Those aspects of the proposed method of operation, coupled with the requested late night hours, are the primary areas of concern. Adding such an establishment here risks significantly changing the character of this block and the surrounding residential blocks. Given the noise and other concerns threatening reasonable residential quality of life, granting this license would not be in the public interest.

Should the SLA disagree with this recommendation and nonetheless decide to award a license to this applicant, MCB4 requests that the stipulations in the attached Stipulations Application, to which the applicant has agreed, be made terms of the license.

For the reasons stated above, however, MCB4 requests that the present application be **denied**.

Thank you for your attention and cooperation with this application.

Sincerely,



Lowell D. Kern
Chair

Manhattan Community Board 4

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)		
The Spot Bar NYC LLC		The Spot		
STREET ADDRESS		CROSS STREETS	ZIP CODE	
599 Tenth Avenue		West 43rd and West 44th Streets	10036	
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME:	John Blair and Theodore Arenas	ATTORNEY/ REPRESENTAIVE	
	PHONE:	914 388 5139 917 405 7905		NAME:
	EMAIL:	JohnBlairP@gmail.com theodorearenas@gmail.com		Donald M. Bernstein, Esq. Bernstein Redo LLC
		PHONE:	212 651 3100	
		EMAIL:	donald@brpclaw.com Mr. Richard Simon	
MANAGER	NAME:	To be determined	LANDLORD	
	PHONE:			NAME:
	EMAIL:			RRR Tenth Avenue LLC
		PHONE:	917 842 5980	
		EMAIL:	imagine@panix.com	
APPLICATION TYPE (<input checked="" type="checkbox"/> <i>Liquor License</i> _____ <i>Unenclosed Sidewalk Cafe</i>)				
<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 and address of establishment?		See attached list	
	What were the dates applicant was involved with this former premise?		See attached list	
<input type="checkbox"/> Corp Change/Class Change/Removal	What is the license # and expiration date?			
	Is applicant making any alterations or operational changes?		<input type="radio"/> YES <input type="radio"/> NO	
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>			
<input type="checkbox"/> Alteration	What is the current license # and expiration date?			
	<i>Please list/describe the nature of all the changes and attach the plans:</i>			
METHOD OF OPERATION				
TYPE OF ALCOHOL	<input checked="" type="checkbox"/> Liquor/Wine/Beer & Cider <input type="checkbox"/> Beer & Cider <input type="checkbox"/> Wine/Beer & Cider			
ESTABLISHMENT TYPE	<input type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input checked="" type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization – Members Only)			
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?		<input type="radio"/> YES <input checked="" type="radio"/> NO	Mid-July 2020	
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.		<input checked="" type="radio"/> YES <input type="radio"/> NO	See enclosed Area Survey and Pubic Interest Statement	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.		<input type="radio"/> YES <input checked="" type="radio"/> NO		
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<input checked="" type="radio"/> YES <input type="radio"/> NO		

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)

HOURS* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	1130AM-2AM	1130AM - 2AM	1130AM-2AM	1130AM-3AM	1130AM-4AM	1130AM-4AM	1130AM-2AM
	Kitchen	1130AM-2AM	1130AM-2AM	1130AM-2AM	1130AM-3AM	1130AM-4AM	1130AM-4AM	1130AM-2AM
	Music	1130AM-2AM	1130AM-2AM	1130AM-2AM	1130AM-3AM	1130AM-4AM	1130AM-4AM	1130AM-2AM
If you plan to have music, what type(s)? (Circle all that apply)			<input checked="" type="radio"/> BACKGROUND	LIVE MUSIC	<input checked="" type="radio"/> DJ	JUKE BOX	<input checked="" type="radio"/> KARAOKE *	

***Also - open mic for comedy**

OCCUPANCY

	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 Stand-Up Bar
INSIDE	147	147	32	104	None	One	15
OUTSIDE <i>(Other than sidewalk café)</i>	N/A						
SIDEWALK CAFÉ	N/A						

How many floors are there? What is the capacity for each floor?

Ground Floor= 143
Cellar= 4

How frequently will the owner(s) be at the establishment?

Everyday

Will there be dancing?

YES

NO

***Only employee dancing for drag performances**

Will applicant have bottle or table service for beverage alcohol?

YES

NO

Table Service

Will you be hosting private; promotional or corporate events?

YES

NO

Occasional for private parties

Will outside promoters be used on a regular basis? If yes please describe.

YES

NO

Will you have a security plan? If, yes please attach.

YES

NO

See enclosed Security Report

Will security plan be implemented?

YES

NO

Will State certified security personnel be used?

YES

NO

Will New York Nightlife Association and NYPD Best Practices be followed?

YES

NO

Will applicant be using delivery bicycles? If yes, how many?

YES

NO

Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?

YES

NO

N/A

Where will delivery bicycles be stored during the day when not in use?

N/A

****The enclosed Temporary Certificate of Occupancy will be renewed on a timely basis until a final Certificate of Occupancy issues.**

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="radio"/> YES	NO	Clinton
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	Temporary Certificate of Occupancy to be renewed on a timely basis
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	NO	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	

Community Notification/Relations			
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	See enclosed list of groups together with email correspondence	
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.		N/A	
Who was your contact person at each group you met with?		N/A	
When did applicant post the notice that was provided?		June 22, 2020	
Where did applicant post the notice that was provided?		Inside window at the premises and left notice and dear neighbor letter at residential buildings - see attached letter and list	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		<input checked="" type="radio"/> YES	NO 917 405 7905
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		<input checked="" type="radio"/> YES	NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	599 Tenth Ave Corp dba Lansdowne Road/ Sports Bar		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	599 Tenth Ave Corp dba Lansdowne Road from Sept. 2006 to Spring 2020 - full liquor
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	New signage
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	New signage
Will applicant have a vestibule within the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use a storm enclosure?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant agree not to place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input checked="" type="radio"/> FRENCH DOORS	<input type="radio"/> GARAGE DOORS	<input type="radio"/> WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
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	See enclosed sound report
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have an illuminated sign?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	*Only light switch outside to light up the non-illuminated sign
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Where will the air conditioner be located? What type is it?	Roof and HVAC		
When was the air conditioner installed?	2006		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	NO	
Are the floorplans for the outdoor space(s) included?	YES	NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	

OUTDOOR ITEMS – SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk cafe?	YES	NO	
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	YES	NO	
Will applicant use umbrellas?	YES	NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?	YES	NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

- Establishment will be closed and vacated of all patrons no later than the following times:

Sunday – Wednesday: 2:00 a.m.

Thursday: 3:00 a.m.

Friday – Saturday: 4:00 a.m.

- Applicant can remain open until 4:00 a.m. on Sunday eves preceding Monday federal holidays, on Gay Pride Sunday, and on New Year's Eve.

- All live entertainment, including lip-synching and karaoke, will cease no later than 12:30 a.m. nightly.

- Applicant will take all reasonable steps to ensure no queuing or loitering of patrons on sidewalk.

- All windows, doors, and French doors will be closed whenever any music or any amplified sound is played inside.

- Applicant will retain the interior vestibule shown on submitted floor plan.

- All entrances and exits of patrons will be through entrance vestibule only. No patron entrances or exits will be permitted through French doors.

- All recommendations of Acoustilog report dated June 12, 2020, will be implemented, including those regarding ongoing operations.

- The direct phone numbers and direct emails of the operating manager and the security team shall be provided to all local block associations, tenant organizations, and community groups.

- "Good neighbor" signs will be posted prominently outside the venue and at the exit encouraging respect for neighbors, keeping noise down, and no smoking on sidewalk.

- Security guards will be provided outside venue per attached Security Plan, and those guards instructed to request exiting patrons to be respectful of neighbors, keep conversations low, and refrain from loud activities.

- The owners and/or managers, at the request of any local block association, tenant organization, or community group, will attend meetings to answer complaints and concerns.

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

Manhattan Community Board 4 (MCB4) recommends:
 (MCB4's recommendation is based on a vote taken at its
 _____ full board meeting, with _____ members voting in favor
 of the recommendation, _____ members opposed, _____ members
 abstaining and _____ present but not eligible)

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation

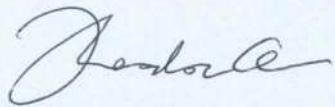
Denial Approval

CB4 REPRESENTATIVES

 Nelly Gonzalez <i>CB4 Assistant District Manager</i>	 Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	 Burt Lazarin <i>CB4 BLP Committee Co-Chair</i>
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APPLICANT AGREEMENT WITH THE COMMUNITY

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

<p>SIGN HERE →</p>	<p>Teodore Arenas</p> <p>PRINT NAME OF APPLICANT</p>	 SIGNATURE OF APPLICANT	<p>07/14/2020</p> <p>DATE</p>
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License History for Theodore Arenas and John Blair

Active Licenses for Theodore Arenas and John Blair

Rise Bar NYC LLC
dba Rise Bar & Lounge LLC
859 Ninth Avenue
New York, New York 10019
Serial No. 1278667
November 2015 to Present

Previous License History for Theodore Arenas

Lux Bar & Lounge LLC
dba Bar Tini
642 Tenth Avenue
New York, New York 10036
Serial No. 1224178
September 2009 to 2011

Previous License History for John Blair

De Of New York LLC
dba XL Dance Bar
357 West 16th Street
New York, New York 10011
Serial No. 1105057
April 2000 to 2006

XL Dance Bar LLC
512 West 42nd Street
New York, New York 10036
Serial No. 1248373
January 2012 to 2016

42nd Street Hotel LLC
dba The Out NYC / Kitchin
508 510 West 42nd Street
New York, New York 10036
Serial No. 1257280
March 2012 to 2016

First name	Last name	ORGANIZATION	E-MAIL
Bob	Benfatto	Hudson Yards Hell's Kitchen Alliance	rjbenfatto@hyhkaalliance.org
Patty	Gouris	Hudson Yards Hell's Kitchen Alliance	pgouris@hyhkaalliance.org
Kathleen	Treat	HKNA (incl. Dog Run)	kathleentreat123@gmail.com
Frank	Strock	West 36th Street	mcgee79@aol.com
Christine	Berthet	Chekpeds	cbertthet@me.com
Joe	Restuccia	CHDC (incl. Bob's & bird parks)	info@clintonhousing.org ; irestuccia2@clintonhousing.org
Ryan	Marcano	CHDC (incl. Bob's & bird parks)	rmarcano@clintonhousing.org
Brian	Kehoe	500-506 West 42nd Street T.A.	
Eduardo	Zeiger	West 43rd Street (b. 9th/10th)	eduardozeiger@compuserve.com
Linda	Ashley	Manhattan Plaza T.A. (400 W. 43rd St.)	mpia@mptenants.com
Renee & Gordon	Stanley	West 44 Street Better Block Association	ashlevll@aol.com
Rudy	Papiri	West 44th Street (b. 9th/10th)	twocatsitd@worldnet.att.net
Fischer	John	West 44th Street (b. 9th/10th)	rapapiri@aol.com
Tim	Tanner	West 45 th Street (b. 8 th /9 th)	block45@hellskitchen.net
David C.	Stuart	West 45th Street BA	tangotanner@gmail.com ; west45ba@gmail.com
Chana	Widawski	West 45th Street (b. 9th/12th)	chanawid@gmail.com
Steve	Fanto	West 46 Street Block Asscoation (8th Ave to 12th Ave)	stephenfanto@gmail.com
Elke	Fears	West 47th/48th Streets	aefearshk@earthlink.net
Larry	Roberts	West 47th/48th Streets	larrymichaelroberts@gmail.com
Jim	Bogues	West 47th/48th Streets	jamesbogues@gmail.com
Chuck	Vassallo	West 47th/48th Streets	chasmv@hotmail.com
Stefan	Riedl	West 47th/48th Streets	chluderemv@yahoo.com
Nancy	Roylance	West 47th/48th Streets	nancvrovlance@ymail.com
Karen	Nightengale	Flats Tenants Association	
Maria	Guzman	Harborview Terrace T.A. (525 W. 55th St.)	mariaanvs@aol.com
Ellen	Celnik	The Aurora	ecelnik@actorsfund.org
Richard	Pimentel	The Aurora	rpimentel@commonground.org
Derrick	Sage	The Aurora	dsage@commonground.org
Marjorie	Kagen	The Colonnade	buzany@rcn.com
Nancy	Kyriacou	Oasis Gardens I 10th Ave., b. 51/52	nkyriacou@yahoo.com
Gary	Dipasquale	Oasis Gardens II 52nd St/10th Ave.	gdclay@att.net
J.D.	Noland	Midtown North Pct. Council	jeandaniel@aol.com
John	Mudd	Midtown North/South Pct. Council	john.mudd@usa.net
William	Otterson	Midtown North/South Pct. Council	bill@midtownsouthcc.org
Paul	Loeb	Housing Conservation Coordinators [10th Ave., b.52/53]	(212) 541-5996
Christine	Gorman	West 55th Street	ploeb315@aol.com
Steve	Belida	West 55th Block Association	west55ba@gmail.com
Jeff	Robins	50/51st Street Block Association	hk5051@gmail.com
Raul	Larios	50/51st Street Block Association	hk5051@gmail.com
Amanda	Cernitz	Hudson Hotel Residents	rlarios@hotmail.com
Anita	McDonagh	Westmore 333 W 57	acernitz@gmail.com
Jesse	Bondy	Parc Vendome 340 W 57th Street	awm3333@me.com
		Colonnade 347 W 57th Street	jessbondy@aol.com

From: Jules Vigh <Jules@brpclaw.com>

Sent: Tuesday, June 09, 2020 10:30 AM

To: Jules Vigh <Jules@brpclaw.com>

Cc: Donald Bernstein Donald@brpclaw.com

bcc: 'rjbenfatto@hyhkalliance.org'; 'pgouris@hyhkalliance.org'; 'kathleentreat123@gmail.com'; 'mcgee79@aol.com'; 'cberthet@me.com'; 'info@clintonhousing.org'; 'info@clintonhousing.org'; 'rmarcano@clintonhousing.org'; 'eduardozeiger@compuserve.com'; 'mpta@mptenants.com'; 'ashleyll@aol.com'; 'twocatsltd@worldnet.att.net'; 'rapapiri@aol.com'; 'block45@hellskitchen.net'; 'tangotanner@gmail.com'; 'tangotanner@gmail.com'; 'chanawid@gmail.com'; 'stephenfanto@gmail.com'; 'aefearshk@earthlink.net'; 'larrymichaelroberts@gmail.com'; 'jamesbogues@gmail.com'; 'chasmv@hotmail.com'; 'chluderernyc@yahoo.com'; 'nancyroylance@ymail.com'; 'mariagnys@aol.com'; 'ecelnik@actorsfund.org'; 'rpimentel@commonground.org'; 'dsage@commonground.org'; 'buzany@rcn.com'; 'nkyriacou@yahoo.com'; 'gdclay@att.net'; 'jeandaniel@aol.com'; 'john.mudd@usa.net'; 'bill@midtownsouthcc.org'; 'sdesmond@hcc-nyc.org'; 'ploeb315@aol.com'; 'west55ba@gmail.com'; 'hk5051@gmail.com'; 'rrlarios@hotmail.com'; 'acernitz@gmail.com'; 'awm3333@me.com'; 'jessbondy@aol.com'

Subject: The Spot NYC LLC / 599 Tenth Avenue

Good Morning:

We wanted to provide you with the following letter from our clients:

My name is Theodore Arenas and I am one of the current owners of Rise Bar. We are currently looking to open a new bar for The Spot NYC LLC dba The Spot located at 599 Tenth Avenue between West 43rd and West 44th Streets.

The previous owner of the space was 599 Tenth Avenue Corp dba Landsdowne Road which operated the premises with a full liquor license from September 2006 to the Spring of 2020 - for almost 14 years.

The Spot will have 2,500 square feet with occupancy for 143. The bar will be a video bar with TVs without sound. We will also feature background music, a DJ, employee dancing, drag performances and Karaoke. The establishment will not have any outdoor spaces.

Our proposed hours of operation will be 11:30AM to 3:00AM Monday to Wednesday and 11:30AM to 4:00AM Thursday to Sunday.

The former licensee Landsdowne Road was granted a 4:00AM close seven days a week. We are only requesting a 4:00AM close Thursday to Sunday.

Our liquor license application will be on the July 14, 2020 agenda of the CB Business License and Permits Committee. We would love to get your feedback and possible support for this venture.

Please email us with any questions, we would love to talk to you. Please contact us at your earliest convenience.

Thank you.

Very truly yours,

Ted Arenas, John Blair and Moises Lachman

Theodorearenas@gmail.com

You can also reach out to our counsel's office - Bernstein Redo PC

Jules Vigh, Paralegal | BERNSTEIN REDO, P.C.

1177 Avenue of the Americas, 5th floor

New York, NY 10036

Tel. 212.651.3100 \ Cell Phone 646 358 0653

jules@brpclaw.com \ www.brpclaw.com

First name	Last name	ORGANIZATION	E-MAIL	Meeting
Bob	Benifatto	Hudson Yards Hell's Kitchen Alliance	rbenfatto@hyhkalliance.org	
Patty	Gouris	Hudson Yards Hell's Kitchen Alliance	pgouris@hyhkalliance.org	
Kathleen	Treat	HKNA (incl. Dog Run)	kathleentreat123@gmail.com	
Frank	Strock	West 36th Street	mccee79@aol.com	
Christine	Berthel	Chekpeds	cbertthel@me.com	
Joe	Restuccia	CHDC (incl. Bob's & bird parks)	info@clintonhousing.org ; irestuccia2@clintonhousing.org	
Ryan	Marcano	CHDC (incl. Bob's & bird parks)	rmarcano@clintonhousing.org	
Eduardo	Zeiger	West 43rd Street (b. 9th/10th)	eduardozeiger@compuserve.com	
Linda	Ashley	Manhattan Plaza T.A. (400 W. 43rd St.)	mota@mtenants.com	Fourth Tuesday of the Month
Renee & Gordon	Stanley	West 44th Street (b. 9th/10th)	twocatsite@worldnet.att.net	
Rudy	Papiri	West 44th Street (b. 9th/10th)	Rudi Papiri@timemagazine.com	
Tim	Tanner	West 45th Street BA	tannotanner@gmail.com ; west45ba@gmail.com	
David C.	Stuart	West 45th Street BA	west45ba@gmail.com	
Chana	Widawski	West 45th Street (b. 9th/12th)	chanawid@gmail.com	
John	Fisher	W 45th Street (8/9) Block Association	block45@hellskitch.net	First Tuesday of month
Steve	Fanto	West 46th Street Block Association (8th Ave to 12th Ave)	stephanfanto@gmail.com	First Tuesday of month
Andrew	Begg	West 46th Street Block Association (8th Ave to 12th Ave)	info@west46streetblockassociation.org ; andrewbegg@yahoo.com	First Tuesday of month
Allison	Tupper	West 46th Street Block Association (8th Ave to 12th Ave)	Allison.Tupper@verizon.net	First Tuesday of month
Brandon	Hudson	West 46th Street Block Association (8th Ave to 12th Ave)	HUDSON62747@hotmail.com	First Tuesday of month
Elke	Fears	West 47th/48th Streets Block Association	aefearshk@earthlink.net	
Larry	Roberts	West 47th/48th Streets Block Association	larrymichaelroberts@gmail.com	
Jim	Boques	West 47th/48th Streets Block Association	jamesboques@gmail.com	
Maria	Guzman	Harborview Terrace T.A. (525 W. 55th St.)	mariaqmvs@aol.com	
Ellen	Celnik	The Aurora	ecelnik@actofstfund.org	
Richard	Pimentel	The Aurora	rpimentel@commonground.org	
Derrick	Sage	The Aurora	dsage@commonground.org	
Nancy	Kyriacou	Oasis Gardens I 10th Ave., b. 51/52	nkyriacou@yahoo.com	
Gary	Dipasquale	Oasis Gardens II 52nd St/10th Ave.	gdclay@att.net	
Larry	Roberts	Midtown North Pct. Council	larrymichaelroberts@gmail.com	Third Tuesday of the month
John	Mudd	Midtown North/South Pct. Council	john.mudd@usa.net	
Paul	Loeb	Housing Conservation Coordinators [10th Ave., b.52/53]	info@hcc-nyc.org	
Christine	Gorman	300 W 55th St	ploeb315@aol.com	
Steve	Belida	West 55th Block Association	west55ba@gmail.com	the second Monday of the month.
Raul	Larios	HK49-53 Block Alliance	hk5051@gmail.com	
Amanda	Cernitz	350 W 51st Street Tenant Association	tenants350west51st@gmail.com	
Anita	McDonagh	Hudson Hotel Residents	rlarios@hotmail.com	
Jesse	Bondy	Westmore 333 W 57	acernitz@gmail.com	
Leslie	Woodruff	Parc Vendome 340 W 57th Street	awm3333@me.com	
John	Waldman	Colonnade 347 W 57th Street	jessbondy@aol.com	
Julia	Campanelli	Hell's Kitchen Families	jetsleslie@yahoo.com	
		American Red Cross Greater New York Region	john.waldman@redcross.org	
		Hell's Kitchen Block Association (W 33rd/34th/35th Streets (81	juliacampanelli@gmail.com	

From: Jules Vigh

Sent: Sunday, June 21, 2020 1:33 PM

To: Jules Vigh <Jules@brpclaw.com>

Cc: Ted Arenas <theodorearenas@gmail.com>; Gonzalez, Nelly (CB) <negonzalez@cb.nyc.gov>; Donald Bernstein <Donald@brpclaw.com>

bcc: Rudi_Papiri@timemagazine.com; info@west46streetblockassociation.org; adrewbegg@yahoo.com; AllisonTupper@verizon.net; hudson62747@hotmail.com; larrymichaelroberts@gmail.com; info@hcc-nyc.org; tenants350west51st@gmail.com; jetsetleslie@yahoo.com; john.waldman@redcross.org; juliacampanelli@gmail.com

Subject: The Spot NYC LLC / 599 Tenth Avenue

Good Afternoon:

We wanted to provide you with the following letter from our clients:

My name is Theodore Arenas and I am one of the current owners of Rise Bar. We are currently looking to open a new bar for The Spot NYC LLC dba The Spot located at 599 Tenth Avenue between West 43rd and West 44th Streets.

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Thank you.

Very truly yours,

Ted Arenas, John Blair and Moises Lachman

Theodorearenas@gmail.com

You can also reach out to our counsel's office - Bernstein Redo PC

Jules Vigh, Paralegal | BERNSTEIN REDO, P.C.

1177 Avenue of the Americas, 5th floor

New York, NY 10036

Tel. 212.651.3100 \ Cell Phone 646 358 0653

jules@brpclaw.com \ www.brpclaw.com

The Spot Bar Nyc LLC D/B/A The Spot

Dear Neighbors,

My Partners and I of Rise Bar are **planning on opening** “The Spot” video bar on 599 10th. The bar will be a video bar playing Music Videos (with sound) and Creating a venue where artist in the film industry can showcase their Videos.

The Purposed hours of operation of the bar would be Monday – Wednesday 11:30 AM-3AM and Thursday – Sunday 11:30 AM-4AM. The venue will not only be playing music videos But, will also include a DJ, Recorded Music, Open Mic: (Karaoke and Comedy) and Drag performances, employee dancing. The Spot Bar NYC LLC is seeking a full On-Premises Liquor License.

Though there are no tenants directly above, we have a security plan to keep the sidewalk clean and respectful to the surrounding residents.

We normally would like to hold a meeting in person to go over our ideas and plans, However Due to COVID19 we have decided to hold a meeting on ZOOM on **Wednesday July 1st at 5:30PM** to answer any concerns or questions and to get a chance to meet you all.

Join Zoom Meeting

<https://us02web.zoom.us/j/84680032831>

Meeting ID: 846 8003 2831

If you can't make it to that or would rather email inquiring more information I can be contacted on my email.

THEODOREARENAS@GMAIL.COM

ALSO PLEASE SEND EMAILS OF SUPPORT TO BOTH:

NEGONALEZ@CB.CYC.GOV

THEODOREARENAS@GMAIL.COM

**Sincerely,
Ted Arenas**

June 22, 2020

These are the addresses we posted our Dear Neighbor Letter and the CB Meeting Posting Notice at:

places we left notices with the door man

The Stand (500 west 43rd)

Manhattan Plaza (482 west 43rd street)

Charlie West (504 west 43rd)

Chatham 464 west 44th street

449 west 44th street

560 43rd left at front desk

595 10th ave

597 10th ave

598 10th ave

600 10th ave

601 10th Ave

602 10th ave

603 10th ave

626 10th ave

595 43rd street

500 43rd street

501 43rd street

501 1/2 43rd street

503 43rd street

504 43rd street

520 43rd street

535 west 43rd

536 west 43rd

552 west 43rd

555 west 43rd

560 west 43rd

451 west 44th street

455 west 44th street

459 west 44th street

461 west 44th street

500 west 44th street

502 west 44th street

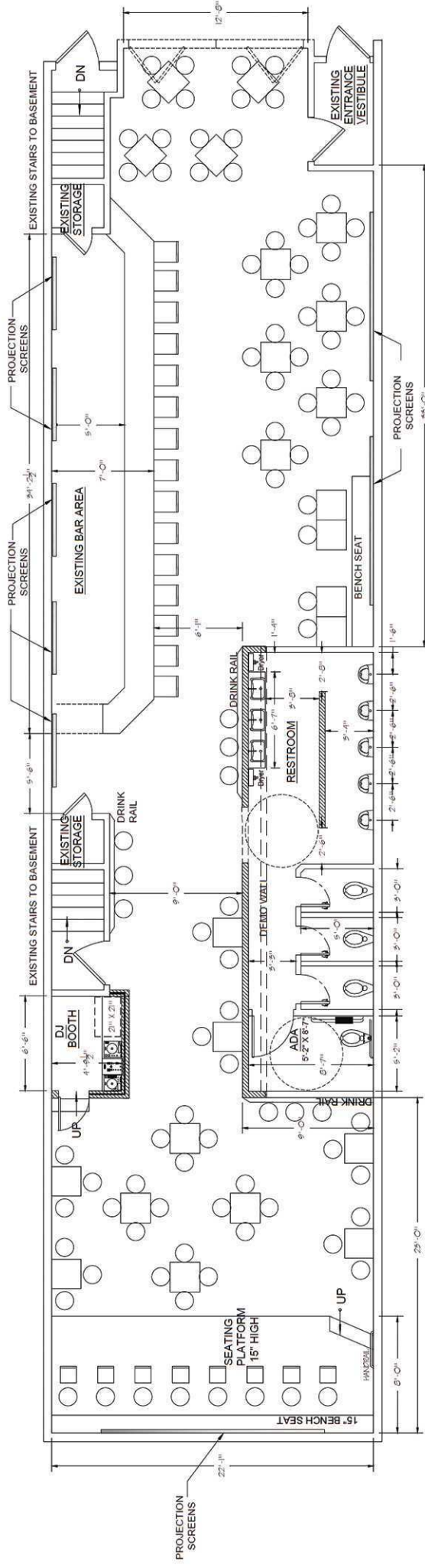
504 west 44th street

511 west 44th street

The Spot Bar NYC LLC dba The Spot / 599 Tenth Avenue, New York, New York 10036

Tables= 32 and Seats= 104 with One Customer Bar with 15 Bar Stools

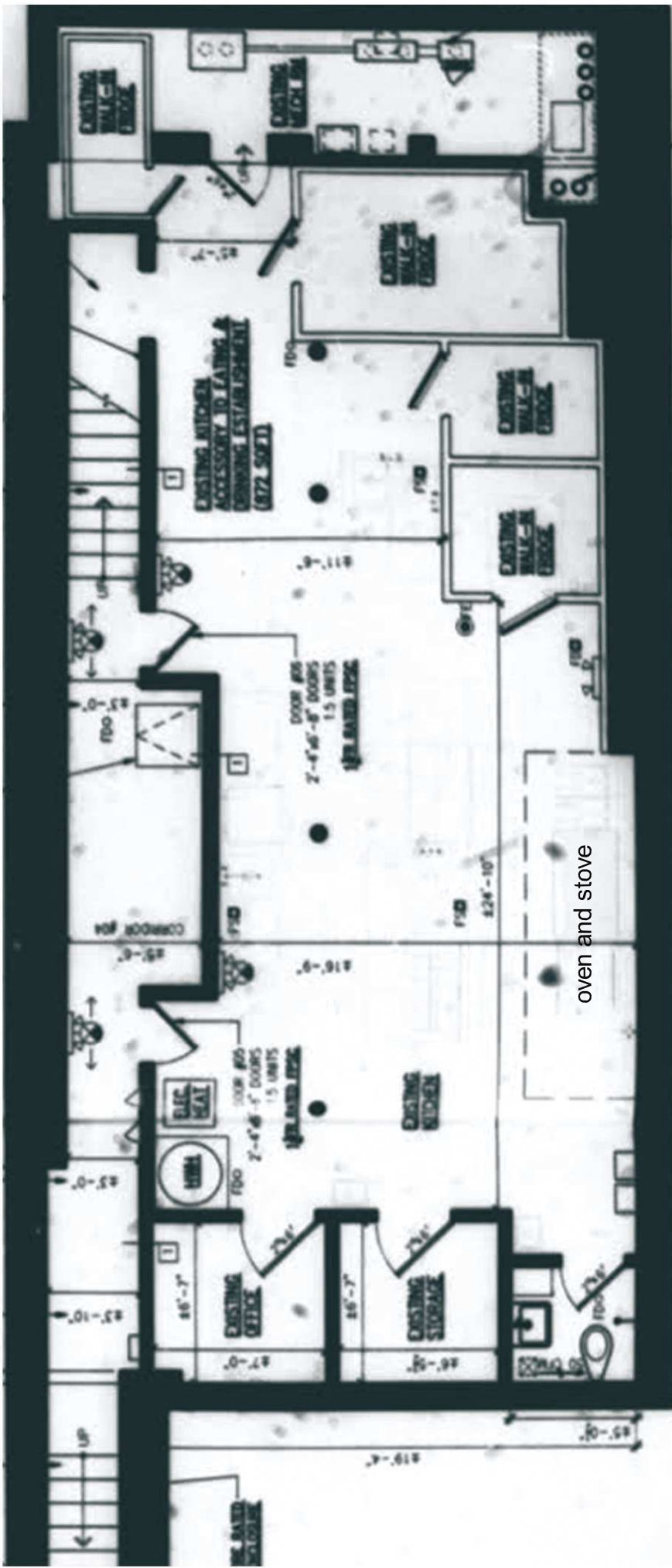
Total Seats= 119



1 THE SPOT-FLOOR PLAN - 6/12/20
A100 SCALE: 1/4"=1'-0"

FIRST FLOOR

The Spot Bar NYC LLC dba The Spot / 599 Tenth Avenue , New York, New York 10036
Cellar Space



599 10th Ave

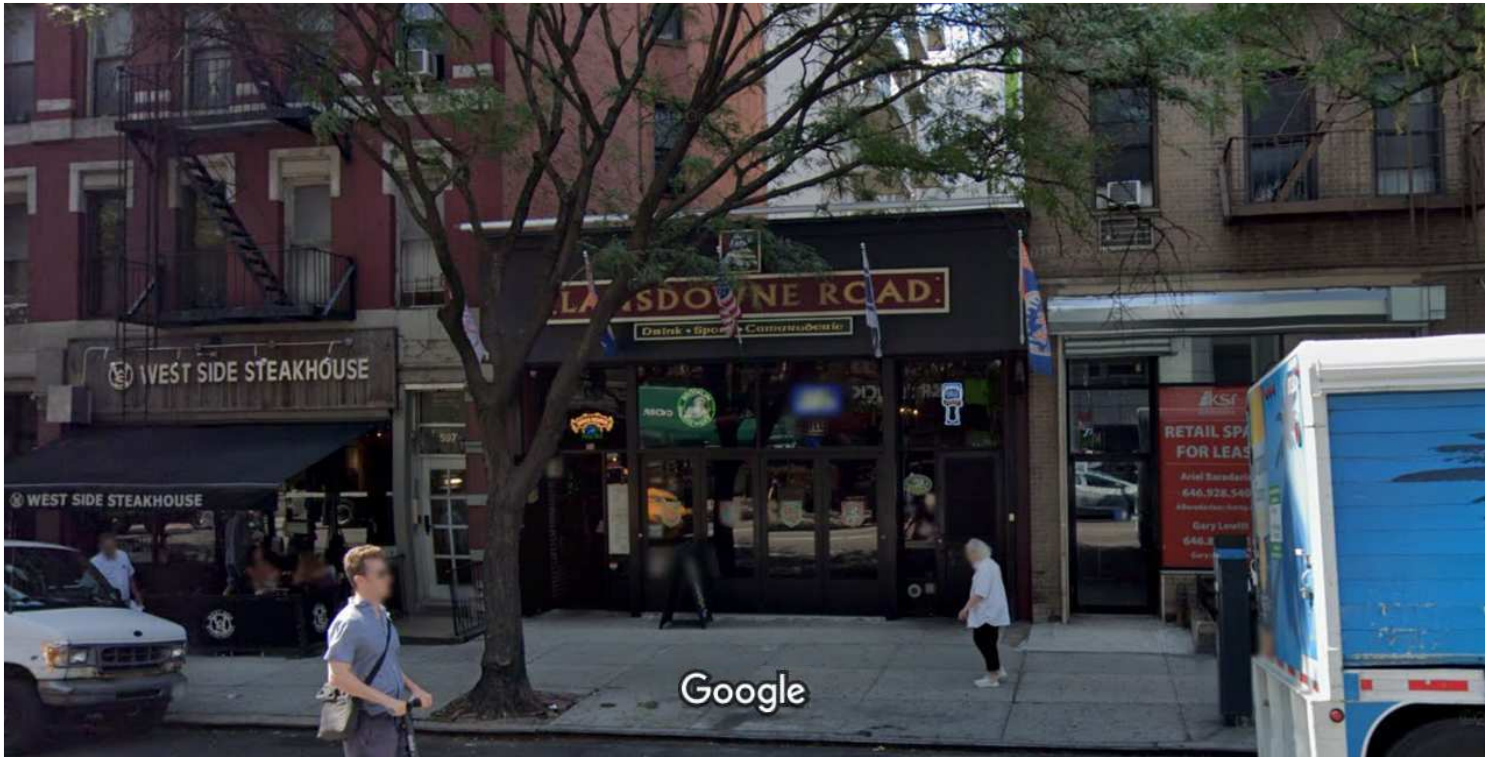
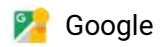
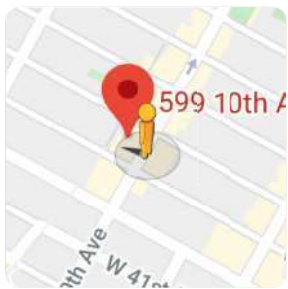


Image capture: Aug 2019 © 2020 Google

New York



Street View



The Spot Bar NYC LLC
dba The Spot
599 Tenth Avenue
New York, New York 10036



The Spot Bar NYC LLC
dba The Spot
599 Tenth Avenue
New York, New York 10036





May 26, 2020

Manhattan Community Board

330 W 42nd St #2601, New York, NY

10036

(212) 736-4536

Dear Community Board 4,

It is Gotham Cheer's great pleasure to write a letter to support The Spot Nyc LLC or "the Spot" which will be a video bar on 599 tenth ave commercial space.

Gotham Cheer is a 501 (c)(3) Non-profit community-based adult cheerleading squad composed entirely of volunteer members. Our mission is to amplify the voices of those in our community working to bring awareness to LGBTQIA+ issues, HIV/AIDS and other life-challenging conditions by raising money for local charities.

Gotham Cheer has had the opportunity over the past three years to work with RISE Bar, which is owned by the same owners of the proposed Spot Nyc LLC or "the Spot". Together with the management of RISE bar on 859 9th Ave we have raised over \$25,000 for local LGBTQ charities based in greater New York City area.

RISE Bar LGBTQ Fundraising Collaborations

2017 - Immigration Equality

2018 - True Colors United

2019 - OutCycling Fearless Flyers

2019 - True Colors United

Over \$25,000 was raised for LGBTQ charities between 2017-2019

Because of the relationship that we have created and the good works that have been done in the LGBTQ community, we fully support The Spot Nyc LLC. We are glad that businesses like theirs realize the importance of social communities and their related needs.

Sincerely,

Felipe Hernandez, Co-Founder

Latoya Leflore, Co-Founder

Ryan M. Davis, Secretary

May 24th 2020

I'm writing this letter on behalf of Ted Arenas and The Spot.

I want to first say that I couldn't speak higher of this man and his character and work as a business owner, community member and friend.

I have had the privilege of watching his visions grow from a new local spot to a valued part of the LGBTQ+ community.

I can personally vouch for his contribution to creating a space where people from all walks of life can feel welcome and a part of something bigger.

As a member of the Broadway Community I have also seen Teddy use his business as a means to support local arts and artists offering a venue where they can express themselves through music and dance. Whether it's an open mic featuring top Broadway and Broadway Caliber artists, or weekly shows providing platforms for our amazing drag community, Teddy is continuously inventing new and exciting ways to create a space where we all feel valued and seen.

I wanted to specially tell you about what Teddy and his business have done for me personally.

As a working theatre artist I incurred an injury to my back last fall. What was intended to be a simple day surgery procedure quickly turned into one of the darkest moments of my life. After my procedure I fell very ill due to a hospital born infection and was hospitalized for over 6 months. I struggled to fight infection after infection and my medical bills grew to an overwhelming high.

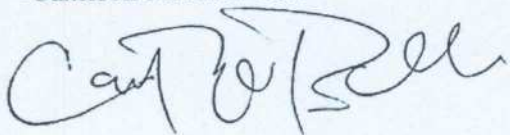
During my time in the hospital, Teddy and his bar RISE organized a charity event featuring some of New York's top Broadway and nightlife performers. Proceeds from the event were graciously donated to help me pay for my medical expenses.

I can't express to you the relief this brought me. With this funding I was able to stay afloat until I was able to work again and bounce back after being down and out for so long.

However money aside I think the bigger message here is the importance of people like Teddy and what he provides to the community and New York as a whole. He strives to not just create a place for people to come and relax after work or on the weekend but a safe haven and beacon of light in the LGBTQ+ community when we need it most.

As you can probably tell I could go on and on about Teddy and his contributions and I hope that he can continue to create these incredible spaces where everyone is welcomed and cared for through the highs and lows.

-Cameron Mitchell Bell



Susan Treacy -Mannix

484 West 43rd Street, Apt 44-D

New York, New York 10036

(646)220-7274

Treacymannix@msn.com

May 24, 2020

Dear Members of the Community Board 4,

I'm pleased and honored to write a letter of support for "The Spot Bar NYC LLC " and owner Theodore Arenas. I met Theodore AKA Ted in 2009 when I was serving on the PTA Executive Board for P.S. 051 Elias Howe (02M051) , located at 425 West 44th Street NYC. He owned a bar & beautiful event space that was located up the block from the kids school. Our Executive Board and I had reached out to him because we needed space to hold a live auction in our community close by the school to raise money for the PS 51 students to maintain their art programs. Without hesitation he helped us organize our event. He donated his marketing expertise & event space to raise money for our students.

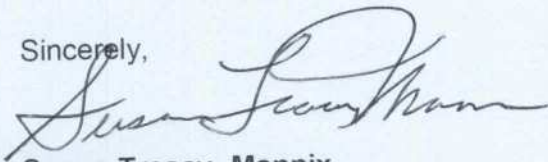
The evening of the event was such a success and because of Ted along with his wonderful staff we were able to maintain the students art programs. Anytime we needed support he was always willing to help us out in anyway he could for our community. Ted has been a good community member and friend over the years to me and members of school executive boards I served on. I'm very fortunate that I can call him a true friend & community member. He is a professional, respectful, kind and generous man. I'm also very happy he is part of our community because he always brought greater good to our members by socially & emotionally supporting us. I can't thank him enough for his monetary support during the years I served on the Executive Boards along with his fundraising/marketing for our neighborhood zone school that provided the students with programs that enhanced the students future educational wellbeing.

My family has been in this neighborhood since 1800's and I feel being a member of Hells Kitchen Heritage Project I can truly say that I believe that Ted Arenas would be a good tenant for this venue.

Without reservation, I would endorse Ted to be consider to open up this business . I know he will be a good operator and good for the community. I support the Spot Bar NYC LLC and

the closing hours they requesting 3am Monday-Wednesdays and 4am Thursdays-Sundays.
Thank you for your time.

Sincerely,



Susan Treacy -Mannix

Member of Hells Kitchen Heritage Project Executive Board
City Knoll Middle School (02M933) , New York, New York - Former: PTA President, PTA Vice
President, School Leadership Team, Safety Committee Member, C-30 Hiring Principal
Committee Member, NYC District 2 President's Council Member and Community Education
Plan Board Member, Chairman of fundraising & special events. P.S. 051 Elias Howe (02M051) ,
New York, New York - Former:PTA President, PTA Treasurer, PTA VP, School Leadership
Team, Safety Committee Member,Construction & Relocation Task Force Team and NYC
District 2 President Council Member

THE
SPOT

CHICKEN TENDERS BASKET

GOLDEN BROWN CHICKEN TENDERS SERVED WITH
CHOICE OF SAUCE (BLUE CHEESE, RANCH, HONEY MUSTARD,
SWEET AND SOUR)

\$13

NACHOS DELUXE

TORTILLA CHIPS TOPPED WITH WHITE QUESO, MELTED CHEDDAR,
DICED TOMATO, DICED ONION, JALAPENOS, SOUR CREAM & SALSA

\$12

TWO CHEESE CHICKEN QUESADILLA

BAKED FLOUR QUESADILLA FILLED WITH GRILLED CHICKEN,
WHITE QUESO AND CHEDDAR AND ONIONS. SERVED WITH
SOUR CREAM AND SALSA

\$12

FLATBREAD PIZZA (12")

CHEESE

\$12

PEPPERONI

\$13



JALAPENO MARGARITA

(SAUZA CUCUMBER CHILI TEQUILLA, 2 SLICES OF LIGHTLY MUDDLED JALAPENO WITH TRIPLE SEC, ROSES LIME AND A SPLASH OF SOUR)

CUCUMBER MARTINI

(PEARL CUCUMBER VODKA, SPLASH OF SOUR, SPLASH OF TRIPLE SEC, SLICE OF CUCUMBER)

MOSCOW MULE

(ABSOLUT, GINGER BEER, SPLASH FRESH LIME JUICE, 2 DASHES OF BITTERS)

PICKLE MARTINI

(ABSOLUT, PICKLE JUICE, GARNISHED WITH A DILL PICKLE)

LYCHEE MARTINI

(VODKA, SOHO LYCHEE, & LYCHEE JUICE)

**BUD LIGHT - STELLA - CORONA
BLUE MOON - AMSTEL - HEINEKEN
BROOKLYN - IPA - ODOULS - GUINNESS**

SECURITY PLAN

Security Plan Operating 7 days a week. 1 security guard 8pm till closing Sunday – Thursday. Friday – Saturday 3 security guards. 1 security guard from 5-10pm, 2 security guards from 9-Closing.

Sunday: 1 Security Guard 8-CL

Monday: 1 Security Guard 8-CL

Tuesday: 1 Security Guard 8-CL

Wednesday: 1 Security Guard 8-CL

Thursday: 1 Security Guard 8-CL

Friday: 1 Security Guard 5-10PM, 2 security guards 9-CL

Saturday: 1 Security Guard 5-10PM, 2 security guards 9-CL

Installation of Security Cameras will be installed on premises with remote viewing

- 1) ID's will be checked at the door and by bartenders in servers to make sure we are not serving any minors
- 2) All staff member will be well educated and trained making sure not to serve someone that is visibly intoxicated or from entering the premises:
 - >Speech Slurred, Confused, Abusive, profane, antagonistic or incoherent
 - >Appearance in disarray
 - >Balance unsteady, body swaying, using bar or wall to maintain balance
 - >Bloodshot eyes
 - >Fumbling or dropping of glassware, ID, Cash, or personal items
 - >Unusual symptoms: Vomiting, hiccupping, losing focus, sleeping or fainting
- 3) Anti-theft measures will be taken by providing coat check for customers, Signs coming in will tell patrons to keep an eye on your personal belongings. We will also have security on the way in to tell customers to put wallets, phones and cash in their front pockets and again remind them that coat-check is available.
- 4) Sidewalk safety and management will be implemented on the street to keep customers and crowd control respectful to the community. We will also set up a designated smoking area away from the building and down the street in an area where it's not a hinderance to tenants living above. At Closing the security is to ensure orderliness when patrons are exiting the building. Security should be posted at the front door to keep patrons moving out of the area and to keep the street and sidewalk clear. This also pertains to customers smoking outside, making sure they are doing it in a designated area that is not a hinderance for tenants in the area. Security will remind customers when leaving the

building to keep noise levels down and to not disturb the neighbors. Security should remain at their outside post until the area around the establishment is clear of patrons.

- 5) Handling of any Physical Disturbance or Fights: Security and management will assess the situation and try to separate the two fighting parties and speak with them in order for them to cool down. We will then ask one person to leave and the other one shortly after so they don't continue fighting into the street. If a person starts to become a chronic problem we will ban them from entering the establishment.

(smoking area PHOTO)



(smoking area diagram)

599 STORE FRONT



← **10 FEET** →



[smoking
area]

10TH AVE



June 12, 2020

Mr. Theodore Arenas
Rise
859 Ninth Avenue
New York, NY 10019

Re: New Bar, 599 Tenth Avenue, New York, NY 10019

Dear Mr. Arenas,

Pursuant to your request, I have studied the noise issues for the new bar on June 9, 2020. The purpose of this letter is to report on acoustical conditions.

SUMMARY

I have provided recommendations for the new bar to operate without producing excessive noise for the neighboring buildings.

DBA VS ONE-THIRD OCTAVE BAND MUSIC LEVELS

One way that sound levels are often measured is by using the "A scale", the A-weighted decibel scale. This dBA scale (see Noise Code Section §24-231 a1) is the most common type of sound measurement, which represents a summation of middle (midrange) and high frequencies (treble), but largely ignores low-frequency "bass" sounds. Measuring the dBA levels requires only a simple sound level meter. DBA is what the City DEP inspectors usually use, and they normally consider anything above 42 dBA to be unreasonable.

C-weighted decibels or dBC (see Noise Code Section §24-231 a3) are also a measurement of all frequencies, but this method includes the important low-frequency "bass" sounds. However, dBC readings pick up so many frequencies at the same time that they usually do not distinguish between normal background noise and music beats.

One-third octave band sound level readings (see Noise Code Section §24-231 a2) were taken, which are measured in decibels, or dB. Sounds with frequencies below 250 Hertz are called bass or low frequencies, which sound like thumping or vibration. This range of low frequencies is addressed in the Noise Code regulations and is the sound most likely to cause neighbor complaints. Bass and drums usually cause sounds in these frequency ranges. These sounds require a complex spectrum analyzer to measure them.

THE NOISE CODE - MUSIC

§24-231 Commercial music.

(a) No person shall make or cause or permit to be made or caused any music originating from or in connection with the operation of any commercial establishment or enterprise when the level of sound attributable to such music, as measured inside any receiving property dwelling unit:

- (1) is in excess of 42 dB(A) as measured with a sound level meter; or
- (2) is in excess of 45 dB in any one-third octave band having a center frequency between 63 hertz and 500 hertz (ANSI bands numbers 18 through 27, Inclusive), in accordance with American National Standards Institute standard S1.6-1984; or
- (3) causes a 6 dBC or more increase in the total sound level above the ambient sound level as measured in decibels in the "C" weighting network provided that the ambient sound level is in excess of 62 dBC.

THE NOISE CODE - CIRCULATION DEVICES

§ 24-227 Circulation devices. (a) No person shall operate or permit to be operated a circulation device in such a manner as to create a sound level in excess of 42 dB(A) when measured inside a receiving property dwelling unit. The measurement shall be taken with the window or terrace door open at a point three feet from the open portion of the window or terrace door.

(b) On and after the effective date of this section, when a new circulation device is installed on any building lot or an existing device on any building lot is replaced, the cumulative sound from all circulation devices on such building lot owned or controlled by the owner or person in control of the new device being installed or the existing device being replaced shall not exceed 45 dB(A), when measured as specified in subdivision a of this section. For a period of two years after the effective date of this section, this subdivision shall not apply to the replacement of a circulation device that was installed on any building lot prior to the effective date of this section by a device of comparable capacity.

In other words, the noise limits are 42 dBA for one device and 45 dBA for multiple devices.

THE NOISE CODE – OCTAVE BAND LIMITS

§ 24-232 Allowable decibel levels-octave band measurement. (a) No person shall cause or permit a sound source operating in connection with any commercial or business enterprise to exceed the decibel levels in the designated octave bands shown below as measured within a receiving property as specified therein.

Octave Band Maximum Sound Pressure Levels (dB) as measured within a receiving property as specified below

Octave Band Frequency (Hz)	Maximum Sound Pressure Levels (dB) as measured within a receiving property as specified below	
	Residential receiving property for mixed use buildings and residential buildings (as measured within any room of the residential portion of the building with windows open, if possible).	Commercial receiving property (as measured within any room containing offices within the building with windows open, if possible).
31.5	70	74
63	61	64

125	53	56
250	46	50
500	40	45
1000	36	41
2000	34	39
4000	33	38
8000	32	37

(b) All sources that are within the A-scale limits prescribed by any other section of this code must also comply with the octave band decibel levels as specified herein. Compliance with this section does not constitute a defense to violation of decibel limits set by any other section of this code.

(c) Measurements performed on residential property shall not be taken in non-living areas such as closets and crawlspaces.

(d) This section shall not apply to impulsive sound, music or construction devices or activities.

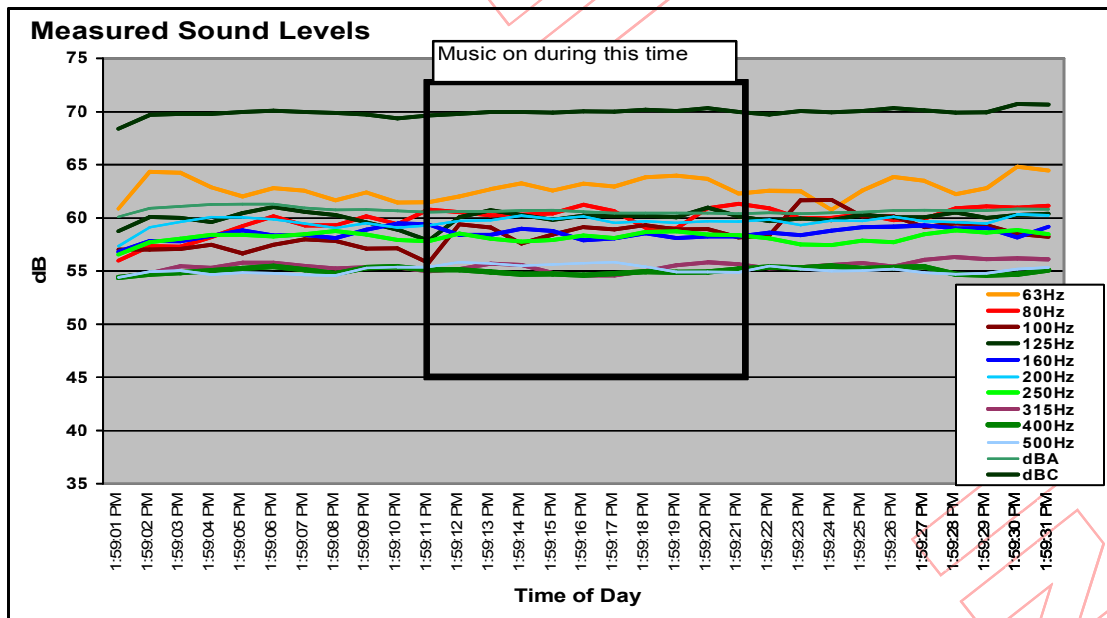
Note that the Building Code has the same limits as the Noise Code.

TEST

A test loudspeaker was used to produce loud music in the back of the space, which is where you plan to have the main music system.

The sound level in the center of the space was 101 dBC and 91 dBA. The planned maximum sound level in the rear of the bar will be 94 dBC, 7 dBC below the test level.

Outside on the roof, no music was heard at all when the loudspeaker was turned on. From left to right, the chart shows the moment-by-moment sound levels in the different frequency bands.



INSPECTION

The building is one story and sound leakage was tested directly above on the outdoor roof.

There are commercial spaces on each side of the building with apartments on the upper floors. The walls of both buildings are brick and no inspection was done inside the upstairs apartments due to no access.

There is a large amount of HVAC equipment on the roof. In 2010, I tested noise levels at this location due to a DEP violation for a noisy circulation device. Although the violation was issued for the exhaust fan, a large air conditioner was also producing excessive noise. The prior owner explained that he installed soundproofing materials per my recommendations. I understand that the noise levels have not been retested, but that the complaints then stopped and no further violations were issued. I inspected the roof equipment and found that the recommendations for the large air conditioner were taken; see the photos below.

The exhaust fan has not been modified. This is acceptable because there have been no noise complaints.

ANALYSIS

Based on the readings, the existing ceiling and HVAC soundproofing is acceptable to comply with the above Codes, provided the recommendations are followed. While the ceiling treatment is excellent at preventing roof leakage, wall treatment is recommended to reduce sound transmission through the brick into the neighboring buildings to the north and south.

RECOMMENDATIONS

NEW FLOATING WALLS

1. To reduce noise leakage from the room, add new sheetrock walls inside of the existing demising walls in the rear half of the bar.
 - a. Each wall should consist of 2 staggered-seam layers of 5/8" sheetrock on new independent 2x4 metal studs.
 - b. The new wall can rigidly connect to the rear wall, ceiling and floor, but *not* to the side walls.
 - c. Provide a 1/2" air space between the new studs and the existing side walls. This air space must not be ignored if successful noise reduction is to be achieved. At no point must each new wall touch the existing side walls except at the ends, where there will be a 1/4" floor-to-ceiling gap. Seal the gap to a depth of 1/2" with silicone caulk.
 - d. Install insulation in these new walls. Thermafiber SAFB, 2.5 pound density, is the best insulation to use here, lightly compressed to fill the cavity. Do not stuff in the insulation tightly. Data enclosed.
 - e. Only the final drywall layer needs to be compounded or taped. Seal the bottom and top with caulking to eliminate all air leaks.
 - f. All wall penetrations must be sealed with caulk to provide an airtight seal. There should be no penetrating electrical boxes; use surface-mounted boxes. BX cable can be run behind the wall but must be caulked where the cable enters the box.

HVAC- KITCHEN EXHAUST

2. There have been no noise complaints regarding the existing kitchen exhaust fan or the refrigeration compressors for years.
3. If there is a noise complaint in the future, an acoustic barrier can be installed if appropriate.

SOUND SYSTEM

4. Small speakers should be used as a distributed system. Data attached.
 - a. For the rear half of the space, use 8 speakers with woofers no larger than 8". For the front space, the woofers should be 6" maximum. The goal is to locate the speakers so that they are close to the customers.
 - b. No subwoofers should be used.
 - c. Mount the speakers from vibration isolators. Two suggested approaches are shown in the drawing below.
 - d. Two commercial stereo power amps of 75 watts per channel or higher, preferably without volume controls, should be used.
 - e. Each amp can easily handle all the speakers in its half of the space. This is done using the series-parallel hookup arrangement shown in the diagram. Run each speaker's wire back to the amplifier to simplify an otherwise complicated hookup. This is called "home run" wiring. Use #18 gauge zip cord for the speakers. Do not buy Monster cable.
 - f. Set the volume on the amplifier to maximum to prevent employees from turning up the amps louder.
 - g. The system should be set up in stereo. Stereo sounds louder to people without actually increasing the sound level.
5. The sound system will incorporate an equalizer. The equalizer will then feed into a limiter. Both functions can be accomplished with a DBX DriveRack PA2 processor. Data attached. Installed in the system right before the amplifier and locked with a password, it will prevent the sound system from exceeding a pre-determined sound level, set by the sound installer.
 - a. Using the graphic equalizer section, attenuate (lower) all frequencies 125 Hertz and below by 4 decibels, as needed to control sound leakage and avoid disturbance to neighboring units.
 - b. Set the Stereo Output Limiters to COUPLE both channels together, which makes the Channel 1 controls affect both channels. The rest of the instructions are thus for the left channel only. Use one processor for each amplifier.
 - c. Set the limiter's Ratio control to infinity, the Peak Stop to off, the Attack and Release time to midway and Auto, Over-Easy to off, and the Threshold control so as to normally limit only 3 decibels during typical music playing. If the music tries to get louder for any reason, the sound will stay at the same volume.

- d. Using the unit's output level control, set the sound 3 feet from any speaker in the rear louder space to a level of 94 dBC Slow. The sound installer can do this with a simple Radio Shack sound level meter. Set the meter to read "C", and "Slow". This will be a good starting point from which to operate the sound system.
- e. Set the sound level in the front space to a lower level of 85 dBC Slow using the same method.
- f. To ensure accuracy of the meter, it can be brought to my office to be calibrated.
- g. The dbx unit could be set more accurately in conjunction with tests made of noise levels in the neighboring units.

OPTIONAL- ABSORPTION

- 6. Treat at least 80% of the rear ceiling with at least 1" thick absorbing material with an NRC rating of .7 or greater. There are several suitable product types:
 - a. SonaKrete: Manufactured by International Cellulose Corporation, at 800-444-1252. This material uses no asbestos, fiberglass or rockwool. It is troweled-on to the desired thickness. This product has a rough finish and is available in many colors. I have also provided specs on another product, SonaSpray.
 - b. BASWAphon is a seamless fiber-backed panel that has a troweled-on finish. Contact BASWA acoustic at 440-951-6022 or online at baswaphon.com.
 - c. Star Silent: This material can be used on sheetrock. Contact Howard Podelski at Pyrok, (914) 777-7070.
 - d. Acoustical absorbing panels: If the following 1" thick panels are covered with a visual barrier such as fabric, screen or slats, they will not be seen and therefore their appearance is not an issue. In some bars, clouds or hanging fabric hide the absorbing material from view.
 - i. Owens Corning SelectSound Black Acoustic Board, not flexible.
 - ii. A SelectSound equivalent is SilentCeiling Black, 2" thick 3 lb. density from Sound Acoustic Solutions, 877 399 9697.
 - e. Kinetics Hardside panels. Many different colors of covering fabric are available. They also come with beveled or rounded edges. Kinetics products are available from Jay Ford at Vibration Products, 201 569 7400. The Kinetics website is www.kineticsnoise.com, where there are links
- 7. For the walls in the rear half of the space, treat at least 25% of the area from 42" above the floor up to the ceiling. This is typically done using products like the 1" thick Kinetics Hardside panels. They are available with wall clips.

If I can be of further assistance, please call.

It is strongly recommended that all complicated construction projects get regular inspection visits at critical times, to make sure the system performs properly. This is an optional service which I can provide. All Acoustilog, Inc.-designed information supplied is for the original client and may not be copied in any way for different projects by any architect, consultant, engineer or other party. Copyright Acoustilog, Inc. © 2020. All rights reserved. No reproduction of any type permitted without written permission of Acoustilog, Inc.

Yours Truly,

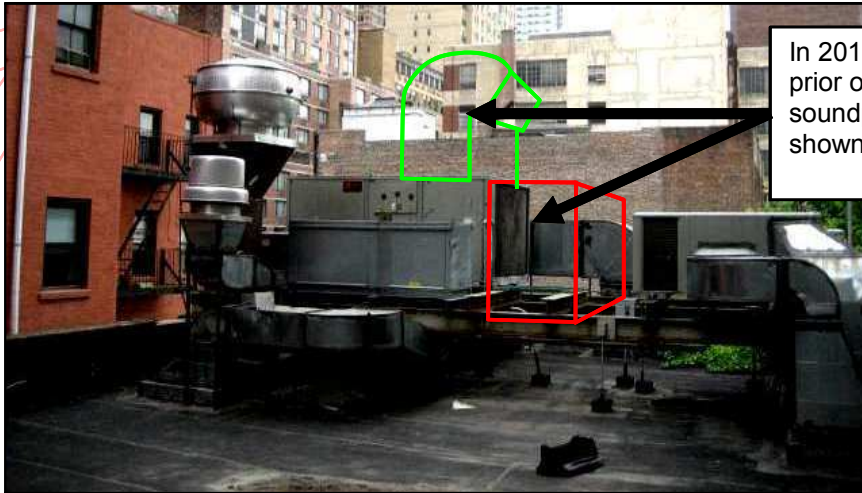
Alan Fierstein



President
acoustilog1@verizon.net

All readings re: .0002 microbar. Readings taken with Bruel & Kjaer 2250/2260/2270 Analyzer, Bruel & Kjaer 4135, 4145, 4165, 4189 or 4190 Microphone, Acoustilog 232A Reverberation Timer. Calibrated to Bruel & Kjaer 4220 Sound Source or Quest CA-15A.

ACUSTILOG INC



In 2010, I recommended to the prior owner to install soundproofing materials as shown in this photo.



I inspected the roof and found that the recommendations for the large air conditioner were taken. Note the intake skirt and upper J-shaped chimney.



The existing refrigeration compressors are not near the residential windows.





There are commercial spaces on each side of the building with apartments on the upper floors.



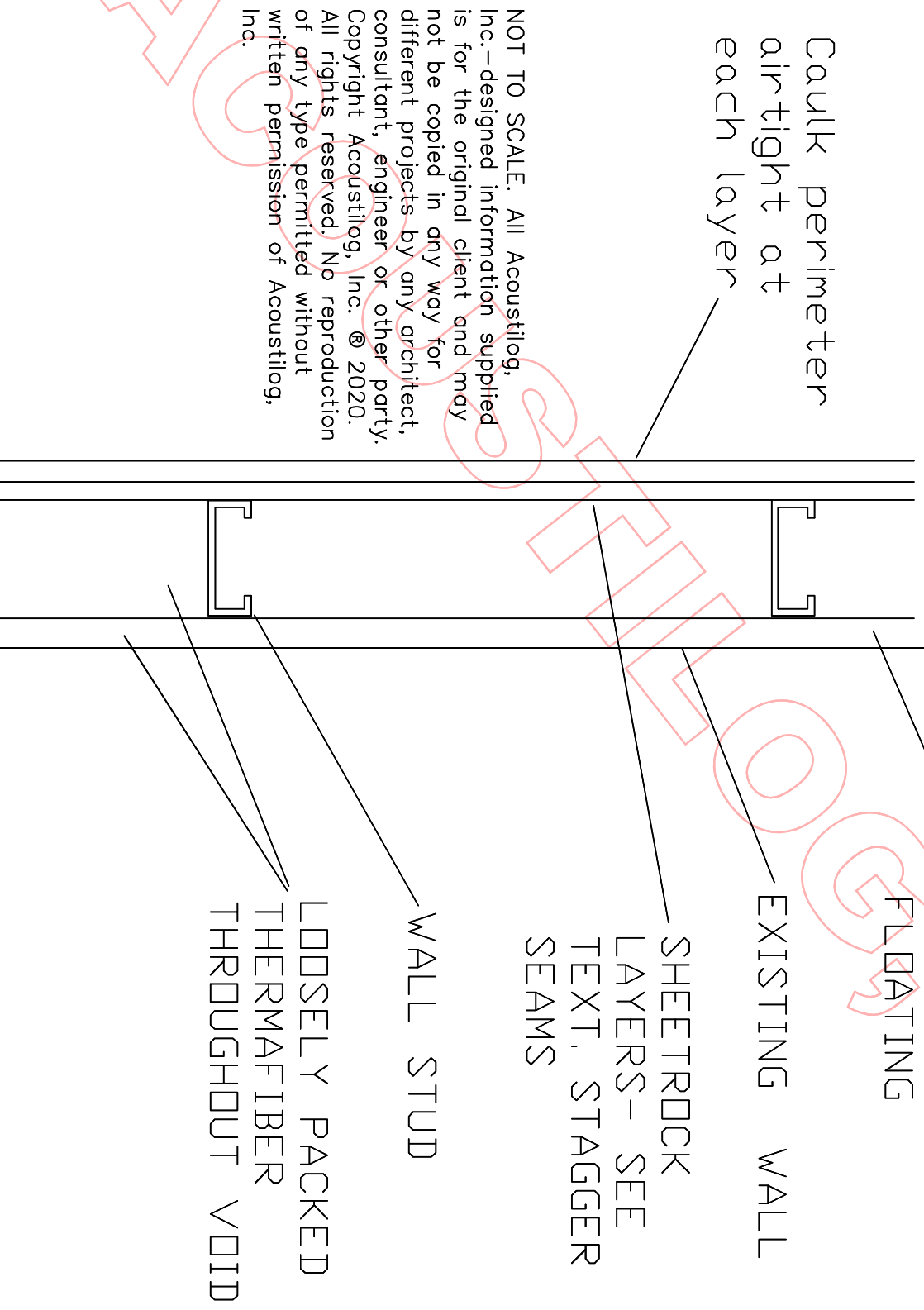
A test loudspeaker was used to produce loud music in the back of the space.



Existing Kitchen exhaust- no noise complaints, but can add acoustic barrier.



PLAN VIEW



Caulk perimeter
airtight at
each layer

GAP - LEAVE
WALL
FLOATING

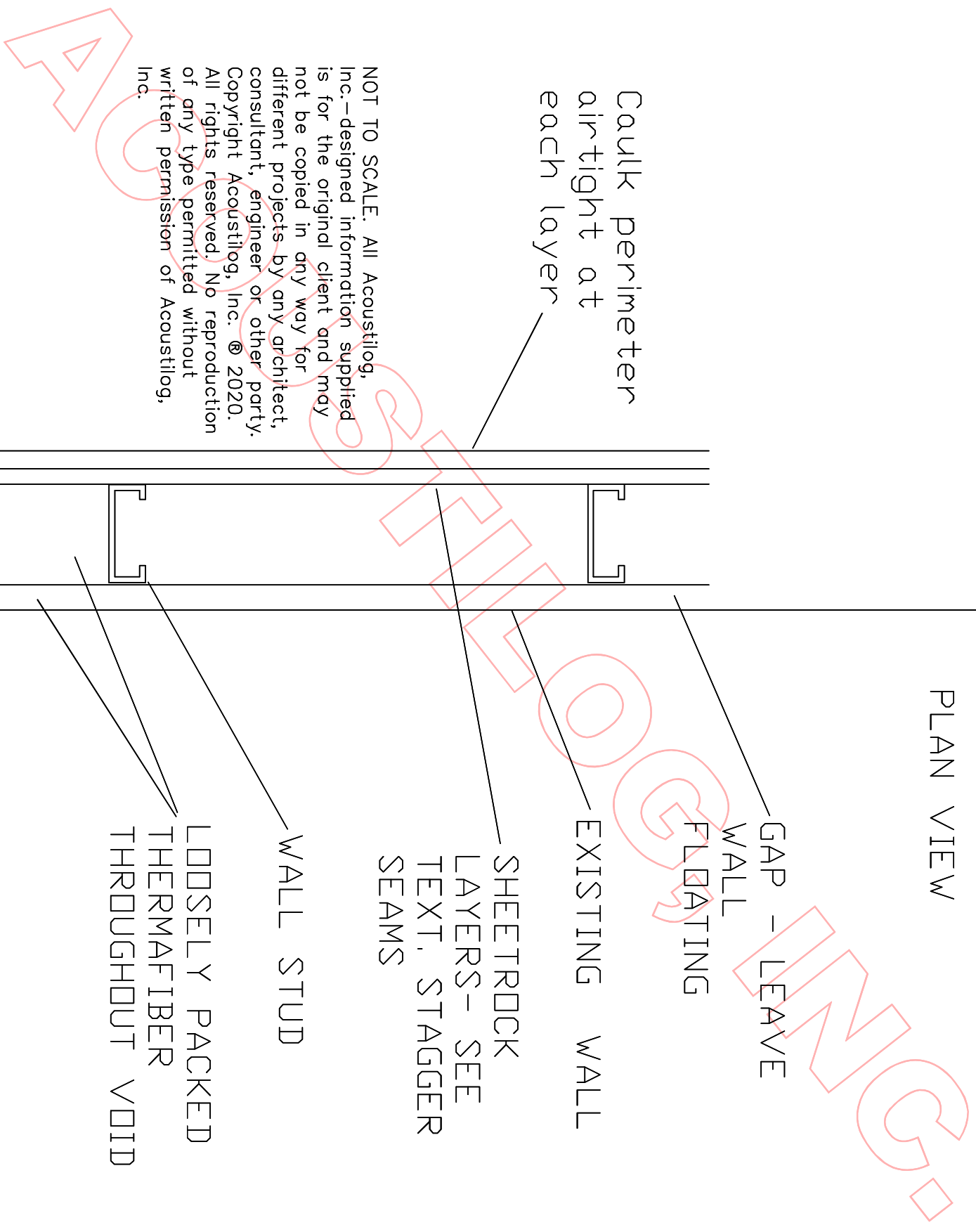
EXISTING WALL

SHEETROCK
LAYERS - SEE
TEXT, STAGGER
SEAMS

WALL STUD

LOOSELY PACKED
THERMAFIBER
THROUGHOUT VOID

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Sound Control Insulation


Thermafiber® SAFB™

(Sound Attenuation Fire Blankets)

- + Exceptional sound and noise absorption
- + Excellent Thermal Performance (R-value of 3.7 per inch!)
- + Adds STC value to wall and floor-ceiling assemblies
- + Provides life saving fire protection in rated assemblies
- + Fire resistant to temperatures above 2,000°F (1,093°C)
- + Conserves energy, reduces Greenhouse gas and carbon emissions
- + Mold Resistant



Thermafiber SAFBs, FireSpan™, and Safing insulation contributed to the energy conservation, fire protection, and life safety of the #7 World Trade Center building in New York City. Thermafiber insulation also contributed to the building's LEED® Gold Rating.



LEED® Green Building Credits

Energy & Atmosphere	Materials & Resources	Indoor Environmental Quality	Innovation in Design
1	2.1, 2.2 3.1, 3.2 4.1, 4.2 5.1, 5.2	3.1, 3.2 9	1

Up to **90%** Recycled Content

Contributes to 33 LEED credits across 4 categories.

Thermafiber®
THE NAME IN MINERAL WOOL™



Thermafiber SAFBs are installed into an interior steel stud wall cavity.

Thermafiber® SAFB™ (Sound Attenuation Fire Blankets)

Description:

THERMAFIBER Sound Attenuation Fire Blankets (SAFB) are mineral wool batts designed to stop sound, conserve energy, and provide life saving fire protection. These products are noncombustible, moisture-resistant, noncorrosive, nondeteriorating, mildew-proof and vermin-proof. Thermafiber SAFBs provide acoustical control, thermal insulation, and fire protection in many different UL fire rated wall and floor-ceiling assemblies. SAFBs resist temperatures over 2000°F as compared to fiberglass insulation that melts around 1000°F. SAFBs add STCs to wall and floor-ceiling assemblies. See Thermafiber's SAFB Brochure (TF885) for more detail on STC and fire ratings for multiple wall and floor-ceiling assemblies.

Product Options:

- Standard SAFB
 - Creased SAFB – Made 1" wider than standard stud spacing to bow in the stud cavity for increased sound absorption.
 - Recycled Content Options¹:
 - Special "Green" Fiber 90%
 - EPA Choice Fiber (US Government Buildings)..... 75%
 - Standard Fiber 70%
- ¹Recycled content options other than standard must be specified at time of order.

Installation:

- Interior Stud Cavity – Friction fit SAFBs securely between studs. Butt ends of blankets closely together and fill all voids.
- Creased SAFB – Bow the blankets slightly to fit into stud cavity. Slit the blankets vertically 1" deep with a utility knife.
- Floor-Ceiling – Friction fit SAFBs securely between floor joists.
- Ceiling Overlayment – Lay SAFBs over ceiling panels extending 48" beyond all partitions. Tightly fit around all hangers, obstructions, and penetrations.

Standard Sizes:

	Thickness*	Widths**	Lengths**
SAFB 2.5 pcf	1-1/2" - 6"	16", 17", 24", 25"	48"
SAFB 4.0 pcf	1"	16", 17", 24", 25"	48"
Tolerances	+1/4" - 1/8"	±1/8"	±1/2"

*Thicknesses are available in 1/2" increments. **Custom sizes are available upon request.

Technical Data:

Product Designation	Nominal Density	Tested to ASTM C 518		Tested to ASTM E 84	
		"k" @ 75° [24°C] BTU.in/hr.sq. ft. °F	"R" value per inch of thickness***	Unfaced	
				Flame Spread	Smoke Developed
SAFB	2.5 pcf	0.27	3.7	0	0
SAFB	4.0 pcf	0.24	4.2	0	0

***R = thickness divided by 'k'

Acoustical Performance:

Coefficients at Frequencies Per ASTM 423								
	Thickness	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	NRC
SAFB 2.5 pcf Density	2"	0.34	0.61	1.07	1.09	1.07	1.10	0.95
	3"	0.51	0.99	1.18	1.03	0.99	0.96	1.05
	4"	0.83	1.19	1.27	1.12	1.12	1.13	1.20
	6"	1.37	1.32	1.23	1.16	1.12	1.12	1.20

Standards Compliance:

SAFB Insulation meets the following:
NFPA 101 Class A rated interior finish
ASTM C 665 Type I, per Federal Specification HH-I-521F
ASTM E 136 Rated Non-combustible per NFPA Standard 220
ASTM C 1104 Absorbs less than 1% by volume

SAFB products are approved by: New York City Board of Standards & Appeals – (under BSA 35-66-SM, 173-77-M, 249-74-SM, 34-66-SM, & accepted by MEA 207-82-M, Vol. 2)

Thermafiber Insolutions™:

Thermafiber offers industry leading technical and engineering assistance to architects, specifiers, and contractors. These services include CAD drawings, engineering judgments, LEED Credit Information, and product recommendations. Contact our technical services department at 1-888-834-2371, or email technicalservices@thermafiber.com.

For Further Information:

For additional information about these or other Thermafiber products contact us at 1-888-834-2371 or visit our website www.thermafiber.com.

Notice:

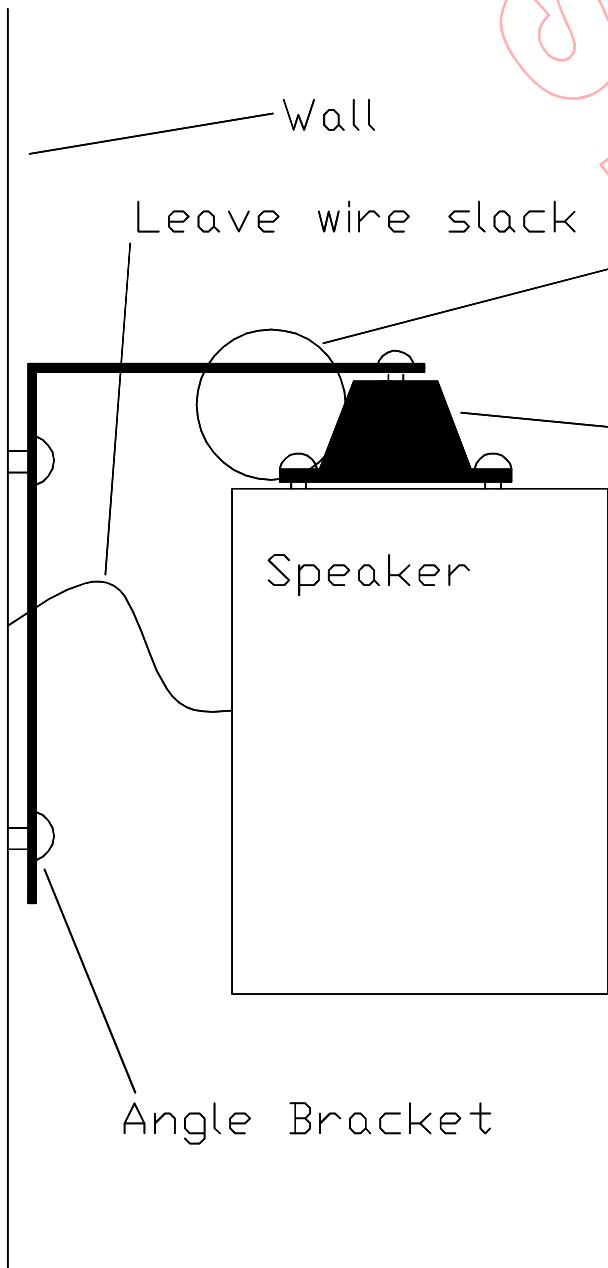
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Submittal Approvals:

Job Name	
Contractor	Date



ACOUSTIS



Safety wire with slack- This is necessary because the isolators are normally used under, not over, the device they are holding.

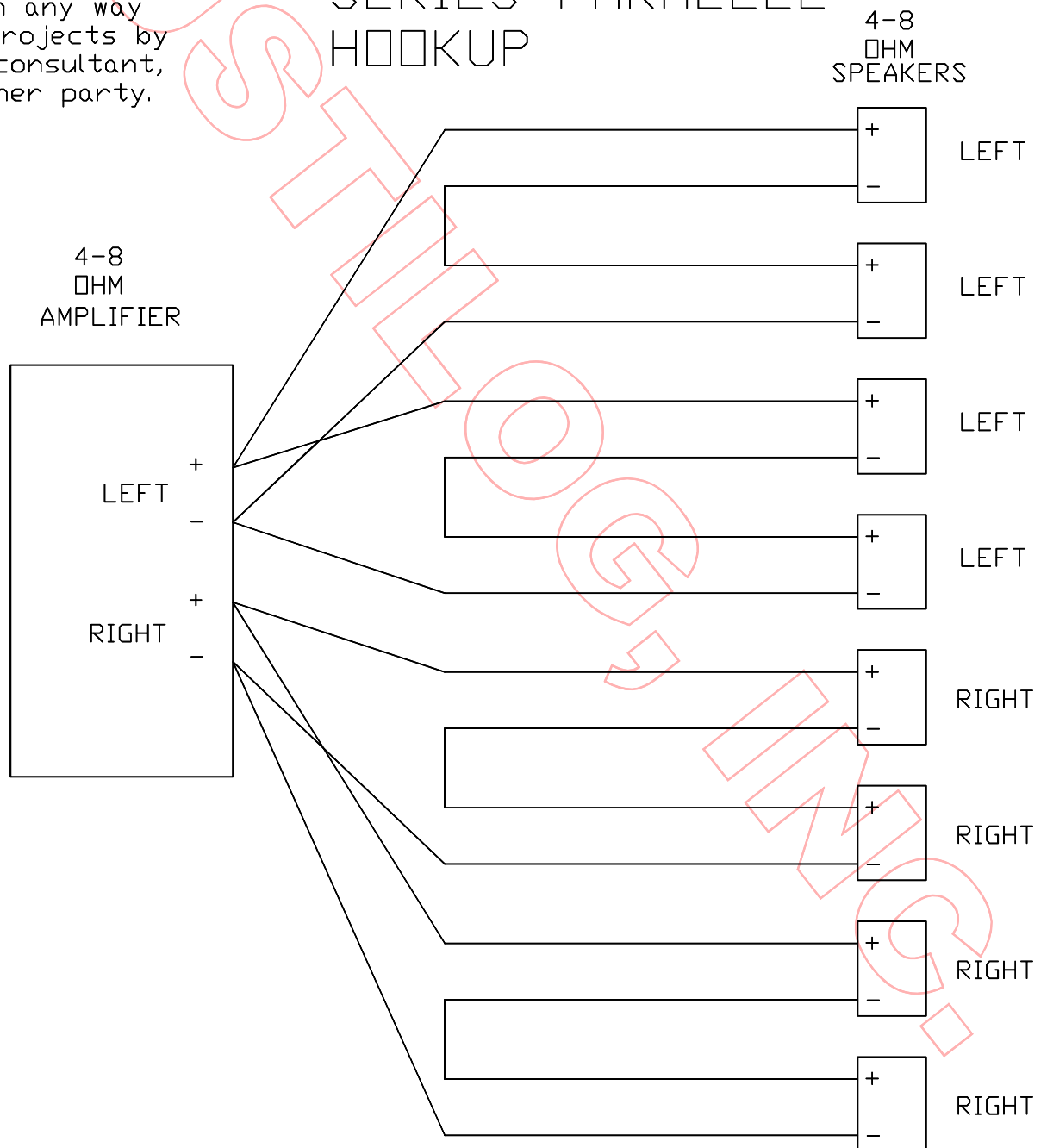
Grainger 4C875 Vibration Isolator - Use 1 for small speakers. Find exact center of gravity so speaker hangs at desired angle.

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ACOUSTILOG SERIES-PARALLEL HOOKUP





Larger Images

ALL YOU NEED TO GET THE MOST FROM YOUR PA. NOW WITH COMPLETE CONTROL FROM YOUR MOBILE DEVICE.

The DriveRack® PA2 provides all the processing you need between your mixer and amplifiers to optimize and protect your loudspeakers. With the latest advancements in dbx's proprietary AutoEQ™ and AFS™ algorithms, a new input delay module for delaying the FOH system to the backline, Ethernet control via an Android®, iOS®, Mac®, or Windows® device, and updated Wizards, the DriveRack PA2 continues the DriveRack legacy of great-sounding, powerful, and affordable loudspeaker management processors, for a whole new generation.



control app for all 4 major OSes

AUTOEQ™

New, improved AutoEQ algorithm ensures an extremely accurate, fast, and non-intrusive automatic EQ experience.

With the RTA Mic "listening" to your room, the new, updated DriveRack PA2 AutoEQ algorithm sets speaker levels and room EQ automatically in a matter of seconds. This means room adjustments can now be made very quickly, without subjecting the audience to annoying, lengthy broadcasts of pink noise.

ENHANCED AFS™ FEEDBACK ELIMINATION

Enhanced AFS™ algorithm for faster, more precise feedback elimination, without adversely affecting your system's tone.

Nothing turns audiences away like annoying and potentially painful audio feedback. Fortunately, dbx engineers have revisited their already-stellar Advanced Feedback Suppression algorithm and made it work even better. The DriveRack PA2 listens for and anticipates feedback and adjusts speaker output automatically before it even has a chance, while never altering your sound.

UPDATED WIZARD SETUP FUNCTIONS

Updated Wizards make initial set up easy, while ensuring speaker tunings and other settings are up-to-date.

Wizard functions on the DriveRack PA2 guide you through easy, step-by-step processes to help you get the most from your loudspeaker system. Helps you easily configure level balancing, AutoEQ, Advanced Feedback Suppression, and provides access to built-in and constantly updating speaker tunings from most major speaker manufacturers.

AVAILABLE INPUT PROCESSING

- › dbx Compression
- › AFS™ (Advanced Feedback Suppression)
- › Graphic EQ
- › 8-Band Parametric EQ (adjusted when using the AutoEQ)
- › Subharmonic Synthesis

AVAILABLE OUTPUT PROCESSING

- › Crossover (supports full range, 2-way, and 3-way systems)
- › 8-Band Parametric EQs (used for speaker tunings)
- › dbx Limiting
- › Driver Alignment Delays

DriveRack PA2

Complete Loudspeaker Management System

MSRP ~~\$624.94~~
\$399.95
 SAVE \$224.99!

Buy It Now

OVERVIEW

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Features

- › All New Setup Wizard
- › Streamlined AutoEQ™
- › All New AFS™ (Advanced Feedback Suppression)
- › Mobile Control (Android®, iOS®, Mac®, Windows®)
- › dbx Compression
- › Graphic EQ
- › 8-Band Parametric EQ (adjusted when using the AutoEQ) Input
- › Subharmonic Synthesis
- › Crossover (supports full range, 2-way, and 3-way systems)
- › 8-Band Parametric EQs (used for speaker tunings) Output
- › dbx Limiting
- › Driver Alignment Delays



The screenshot shows the RadioShack website interface. At the top, there's a navigation bar with the RadioShack logo, customer service contact (24/7 Customer Service, 800-843-7422), a store finder, and account options. Below this is a category menu with 'CELL PHONES & ACCESSORIES', 'ELECTRONICS & ACCESSORIES', 'HOBBY & DO-IT-YOURSELF', 'BATTERIES & POWER', and 'SHOP ALL PRODUCTS'. A promotional banner for 'R CASH' offers a \$10 reward on a \$30 spend. The main product page features a 'Digital Sound Level Meter' (Model: Digital 2055) priced at \$49.99. It includes a product image, a 'Read 6 Reviews' section, and shipping benefits like 'Free Shipping' and 'Free Ship to Store'. There are also social media sharing options and a 'FIND IT NEARBY' button.

Product Summary

Fine-tune your audio.

Fine-tune your PA or stereo systems audio response to match the acoustic environment with this **Digital Sound Level Meter**. It comes with a carrying case for travel and features an easy-to-read display.

- Carrying case protects the meter when traveling
- Easy-to-read display, sound range 30-130db, digit LCD display
- You can fine-tune your PA or stereo systems audio response to match the acoustic environment

Pricing and availability: Please note that all prices are subject to change without prior notice. Prices advertised on this site are for online orders only. Prices on some items may differ from those advertised in RadioShack stores. All merchandise may not be available at all stores, and all stores may not participate in all sales promotions. We recommend you contact the store to confirm product availability and price.

Shipping

Usually ships in 1 - 2 business days

In store: [Check availability](#)

By phone: 1-800-843-7422

Manufacturer Warranty

- Parts: 12 month
- Labor: 12 month



"Quiet Elegance!"



PO Box 450006 • Houston, TX 77245-0006
877/790-9367 • 713/433-2029 fax • icc@sonakrete.com

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BEAUTIFULLY QUIET

Who we are?

International Cellulose Corporation is the world's leading developer and manufacturer of acoustical finishes.

Our commitment to quality is reflected in our ISO 9001: 2000 certification, and the follow up inspection programs of Underwriter's Laboratories (UL) and Factory Mutual Research Corp (FM). ICC's innovative product developments have resulted in several US and International patents.

The sales team at ICC is experienced in providing effective design solutions for your acoustical requirements. ICC acoustical products are extremely versatile and have been installed throughout the construction industry for over 35 years on both new and renovation projects.

SonaKrete™

SonaKrete™ is a newly introduced acoustical finish system that has been designed for a wide range of projects. **SonaKrete™** offers architects and acoustical consultants the opportunity to specify with confidence, an attractive acoustical finish with superior sound absorption qualities, durability and adaptability to many architectural designs.

The hand "troweled" finish ensures an attractive surface that you can afford to show off.

For a **Specification Guide**, please [click here](#).

Acoustical Performance

SonaKrete™ can be specified at different thicknesses to achieve varied acoustical performances. With only a 1/ 2" application of **SonaKrete™**, an unmatched NRC value of 0.65 can be achieved. Below are acoustical test results for **SonaKrete™** applied to a **Solid Backing**:

Thickness	125Hz	250Hz	500Hz	1000Hz	2000Hz	4000Hz	NRC
.25in	.01	.07	.39	.69	.83	.87	.50
.375in	.06	.11	.46	.77	.84	.89	.55
.5in	.01	.16	.49	.89	1.03	.97	.65
.75in	.25	.48	.81	.85	.85	.94	.75

Note: NRC Values per ASTM C-423 conducted by Acoustic Systems a NVLAP certified testing laboratory.

For more information on **Acoustical Performance Data**, please [click here](#), or request the full Acoustical Test Reports via [email](#).



PMA - Hague, Amsterdam

Substrate Compatibility

SonaKrete™ easily conforms to a wide variety of substrates, including complex and irregular* surfaces, without compromising architectural design configurations. Engineered for application to virtually any common substrate, **SonaKrete™** forms a strong durable resilient bond.

***Note:** Not suitable for ribbed or corrugated decks.

Features & Benefits

- Superior Sound Absorption
- Standard & Custom Colors
- Cost Competitive
- Permanent Application
- Class 1 Fire Rated
- Faster Application
- Resilient
- Environmentally Safe
- Low Maintenance



SonaKrete™ Brochure

For more information on **Product Limitations** and **Special Precautions**, please [click here](#).

Durability & Maintenance

The adhesive used to apply **SonaKrete™** creates a surface that is remarkably durable and low maintenance. **SonaKrete™** resists impact and abrasion without the cracking or spalling typical to many cementitious or plaster-based materials.

Furthermore, **SonaKrete™** provides for an easier and faster application without compromising its aesthetically pleasing finish, durability or exceptional acoustical performance. Thus, it can install at a more competitive installed cost over traditional decorative plaster finishes.

Bond Strength	> 1000 psf	ASTM E-736
Compression Strength	> 4000 psf	ASTM E-761

For information on **Product Warranty**, please [click here](#).

Fire Performance Ratings

SonaKrete™ has a **Class 1, Class A** flame spread rating per ASTM E-84.

Flame Spread	20
Smoke Developed	20

For further information on **Compliance Standards**, please [click here](#).

Colors Available

SonaKrete™ is available in standard colors and can be specially matched to any custom color to meet design requirements.

To download **SonaKrete™ Brochure**, please [click here](#).



PM& - Hague, Amsterdam



- [BASWA Acoustic Systems](#)
- [Products](#)
- [Processing/Handling](#)
- [Documentation](#)
- [Objects](#)
- [Bidding Text](#)



Contacts



[Here](#) you will find your **contacts**: regional, national or international.

Products



BASWAphon - Acoustic system

The BASWAacoustic AG has developed a solution concerning the growing problem of noise sensibility. With the BASWAphon product range had we achieved, to set up the reverberation time on several exploitation method.

[more information](#)



BASWAphon - Base

This module has a smooth, white, seamless, finely structured and mechanically-speaking relatively durable surface with an interesting price-performance ratio.

[more information](#)



BASWAphon - Fine

This one-layer procedure stands out for its smooth, fine surface. This system is ideal for suspended systems and/or in case of a need for short installation times.

[more information](#)



BASWAphon - Classic

This tried and tested system can be put to use universally and combines all the advantages of the BASWAphon acoustic system. The system provides the highest degree of freedom, enabling the creation of the very finest surface structure.

[more information](#)



BASWAphon - Cool

This product class combines sound absorption with the water-bearing capillary tube system and creates a room temperature in tune with our clients' specific needs.

[more information](#)

[↑ top of page](#)

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- BASWA Acoustic Systems
- Products
- Processing/Handling
- Documentation
- Objects
- Bidding Text



Contacts



Here you will find your contacts: regional, national or international.

BASWAphon – Classic

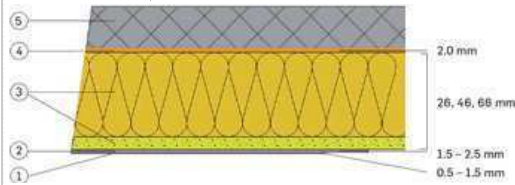
General

This tried and tested system can be put to use universally and combines all the advantages of the BASWAphon acoustic system. The system provides the highest degree of freedom, enabling the creation of the very finest surface structure.

Special features

- finest surface structure
- intense coloration
- curved surfaces

System set-up



1. BASWAphon Top covering layer
2. BASWAphon 407 foundation layer
3. BASWAphon supporting panel
4. Adhesive
5. Background

[↑ top of page](#)

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The Product



- THE PRODUCT**
- PROJECTS
- DETAILS
- INSTALLATION
- DATA
- NEWS
- CONTACT US

The StarSilent System

The StarSilent system utilizes a sound board, which is made up of 96% post consumer recycled crushed glass bottles. The boards are attached to rigid metal framing with drywall screws. The edges of the boards are glued together using a special adhesive, which is also spread over the screw heads. After light sanding, the boards are first coated with a base coat plaster that requires a minimum of 36 hours to dry. The finish coat plaster is then applied to achieve a smooth seamless sound absorbing plaster wall or ceiling.



Advantages:

- No gypsum board substrate is required.
- Holes can be cut directly in the StarSilent board with standard tools (rotozip). Other products require ceiling penetrations to be boxed out with additional layers of drywall. There is potential for a telegraphing line between the drywall and these other product acoustical pads. Also the areas around these ceiling penetrations (lights, diffusers, sprinklers) are no longer sound absorbing.
- It can be used on contact walls. We recommend that stud spacing on walls below 6 foot height be eight inches on center. Other seamless systems are also subject to damage and costly repairs on low ceilings in public areas.
- The StarSilent plasters are spread over the rigid StarSilent board. The levelness of the finish is superior to other systems, which the plasters are troweled over resilient fiberglass panels.
- It can be painted without loss of its sound absorbing quality. The paint must be spray applied in two light/fog coats from a distance of 24 inches. Painting must be done with a light/fog coats as excessive painting can highlight micro textures in plaster finish. We are presently working on integral coloring the StarSilent plaster.
- It has extremely low VOC content (almost zero) and the highest percentage of recycled content of any smooth seamless acoustic plaster system.
- It can be integrated with a radiant heating and cooling system.
- It is the most installer friendly of any smooth seamless acoustic plaster system.
- Pyrok Inc. is present onsite to assist it's installers with their installations. Pyrok Inc. offers a 5 year warranty.



[Download Brochure](#)

1. Galvanised steel concealed suspended ceiling grid
2. StarSilent Panel
3. Connection of the acoustic Panel
4. Acoustically transparent decorative top coat



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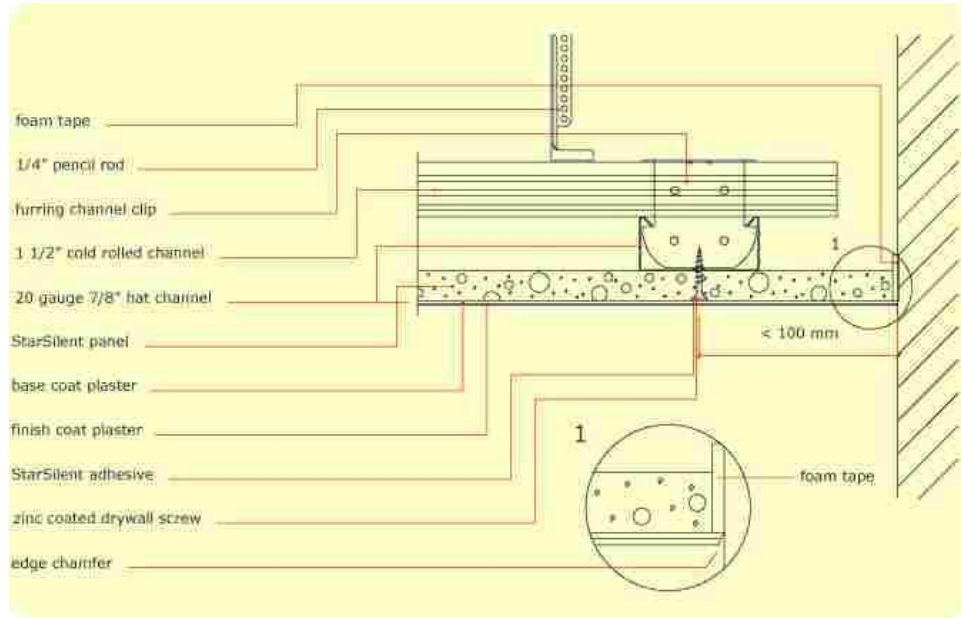
Details



- THE PRODUCT
- PROJECTS
- DETAILS**
- INSTALLATION
- DATA
- NEWS
- CONTACT US

Ceiling to wall

- Open perimeter
- Open perimeter with concealed ventilated trim
- Open perimeter with crown moulding
- Enclosed expansion joint
- Open expansion joint
- Floating perimeter detail
- Floating perimeter detail with light box
- Soffit/fascia detail
- Soffit/fascia - folding technique
- Wall internal / external corner
- Wall internal / external corner adjustable bracket
- Wall lining internal / external corner u-hanger
- Connection to wall lining
- Connecting wall lining to floor
- Recessed light fitting
- Moveable partition wall
- Air diffuser
- Revise grid layout to accommodate light fitting
- Barrel vault > 10ft radius
- Ceiling underneath suspended ceiling



Ceiling to wall (1:2)

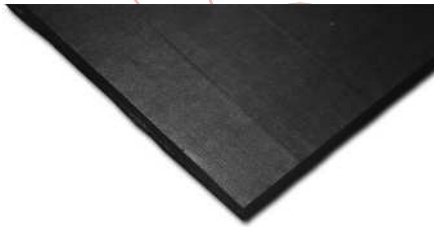
Illustration of a StarSilent Acoustic Ceiling system. Adjoining elements as sketch only.

 [Download detail PDF](#)

Submittal Sheet



SelectSound™ Black Acoustic Board



Superior Acoustical Performance

SelectSound Black acoustic board provides excellent acoustical performance for multiplex theaters, sound studios and performing arts centers. Depending on specified thickness, *SelectSound* Black acoustic board absorbs up to 100% of the sound striking its surface.

SelectSound Black acoustic board helps provide the highest quality audio reproduction by reducing sound reverberation within spaces. Sound transfer from space to space is also noticeably reduced.

Physical Property Data

Property	Test Method	Value
Compressive strength (minimum) at 10% deformation	ASTM C 165	25 lb/ft ² (1197 Pa)
at 25% deformation		90 lb/ft ² (4309 Pa)
Water vapor sorption	ASTM C 1104	<3% by weight at 120°F (49°C), 95% R.H.
Fungi resistance	ASTM C 1338	Meets requirement
Nominal density	ASTM C 303	3.0 pcf (48 kg/m ³)
Corrosiveness	ASTM C 665 Corrosiveness Test	Will not cause corrosion greater than that caused by sterile cotton on aluminum or steel*
Surface burning characteristics	ASTM E 84 CAN/ULC-S102**	Flame spread 25** Smoke developed 50

* When wet, coated surfaces in contact with galvanized steel may cause discoloration of the sheet metal.

** The surface burning characteristics of these products have been determined in accordance with UL 723 and CAN/ULC-S102-M. These standards should be used to measure and describe the properties of materials, products or assemblies in response to heat and flame under controlled laboratory conditions and should not be used to describe or appraise the fire hazard or fire risk of materials, products or assemblies under actual fire conditions. However, results of this test may be used as elements of a fire risk assessment which takes into account all of the factors which are pertinent to an assessment of the fire hazard of a particular end use. Values are reported to the nearest 5 rating.

Durable Material Composition

SelectSound Black acoustic board is dimensionally stable and will not shrink or warp. The board's resilient composition resists job-site damage. When necessary, the durable black mat facing may be cleaned by vacuuming. *SelectSound* Black acoustic board, composed of inorganic glass fibers, will not rot or mildew and is noncorrosive to steel, copper and aluminum.

Fast, High Quality Installation

Lightweight and resilient, *SelectSound* Black acoustic board is easy to handle, fabricate and install. Both stick pins and adhesives can be used to secure boards to drywall, concrete block or precast concrete.

Size Availability

SelectSound Black acoustic board is available in 48" x 96" size. *SelectSound* Black acoustic board can also be supplied precut in sizes up to 48" x 96" to fit specific dimensional requirements. Precut boards improve labor productivity by speeding installation.

Black Core with Dark Black Finish Surface

SelectSound Black acoustic board has an all-black core with a deep black mat finish with very low light reflectivity. The black surface is ideal for eliminating screen light reflections and preventing insulation from showing through most surface treatments.

Design Considerations

Acoustical performance of interior surfaces can generally be improved by increasing acoustical material thickness. *SelectSound* Black acoustic board can be specified for use in conjunction with other Owens Corning acoustical materials to provide additional performance.

Owens Corning also manufactures *SelectSound* Black theater blanket. This roll product is ideal for use behind fabric on theater walls, in sound studios and performing arts centers.

Applicable Standards

The noise reduction coefficients of *SelectSound* Black acoustic board were derived from tests conducted in accordance with ASTM C 423 on a Type A mounting.

Installation Procedure

SelectSound Black acoustic board can be installed on drywall, concrete block or precast concrete using impaling pins or appropriate adhesives.

When installing insulation with adhesive, follow adhesive manufacturer's recommendations for surface preparation and pattern.

When using impaling pins, follow the pin manufacturer's recommendations for surface preparation, location and amount of pins. Pin length should be selected to ensure tight fit. Where subject to physical contact, protect pin tips.

Keep product dry during shipping, storage and installation.

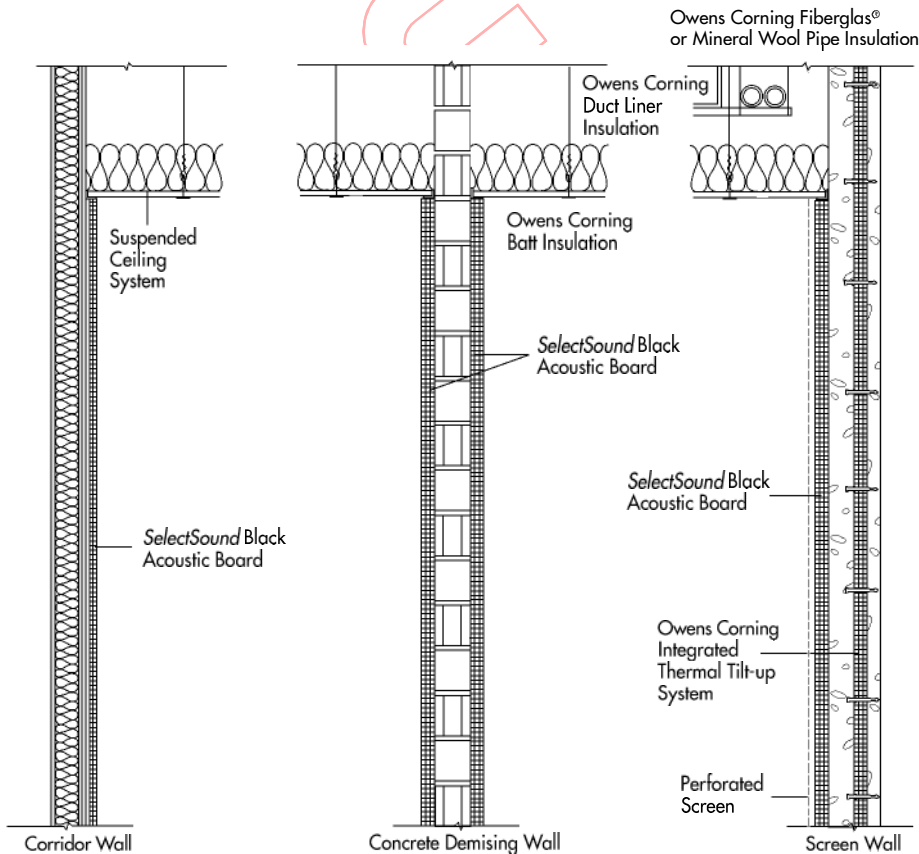
SelectSound™ Black Acoustic Board

Acoustical Performance

Product Type & Thickness	Density pcf (kg/m ³)	Mounting	Octave Band Center Frequencies, Hz								Thermal Resistance* R-Value (hr•ft ² •°F)/Btu
			125	250	500	1000	2000	4000	NRC		
1" Mat faced	3.0 (48)	A	.06	.25	.62	.91	.99	.98	.70		4.3
2" Mat faced	3.0 (48)	A	.18	.71	1.12	1.12	1.03	1.02	1.00		8.6

Derived from test conducted in accordance with ASTM C 423, Type A mounting (material placed against a solid backing such as a block wall).

Conceptual Details



For CSI type sample specification, please contact your local Owens Corning representative.



OWENS CORNING WORLD HEADQUARTERS

ONE OWENS CORNING PARKWAY
TOLEDO, OHIO, USA 43659

1-800-GET-PINK

www.owenscorning.com

SelectSound™ is a trademark of Owens Corning.

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Owens Corning reserves the right to change this product as needed.



TOLL FREE: 877-399-9697 | LOCAL: 440-786-9800

INFO@SOUNDACOUSTICSOLUTIONS.COM



HOME

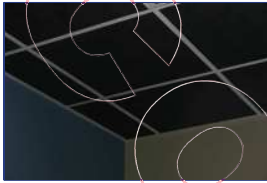
PRODUCTS

APPLICATIONS

ACOUSTICAL BLOG

MY CART

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INQUIRY FORM

2 x 2 Black Acoustic Ceiling Tile

Home > Products > Acoustic Ceiling Tiles > 2 x 2 Black Acoustic Ceiling Tile

2 x 2 Black Acoustic Ceiling Tiles are sold under our SilentCeiling™ brand. Drop in to an existing grid ceiling these panels offers excellent sound absorption properties at an affordable price. Finished with a crisp, matte black fabric and as available in a 2' x 2' square format. Enjoy FREE SHIPPING from us on these panels.

In both residential and commercial applications, these tiles creates a "disappearing" acoustical tile ceiling that has a sharp and attractive look. Achieve NRC values of .75 by easily installing these lightweight grid ceiling tiles.

- Packages of 1" Boards will cover 80 sq. ft.
- Packages of 2" Boards will cover 40 sq. ft.
- Available in 2'x2'
- High NRC up to 1.00
- Lightweight and easy to cut with a utility knife
- 3# Density
- Spec-equivalent for Owens-Corning Select Sound Black Acoustic Board
- Class A fire rated

Effective Sound Absorption: SilentCeiling™ Black Acoustic Ceiling Tiles eliminate unwanted ceiling boundary reflections and control excessive room reverberation. SilentCeiling™ Black Acoustical Ceiling Tiles eliminate slap-echo between parallel floor and ceiling surfaces. Additionally, these tiles visually and audibly "disappear" by improving signal-to-noise ratio for listening, recording, and conversation.

Easy Installation: Available as a 2'x2' grid ceiling tile. SilentCeiling™ Black Acoustical Ceiling Tiles are designed to be installed in a standard drop ceiling grid. Sound Acoustic Solutions offers all of the [supplies](#) you will need to install a sound absorbing tile ceiling.

Applications: Residential and commercial - any space where reverberation or reflected noise is an issue.

- Home theatres*, media rooms
- Recording and broadcast studios
- Clubs, restaurants, entertainment facilities
- Theatres and performing arts spaces

*Learn more about home theatre application options using Acoustical Ceiling Tiles in our [Acoustical Blog](#).

Please note: SilentCeiling™ Acoustical Ceiling Tiles are not meant to uphold ceiling products such as recessed lighting. Make sure to install recessed lighting using the grid of the ceiling to support the weight of the lights, not the tiles themselves.*

Need a large amount of SilentCeiling™ Acoustical Ceiling Tiles? Call us at 877-399-9697 for a custom wholesale quote!

Product Info

Acoustic Performance

Thickness	pcf	Octave Band Center Frequencies, Hz							
		125	250	500	1000	2000	4000	NRC	R-Value
1"	3	0.06	0.25	0.62	0.91	0.99	0.98	0.7	4.3
2"	3	0.18	0.71	1.12	1.12	1.03	1.02	1	8.6
1"	6	0.3	0.34	0.68	0.87	0.97	1.06	0.7	4.3
2"	6	0.39	0.63	1.06	1.13	1.09	1.1	1	8.6

Documentation

 [Data Sheet](#)

Buy Now

2 x 2 Black Acoustic Ceiling Tile

Item # SCB.2203

1", 3#, 2' x 2' (20/Pkg) - FREE SHIPPING

Item # SCB.2203.2

2", 3#, 2' x 2' (10/Pkg) - FREE SHIPPING

Qty

Price

\$154.00

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\$154.00

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You may also like



[SilentWrap™ PSA](#)

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[Home](#) > [Interior Room Acoustics](#) > HardSide Acoustical Wall Panels

Kinetics™

HardSide Acoustical Wall Panels



A combination of great appearance, superior acoustical performance, and design flexibility makes HardSide Acoustical Wall Panels the perfect solution for many interior reverberant noise problems.

The traditional acoustical wall panel, HardSide offers design versatility. A variety of shaped edges and panel thicknesses allow you to design for the desired appearance and acoustics. The perfect solution for many reverberant noise problems this panel offers superior performance in both wall and ceiling applications.

The core of this panel is a 5-7 PCF fiberglass board. The edges are chemically hardened for durability. Fabric facing, from the [FR 701 collection from Guilford of Maine](#) or factory-approved, customer-selected fabric, is stretched over the panel, wrapped and bonded around the edges for a crisp, finished look. Vinyl finishes are also available.

Design for panel sizes up to a maximum 4 ft. x 10 ft. or custom shaped panels with angled or contoured perimeter cuts.

Photo Gallery

Select the image to open a larger view in a new window.



Description

A versatile fiberglass acoustical wall panel wrapped in a wide selection of fabrics or vinyls. Available with hardened shaped edges. Engineered sound control with thicknesses from 1 to 4 inches and sizes up to 4 ft. x 10 ft.

HardSide Acoustical Wall Panels

[Specification](#)

[Data Sheet](#)

Fabric Selection

[Guilford of Maine FR701, Style 2100](#)

Installation Guidelines

[Adhesive Only](#)

[HS Clips with Adhesive](#)

[T Clips with Adhesive](#)

[DS-90 Clip](#)

[Edgemount Clip](#)

[Z-Clip](#)

[Z-Clips with Velcro](#)

[Z-Clips with Brackets](#)

[Velcro & Grip-Lock](#)

[Ceiling Panel Installation](#)

[Ceiling Panels with Butted Seams \(First Panel\)](#)

[Ceiling Panels with Butted Seams \(Middle Panel\)](#)

[Ceiling Panels with Butted Seams \(Last Panel\)](#)

[Field-Cut & Rewrap](#)

[Inside Corner Field-Cut & Rewrap](#)

[Electrical Outlet Extension Installation](#)

[Round Hole Field Cut](#)

Pricing and Quotations

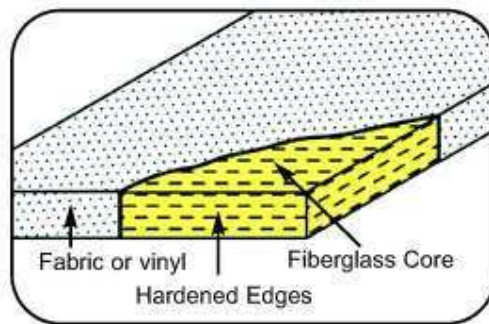
[Your local Kinetics Interiors representative will assist you with pricing and quotations](#)

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Composition

- 5-7 PCF density fiberglass core
- Chemically hardened edges
- Fabric faced with factory in-stock fabric by [Guilford of Maine](#), or factory-approved customer-selected material



Acoustical Performance

Sound Absorption per ASTM C-423. Type A Mounting

Frequency, Hz	125	250	500	1000	2000	4000	NRC
1" Thick Panel	0.05	0.32	0.82	1.04	1.02	1.01	0.80
2" Thick Panel	0.29	0.82	1.10	1.04	1.01	1.02	1.00
4" Thick Panel	0.61	1.05	1.11	1.11	1.08	1.04	1.10

Fire Class Rating

Class A per ASTM E84

Applications

- Interior surfaces where superior acoustical performance is required
- Conference Rooms
- Schools/Classrooms
- Auditoriums
- Media Rooms
- Multi-Purpose Rooms
- Churches
- Office Spaces
- Reception Areas
- Home Theatres
- Pro Theatres

Mounting

- HardSide Impaling Clips with Adhesive
- EdgeMount Clips
- Z-Clips - movable
- Velcro - movable

See [HardSide Cloud Panels](#) for ceiling suspension.

Edge Options

Square



Bevel



Radius



Pencil



Beacon High School
522 W. 44th St.

Car Repair Shops

Elias Howe School P.S. 51
525 W. 44th St.

Car Rental
Train Tracks Below
Back of Building
Refrigerators
Tire Shop
Car Accessories
Residential

Pepper's
621 10th Ave.
Squiggly Duff's
639 10th Ave.
Annie's
637 10th Ave.

Construction

Del: East Food
Lal: Restaurant
Mail: Salon
The Moustache
632 10th Ave.
Casa del Toro
Capri (new with)
Residential

West 45th Street
Bike Shop
Back of Building
Fast Food
Residential

Residential
Car Rental
Residential
Residential Parking Garage

Canard Inc.
503 W. 43rd St.

Residential
Vacant
Empty Lot
Meme
602 10th Ave.
Residential
West Side Steakhouse
597 10th Ave.
Residential
Vacant
Del:

10th Avenue
Tax Services
604 10th Ave.
Pio Pio
Fast Food
Clemens
Grace Line & Spins
618 10th Ave.

West 44th Street
Residential

West 43rd Street
Residential

Residential
Commercial
Broadway Deli & Cafe
(wine, beer)
Parking Garage
Hotel Travel Inn

42nd Street
Wine Loft
507 W. 42nd St.
Commercial
Hair Salon
Nail Salon
Ironworkers Association

500 W. 43rd St.
Happy Family
(Food only)
Clemens

West 43rd Street
Residential
Mr. Briggs
(Food only)
576 10th Ave.

Health Club
Sports Store
Supermarket
Florist
Public Plaza

Unif Home
Residential

Actors Studio

Veterinary
Rustic Table
(wine, beer)
Vacant
Commercial
Service Door
Pharmacy

Bank
West 42nd Street

Bank
Super Market

AREA SURVEY
599 10th Avenue
New York, NY
June 12, 2020
NOT TO SCALE

Memé 607 10 th Ave.
Empty Lot
Vacant
Vacant
Residential
Vacant
APPLICANT
West Side Steakhouse 597 10 th Ave
Vacant
Deli

10th Avenue

NOT TO SCALE

BLOCK PLOT
599 10th Avenue
New York, NY
June 12, 2020

West 44th Street

Grace Wine & Spirits 610 10 th Ave.
Cleaners
Fast Food
Pio Pio 604 10 th Ave.
Tax Services
Deli
Claudio Pizzeria (Food only)
Mr. Biggs 596 10 th Ave.

West 43rd Street

Landess-Simon, Inc.

Legal & Commercial Photography

45 Lawlins Park
Wyckoff, NJ 07481
Phone: (201) 848-5652
E-mail: landess@att.net
landessphotographers.com

Re. 599 10th Avenue

- 1. Walter's Cottage - 500 West 43rd Street - (237')
- 2. The Marshal - 628 10th Avenue - (335')
- 3. Le Privé - 626 10th Avenue - (286')
- 4. 44 & X Hell's Kitchen - 626 10th Avenue - (228')
- 5. Pio Pio - 604 10th Avenue - (137')
- 6. Mr. Biggs - 596 10th Avenue - (113')
- 7. Meme' - 607 10th Avenue - (134')
- 8. West Side Steakhouse - 597 10th Avenue - (23')
- 9. Canard Inc. - 503 West 43rd Street - (115')
- 10. Ann e's - 637 10th Avenue - (473')
- 11. Scruffy Duffy's - 639 10th Avenue - (494')

Schools & Churches

- 1. Elias Howe School P.S. 51 - 525 West 44th Street - (327')
- 2. Beacon High School - 522 West 44th Street - (472')

PUBLIC INTEREST STATEMENT / 500' RULE STATEMENT

The Spot Bar NYC LLC
dba The Spot
599 Tenth Avenue
New York, New York 10036

The subject premises are applying for a liquor license for a bar located at 599 Tenth Avenue between West 43rd Street and West 44th Street in the Clinton / Hell's Kitchen neighborhood in Manhattan. The Spot will occupy the ground floor and cellar spaces of a two-story commercial building. The location was previously operated by 599 Tenth Ave Corp dba Lansdowne Road as a sports bar with a full liquor license from September 2006 to the Spring of 2020.

The Spot will be a video bar with recorded and DJ music, and feature open mic night for Karaoke and comedy together with drag performances – employee dancing. The venue will offer artists in the film industry to showcase their videos.

The premises will have 32 tables with 104 seats and a 34'- 2 ½" customer bar with 15 bar stools. The total seating is 119. The proposed hours of operation are 11:30AM to 3:00AM Monday to Wednesday and 11:30AM to 4:00AM Thursday to Sunday. There will be no live music or any outdoor spaces.

The menu will feature specialty cocktails including but limited to a Jalapeno Margarita and a Moscow Mule. The menu includes a chicken tenders' basket, nachos deluxe, two cheese chicken quesadilla and flatbread pizza.

Owners John Blair and Theodore ("Ted") Arenas have been involved in the New York business community for decades, are well-established, respected as forthright businessmen, good neighbors, and community leaders. Both will be actively involved in the management of the business.

John Blair started in the New York City nightlife industry in the 1970's and has owned or operated various establishments including but not limited to XL Dance Bar in Chelsea from April 2000 to 2006, XL Dance Bar on West 42nd Street from January 2012 to 2016 and The Out Hotel on West 42nd Street from March 2012 to 2016. Theodore Arenas owned and operated Bar Tini located at 642 Tenth Avenue from September 2009 to 2011. John Blair and Theodore Arenas currently own and operate Rise Bar on 859 Ninth Avenue since November 2015.

The applicants have a strong history of charity work and community support at their current venue Rise Bar and are dedicated to continuing this work at the proposed new location The Spot. Please see the following:

Charities From 2017-2019

True Colors United Fund

Out Cycling Fearless Flyers
Immigration Equality
Rise held for LGBTQ YOUTH and Immigration equality raised over \$25,000 alone

Other Charities and Community Partnerships

Trinity Shelter
HRC
New York Gay Football League
New York Recreational Sports
New York Softball league
The Haven
Broadway Bares
Tito's Stonewall fundraiser
Bacardi Puerto Rico Earthquake relief
CCA (Children's Craniofacial Association)
Fundraiser for neighbor (Cameron Bell Mitchell)

The applicants did extension outreach to the community. Dear neighbor letters were left at buildings within a two-block radius of the applicant premises and an on-line petition was posted and signed. The applicant collected over 300 on-line signatures. Emails were sent to 44 community-based organizations which provided a description of the method of operation of the venue. The applicants received sterling letters of support from various groups and individuals.

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 eleven establishments that hold full liquor licenses within 500' of the applicant. There are six restaurants, four taverns and one catering establishment. Le Prive is a charming French restaurant that is 286' from the applicant and Pio Pio is a Peruvian restaurant that is 137' from the applicant.

Meme is a Mediterranean restaurant that is 134' from the applicant and Westside Steakhouse is 23' from the applicant. Walter Cottage is an Irish pub that is 237' from the applicant and Scruffy Duff's is another tavern that is 494' from the applicant.

The Spot will be designed as a video bar and the only one of its kind in the area. The venue will be equipped with an array of top of the line digital multimedia presentation equipment which in addition to the standard collection of music videos will be used to host screenings - showcasing the work of local and up and coming filmmakers and visual artists.

This Clinton / Hell's Kitchen neighborhood has been transforming into a fashionable location adding upscale eating and drinking establishments and retail shops for the last few decades.

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

The applicant will renew the Temporary Certificate of Occupancy on a timely basis until a final Certificate of Occupancy issues. The applicant will obtain all necessary inspections and permits, including but not limited to a Department of Health and Mental Hygiene permit and necessary Fire Department Inspections. The applicant will obtain a NYS Certificate of Authority to Collect Sales Taxes and a Certificate of Assumed Name.

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

Guests can take public transportation to the venue since there are a number of NYC buses and subways that are accessible to the area. Guests can also take NYC taxis and private car services. The venue will be a destination for residents of the New York City area, business professionals and tourists from nearby hotels. There are also two parking garages in the immediate area – one on West 42nd Street and one on West 43rd Street.

We do not anticipate that the approval and the granting of a full liquor license will cause a negative impact on vehicular traffic and parking in the area, especially since the premises had been operating as a sports bar with a full liquor license from since September 2006 to the Spring of 2020.

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

The establishment will have background music, a DJ and drag performances with employee dancing. There will be no live music bands. The applicants have obtained a sound report from a licensed acoustic engineer and will install the recommended sound proofing. The previous licensee had also followed the recommendations from a licensed acoustic engineer and the new recommendations with improve upon the previous measures to mitigate noise. The sound report states that the kitchen exhaust on the roof has not caused any complaints.

Further, the applicants have proved to be good operates of Rise Bar and understand how to mintage noise so their neighbors are not disturbed. We do not anticipate an increase in noise levels at the premises. The approval and the granting of a full liquor license will not cause an unusual increase in noise levels at the premises since the location had been licensed as a sports bar for almost 14 years.

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

Upon information and belief; and to the best of our knowledge there are no current SLA violations for this space. To the best of our knowledge there is no known history of criminal activity at the premises.

In addition to the matters stated above, 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 removal application and issuance of an on-premises liquor license will promote the public interest and convenience. We therefore request that the Community Board approve the application.

Certificate of Occupancy

CO Number: 110453009T002

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: Manhattan	Block Number: 01072	Certificate Type: Temporary
	Address: 599 TENTH AVENUE	Lot Number(s): 32	Effective Date: 02/11/2011
	Building Identification Number (BIN): 1026926	Building Type: Altered	Expiration Date: 05/12/2011
This building is subject to this Building Code: 2008 Code			
<i>For zoning lot metes & bounds, please see BISWeb.</i>			
B.	Construction classification: 3	(Prior to 1968 Code designation)	
	Building Occupancy Group classification: A-2	(2008 Code)	
	Multiple Dwelling Law Classification: None		
No. of stories: 1	Height in feet: 12	No. of dwelling units: 0	
C.	Fire Protection Equipment: None associated with this filing.		
D.	Type and number of open spaces: None associated with this filing.		
E.	This Certificate is issued with the following legal limitations: None		
Outstanding requirements for obtaining Final Certificate of Occupancy:			
There are 7 outstanding requirements. Please refer to BISWeb for further detail.			
Borough Comments: None			



Borough Commissioner



Commissioner

Certificate of Occupancy

CO Number: **110453009T002**

Permissible Use and Occupancy						
All Building Code occupancy group designations below are 2008 designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL	4		A-2		6	ACCESSORY KITCHEN, STORAGE, OFFICE, MECHANICAL ROOM
001	143		A-2		6	EATING AND DRINKING ESTABLISHMENT
END OF SECTION						



Borough Commissioner



Commissioner