

Manhattan Community Board 4

Liquor License/Sidewalk Cafe Stipulations Application

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Eric Krebs Theatrical Management, Inc.		Theater 555	
STREET ADDRESS		CROSS STREETS	ZIP CODE
555 W. 42nd St.		11 Ave	10036
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME:	Eric Krebs	NAME: Eric Krebs
	PHONE:	2129677079	PHONE: 9179677079
	EMAIL:	ektminc@aol.com	EMAIL: ektminc@aol.com
MANAGER	NAME:	Michael Schulz	NAME: RB Apartments LLC
	PHONE:	6464102277	PHONE: 3014861381
	EMAIL:	management@theater555.com	EMAIL: Rudy.Gonzalez@bozzuto.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 type="checkbox"/> YES	<input type="checkbox"/> NO <input type="checkbox"/> Yes
	What is/was the name and address of establishment?	The Playroom Theater, 151 W 46th St 8th floor, New York, NY 10036	
	What were the dates applicant was involved with this former premise?	2011 - 2020	
<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="checkbox"/> YES	<input type="checkbox"/> 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 type="checkbox"/> Liquor/Wine/Beer & Cider <input type="checkbox"/> Beer & Cider <input checked="" 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="checkbox"/> YES	<input type="checkbox"/> NO	No. By Oct. 8, 2021
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 type="checkbox"/> YES	<input type="checkbox"/> NO	No.
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="checkbox"/> YES	<input type="checkbox"/> NO	No.
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input type="checkbox"/> YES	<input type="checkbox"/> NO	Yes.

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	10AM - 11PM	10AM - 11PM	10AM - 11PM	10AM - 11PM	10AM - 11PM	10AM - 11PM	10AM - 11PM
	Kitchen	N/A	N/A	N/A	N/A	N/A	N/A	N/A
	Music	N/A	N/A	N/A	N/A	N/A	N/A	N/A
If you plan to have music, what type(s)? (Circle all that apply)			BACKGROUND	LIVE MUSIC	DJ	JUKE BOX	KARAOKE	

OCCUPANCY

	Capacity (Certificate of Occupancy)	Maximum # of Persons 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	215	215	0	174	0	1	0
OUTSIDE <i>(Other than sidewalk café)</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A
DCA APPROVED UNENCLOSED SIDEWALK CAFÉ	N/A	N/A	N/A	N/A	N/A		

How many floors are there? What is the capacity for each floor?	1; 215	
How frequently will the owner(s) be at the establishment?	Every day	
Will there be dancing?	YES	NO
Will applicant have bottle or table service for beverage alcohol?	YES	NO
Will applicant be hosting private; promotional or corporate events?	YES	NO
Will outside promoters be used on a regular basis? If yes please describe.	YES	NO
Will applicant have a security plan? If, yes please attach.	YES	NO
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
Does applicant agree to notify MCB4 prior to making changes to its method of operation?	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
Where will delivery bicycles be stored during the day when not in use?	N/A	

LOCATION & ZONING			
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	NO	No
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	YES	NO	Yes
Is a Public Assembly permit required?	YES	NO	Yes
Are your plans filed with DOB?	YES	NO	Yes

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	Hudson Yards Hell's Kitchen Alliance, HKNA, West 36th St., 300 W 55th St, West 55th Block Assoc., HK49-53 Block Alliance, W36BlkAssoc	
	# 2	Chekpedes, CHDC, West 43rd St., Manhattan Plaza T.A., 350 W. 51st St T.A., Hudson Hotel Residents, Westmore 333 W 57, Parc Vendome	
	# 3	West 44th St., West 45th St.(b.9th/10th), West 45th St. BA, West 45th St. (b.9th/12th), West 45th St.(8/9_ Block Assoc., Colonnade 347	
	# 4	West 46th St. Block Assoc., West 47th/48th St. Block Assoc., Harborview Terrace T.A., The Aurora, Oasis Gardens, HK Families	
	# 5	Midtown North Pct Council, Midtown South Pct Council, Midtown South Community Council, Housing Conservation Coordinators, 300 W 55th S	
Please provide dates when applicant met with the groups listed above.		Oct. 12, 2021	
Who was your contact person at each group you met with?		Nelly Gonzalez	
When did applicant post the notice that was provided?		Wednesday, Sept. 29, 2021	
Where did applicant post the notice that was provided?		Door front, 4 corners of the block via posting on light posts	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.		YES	NO
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?		YES	NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	Upright Citizens Brigade - Theater		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	Yes. Upright Citizens Brigade
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	No.
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	YES	NO	Yes.
Is the entrance ADA Compliant?	YES	NO	Yes.
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	No.
Will applicant have a vestibule within the establishment?	YES	NO	Yes.
Will applicant use a storm enclosure?	YES	NO	No.
Does applicant agree to keep the sidewalk clear of all items or obstructions, such as sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO	Yes
Will applicant comply with the NYC noise code?	YES	NO	Yes.
Will the establishment have any of the following: (circle all that apply)	FRENCH DOORS		GARAGE DOORS 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?	YES	NO	Yes.
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?	YES	NO	Yes.
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	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?	YES	NO	Yes.
Will the kitchen exhaust system extend to the roof?	YES	NO	N/A
Will the establishment have an illuminated sign?	YES	NO	No.
Will the establishment have a canopy extending over the sidewalk?	YES	NO	No.
Where will the air conditioner be located? What type is it?	Southeast corner of building. 3 Compressor HVAC		
When was the air conditioner installed?	2000		

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

DCA APPROVED UNENCLOSED SIDEWALK CAFÉ

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

ADDITIONAL STIPULATIONS: (Office Use Only)

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.

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

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
 November 3, 2021 full board meeting, with 43 members voting in favor
 of the recommendation, 0 members opposed, 0 members
 abstaining and 0 present but not eligible)

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

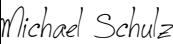
Denial Approval

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>Michael Schulz</p> <p>PRINT NAME OF APPLICANT</p>	 <p>SIGNATURE OF APPLICANT</p>	<p>09/28/2021</p> <p>DATE</p>
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RIVERBANK

УИ 830

УПСВ ИЛ

THEATER 555

OFF-BROADWAY

Concessions Menu:

Bag of Chips	\$1.50
Bottled Water	\$2.50
Granola Bar	\$1.00
Can of Beer	\$6.00
Bottle of Beer	\$7.00
Can of Cider	\$6.00
Bottle of Cider	\$7.00
Glass of Red Wine	\$8.00
Glass of White Wine	\$8.00