## Manhattan Community Board 4

Liquor License/Sidewalk Cafe Stipulations Application (All Fields Must Be Completed)

| CORPORATION NAME <br> Facility Concession Services LLC |  |  | DOING BUSINESS AS (DBA) |  |  |  |  |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: | :---: |
|  |  |  |  |  |  |  |  |
| STREETADDRESS <br> 508 W. 37ih Strect |  |  | CROSS STREETS <br> 10th and IIth Avenues |  |  | ZIP CODE$10018$ |  |
|  |  |  |  |  |  |  |  |
| OWNER <br> (Attach a list of all the people that will be associated listed wiht she license) | NAME: | Facility Concession Services LLC | ATTORNEVI REPRESENTAIVE |  | NAME: Lindsey Farina |  |  |
|  | PHONE: | 617-692-0011 |  |  | PHONE: 732-727-5030 |  |  |
|  | EMAIL: | jreed@spectrumfcs.com |  |  | EMAIL: Lfarina@skenclawfirm.com |  |  |
| MANAGER | NAME: | Jason Reed | LANDLORD |  | NAME: Queens Ball LlC |  |  |
|  | PHONE: | 617-692-0011 |  |  | PHONE: $415-400-9435$ |  |  |
|  | EMAIL: | jreed@spectrumfcs.com |  |  | small: dsinghe mediapro.tr |  |  |
| APPLICATION TYPE ( X Liquor License Unenclo |  |  |  |  |  |  |  |
| (8New | Has applicant owned or managed a similar business? |  |  |  | $x$ YES | NO |  |
|  | What is/was the name and address of establishment? |  |  |  | See the attached list |  |  |
|  | What were the dates applicant was involved with this former premise? |  |  |  | currenty in operation |  |  |
| Corp <br> Change/Class Change/Removal | What is the license\# and expication date? |  |  |  |  |  |  |
|  | Is applicant making any alkerations or operational changes? |  |  |  | YBS | NO |  |
|  | \#fiterations or operational changes are being made, please describelist all changes. |  |  |  |  |  |  |
| O Alteration | What is the curfent license \$ and expration date? |  |  |  |  |  |  |
|  | Please listdescribe the nature of all the changes and attech the plans: |  |  |  |  |  |  |
| METHOD OF OPERATION |  |  |  |  |  |  |  |
| TYPE OF ALCOHOL |  | LiquorNinelBeer \& Cider <br> Beet \& Cider <br> Wine/Beer \& Cider *Seasonal license |  |  |  |  |  |
| ESTABLSSHMENT <br> TYPE |  | $\bigcirc$ Adult Entertainment $\bigcirc$ Wine Bar $\bigcirc$ Dance Club $\bigcirc$ Sports Bar $\bigcirc$ Club (Fratemal Organization - Members Only) |  |  |  |  |  |
| Has appicantowner filed with the SLA? If yes, when? If no, when do you plan to file? |  |  | YES | $\mathrm{x}^{\mathrm{NO}}$ | Will file immediately after the Community Board hearing $\qquad$ |  |  |
| Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Piemise liquor license establishments within a 500 ft . radius of your establishment and the Public Interest Statement. |  |  | $x^{\text {YES }}$ | No |  |  |  |
| Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule. |  |  | YES | $\times$ NO |  |  |  |
| Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishmenls? |  |  | $\int^{X}$ YES | NO |  |  |  |
| Business Licenses \& Permits Committee 10 |  |  |  |  |  |  |  |

Facility Concession Services, LLC
$\mathrm{d} / \mathrm{b} / \mathrm{a}$ Spectrum Catering and Concessions
119125 E 11 ${ }^{\text {th }}$ Street
New York, NY 10003
Serial \#: 1302162
Facility Concession Services, LLC
d/b/a Spectrum Catering and Concessions
319 Frost Street
Brooklyn, NY 11222
Serial\# 1300008

Facility Concession Services, LLC
$d / b / a$ Spectrum Catering and Concessions
$66 \mathrm{~N}^{\text {th }}$ Street
Brooklyn, NY 11211
Serial\#: 1296299
Facility Concession Services, LLC
$\mathrm{d} / \mathrm{b} / \mathrm{a}$ Spectrum Catering and Concessions
431 W $16^{\text {th }} \mathrm{St}, 2^{\text {nd }} \mathrm{FL}$
New York, NY 10011
Serial\#: 1344803
Facility Concession Services, LLC
$d / b / a$ Spectrum Catering and Concessions
610 W $56^{\text {th }}$ Street
New York, NY 10019
Serial \# 1296286

* Hours are noon to midnight

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



## LOCATION \& ZONING

| Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards? | Yes | $\mathrm{x}^{\text {No }}$ |  |
| :---: | :---: | :---: | :---: |
| Does the building have a Ceritificate of Occupancy (" C of O ") or a lefter of no objection? | $\mathrm{X}^{\text {Yes }}$ | No |  |
| Is a Public Assembly permit required? | $\mathrm{x}^{\mathrm{YeS}}$ | No |  |
| Are your plans filed with DOB? | $\mathrm{X}^{\text {Yes }}$ | No |  |


West 30's Block Associations/Tenant Associations/Community Groups

*WHEN SENDING AN EMAIL TO THIS LIST, PLEASE BCC EVERYONE ON ONE EMAIL*

## Lindsey Farina

## From:

Sent:
To:

Subject:

Lindsey Farina
Thursday, February 16, 2023 9:17 AM
kathleentreat123@gmail.com; mcgee79@aol.com; info@clintonhousing.org; jrestuccia2 @clintonhousing.org; marcano@clintonhousing.org; rjbenfatto@hyhkalliance.com; pgouris@hyhkalliance.org; donna@donnalangman.com; cberthet@me.com; hellskba@gmail.com; brianscottweber@gmail.com; cressidac@gmail.com Seasonal Liquor Application - 508 W. 37th Street, New York, NY 10018 - Community Board 4 Presentation March 14, 2023

## Good morning all

Please be advised that we represent Facility Concession Services LLC, as well as their affiliate entities, with regard to their alcoholic beverage regulatory matters. Our client will be seeking a seasonal liquor license for use April September of this year at $508 \mathrm{~W} .37^{\text {th }}$ Street. The premises will serve beer, wine, liquor and cider and provide substantial food options. The seasonal premises will be operated as an immersive Bridgerton Experience (as seen on the Netflix television show) and shall include, dancing lessons, background music and occasional live performances. There will not be any outdoor areas licensed as part of the facility.

Should you have any questions or concerns, please contact me. Otherwise, you are welcome to speak with us at the upcoming Community Board hearing on March 14, 2023 at 6:30 PM.

Thank you for your kind attention to this matter.

Lindsey Farina, Esq.
Skene Law Firm, P.C.
2614 Highway 516, $2^{\text {nd }}$ Floor
Old Bridge, NJ 08857
Phone: 732-727-5030
Fax: 732-727-5028
Lfarina@skenelawfirm.com

## BULLDING DESIGN


n/a - no outdoor areas

| OUTDOOR ITEMS - OTHER THAN SIDEWALK CAFÉ |  |  |  |
| :---: | :---: | :---: | :---: |
| Has the applicantowner(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, gazebo or open dining in the parking lane? If yes, which one(s)? | yes | No |  |
| Are the floorplans for the outdoor space(s) included? | ves | 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 sevice 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) or on the sidewalk? | 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 contro! (landscaping enclosure, soundprooing tenants apartments) | YES | No |  |
| Will there be a lighting plan that allows safe usage of the ouldoor space without disrupting neighbors? | Yes | No |  |
| If open dining in the parking lane, will applicant agree to leave the sidewalk free of any furniture? | YeS | NO |  |
| If open dining, will you comply with all NYC DOT guidelines? | Yes | No |  |
| If open dining, will the installation be year-round? | YES | No |  |

$\mathrm{n} / \mathrm{a}$ - no outdoor areas

## DCA APPROVED UNENCLOSED SIDEWALK CAFÉ

| Has the applicant/owner(s) read MCB4 Sidewalk Café Policy? | $T_{\mathrm{YES}}$ | 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 cafe? If so, will you have waiter service? | vES | No |  |
| Will the cafe have a 3 ft . wide serving aisle running the entire length of the sidewalk cafe? | Yes | No |  |
| Will applicant mark the perimeter of the cafe 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 cate not provide standing space for drinking or smoking? | YES | NO |  |
| Will applicant use any portable natural gas heaters? If so, do you have ihe 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 opering hours? | yes | No |  |
| Will all furniture be stored inside between December 21st and March 214, and any other day when it rains or snows? | yes | no |  |
| Will applicant use umbrelias? | 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 cafe and the closest obstruction including construction barricades? | YES | NO |  |
| If open dining is in the parking lane, will applicant agree to remove its sidewalk cafe? | YES | NO |  |

## 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: <br> (MCB4's recommendation is based on a vote taken at its April 4, 2023 full board meeting, with 36 members voting in favor of the recommendation, $\underline{0}$ $\qquad$ members opposed, 0 $\qquad$ members abstaining and 0 $\qquad$ present but not eligible) |  | Denial unless all stiputations agreed to by applicantlowner are part of the method of operationDenial Approval |  |
| :---: | :---: | :---: | :---: |
| CB4 REPRESENTATIVES |  |  |  |
| Nelly Gonzalez <br> CB4 Assistant District Manager | Frank Holozabiec CB4 BLP Committee Co-Chair |  |  |
| 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. |  |  |  |
| SIGN HERE | $\begin{aligned} & \text { Dewid smalley } \\ & \text { PRINT NAME OF APPLICANT } \end{aligned}$ |  | $\begin{aligned} & 2 / 1 u 12023 \\ & \text { DATE } \end{aligned}$ |



LAYOUT C


LAYOUTD


* Premises is one level. These are two potential layouts.
Menu


| Drink name | Drink description | Served in/on | Garnish | Comments | Supplier/Brand | Suggested pricing |
| :---: | :---: | :---: | :---: | :---: | :---: | :---: |
| Beer | Lager |  |  |  |  | \$8.00 |
| Beer | Craft |  |  |  |  | \$8.00 |
| House red | Archer Roose Red | Wine Glass |  |  | Archer Roose | \$14.00 |
| House white | Archer Roose White | Wine Glass |  |  | Archer Roose | \$14.00 |
| Sparkling wine | Archer Roose Sparkling wine | flute |  |  | Archer Roose | \$14.00 |










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

## Proximity Report For:

| Location | 508 W 37th St, New York, New York, 10018 |
| :--- | :--- |
| Geocode | Latitude: $\mathbf{4 0 . 7 5 6 6 9}$ <br>  <br> longitude: $\mathbf{- 7 3 . 9 9 8 4 9}$ |
| Report Generated On | $\mathbf{1 / 2 5 / 2 0 2 3}$ |


| 8 Closest Liquor Stores |  |  |
| :---: | :---: | :---: |
| Name | Address | Distance |
| ODYSSEY WINE \& SPIRTS INC Ser \#: 1255997 | 490 10TH AVE <br> NEW YORK, NY 10018 | 261 ft |
| KSSWINE LLC <br> Ser \#: 1302013 | 509 W 38TH ST <br> 509-511 W38TH ST <br> NEW YORK, NY 10018 | 328 ft |
| MEENA SAMANI CORPORATION <br> Ser \#: 1273576 | 460 W 34TH ST <br> STORE\# 1 <br> NEW YORK, NY 10001 | 893 ft |
| AMSTERWINE.COM INC Ser \#: 1313979 | 475 9TH AVE NEW YORK, NY 10018 | 1,057 ft |
| HUDSON YARDS WINES \& SPIRITS INC <br> Ser \#: 1320790 | 486 9TH AVE NEW YORK, NY 10018 | 1,174 ft |
| WEST 42 WINE \& SPIRTTS INC Ser \#: 1335361 | 424 W 42ND ST NEW YORK, NY 10036 | 1,391 ft |
| ANA WINE AND LIQUORS LLC Ser \#: 1336884 | 20 HUDSON YARDS, UNIT RU101 <br> A/KA 500 W 33RD ST <br> NEW YORK, NY 10001 | 1,394 ft |
| GRAND CRU WINE \& SPIRITS INC Ser \#: 1269097 | 555 W 42ND ST <br> UNIT \#1 <br> NEW YORK, NY 10036 | 1,570 ft |


| Schools within $\mathbf{5 0 0}$ feet |  |  |
| :--- | :--- | :--- |
| Name | Address | Distance |
| No Schools within 500 feet |  |  |


| Churches within $\mathbf{5 0 0}$ feet |  |
| :--- | :---: |
| Name | Distance |
| Salvation Army | 377 ft |
| That Buddha LLC | 439 ft |


| Name | Address | Distance |
| :---: | :---: | :---: |
| MERCADO BY FRIEDMANS LLC Ser \#: 1345149 | $\begin{aligned} & 48310 \mathrm{TH} \text { AVE } \\ & \text { STE } 102 \\ & \text { NEW YORK, NY } 10018 \end{aligned}$ | 163 ft |
| SET CLUB INC, THE Ser \#: 1347083 | 455 10TH AVE <br> AKA 451 TENTH AVE- SPACE 451 <br> NEW YORK, NY 10018 | 390 ft |
| 451 TENTH AVENUE RESTAURANT LLC \& 451 RESTAURANT Ser \#: 1347314 | 451 10TH AVE SPACE 451 NEW YORK, NY 10018 | 437 ft |
| 451 TENTH SENIOR LIVING OPCO LLC Ser \#: 1347189 | 505 W 35TH ST <br> AKA 451 TENTH AVE- 13TH FL NEW YORK, NY 10001 | 477 ft |


| Active On Premises Liquor Licenses within 750 feet |  |  |
| :---: | :---: | :---: |
| Name | Address | Distance |
| $\begin{aligned} & \text { SCOOZI EVENTS NYC INC } \\ & \text { Ser \#: } 1340630 \end{aligned}$ | 517 W 37TH ST <br> AKA 505 W 37 TH ST <br> NEW YORK, NY 10018 | 125 ft |
| PARADIS IN THE PARK LLC Ser \#: 1339058 | 524 W 36TH ST BLOCK 3 THEKIOSK HUDSON BLVD E 35 \& 36 NEW YORK, NY 10018 | 287 ft |
| LEGACY RECORDS NYC LLC Ser \#: 1306167 | 517 W 38TH ST NEW YORK, NY 10018 | 306 ft |
| PHILLIPS 35 INC <br> Ser \#: 1279904 | 450 10TH AVE NEW YORK, NY 10018 | 548 ft |
| SILK CORP <br> Ser \#: 1143100 | 552 W 38TH STREET NEW YORK, NY 10018 | 554 ft |
| 444 TENTH F\&B LLC <br> Ser \#: 1295732 | 444 10TH AVE NEW YORK, NY 10001 | 598 ft |
| MANHATTAN FARE CORP Ser \#: 1275093 | 431 W 37TH ST UNT B NEW YORK, NY 10036 | 654 ft |
| KYMA HUDSON LLC Ser \#: 1336481 | 445 W 35TH ST NEW YORK, NY 10001 | 658 ft |

## 500-Foot Public Interest Statement

The proposed premises for the applicant is within 500 -feet of three or more establishments selling liquor for on-premises consumption. This statement provides reasons in support of granting the license.
A. The premises will be operated primarily as a cultural establishment and immersive experience, and the applicant seeks such on-premises liquor license in connection with same.
B. The premises is currently being operated as studio space without alcoholic beverage service to serve the creative community.
C. The premises will draw tourism and commerce to the area, thus providing a boon for surrounding businesses. The location is located in a more industrial area near the Lincoln Tunnel and is expected to no negative impact on the neighborhood.
D. To our knowledge, there is no history of any liquor violation or reported criminal activity at the proposed premises.
E. Prior to issuance of the on premise liquor licenses, all required permits will be obtained.

For these and other reasons, we believe an On Premises Liquor license for this premises would be in the public interest and should be granted. In accordance with the Authority's guidelines, we reserve the right to furnish additional written testimony in support of this matter.

