



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

Delores Rubin
Chair

JESSE R. BODINE
District Manager

November 15, 2016

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

Re: Rise Bar NYC LLC
d/b/a Rise Bar & Lounge
859 Ninth Avenue (55/56)

Dear Chairman Bradley:

Manhattan Community Board 4 (MCB4) recommends denial of an alteration to extend the hours of operation Thursday to Saturday from 2:00 a.m. until 4:00 a.m. for Rise Bar NYC LLC d/b/a Rise Bar & Lounge (Rise Bar), 859 Ninth Avenue (55/56) unless the attached stipulations, agreed to and signed by the applicant, are part of the method of operation for this establishment.

This recommendation, however, is conditioned on the clarification of issues regarding the method of operation of this establishment. When Rise Bar initially appeared before MCB4 in 2014, prior to its opening, Rise Bar stipulated that there would be only background music and a DJ, but no live music. We understand that the terms of Rise Bar's license include that there be no live music and no dancing.

MCB4 has learned that Rise Bar currently features such events as "Open Mike Every Sunday," "10 Week Singing Competition," karaoke, and lip-syncing performers. (Photos of signs advertising such events from the window of Rise Bar, taken in October 2015, are attached.) Rise Bar's outdoor sign describes itself as "Bar/Cafe/Cabaret". In addition, in the course of its consideration of the current alteration application, MCB4 learned for the first time that Rise Bar had installed a stage in the establishment. The floor plans submitted to MCB4 at the time of Rise Bar's initial application in 2014 and in connection with its current application in October 2016 did not indicate a stage of any kind. When the Business Licenses and Permits (BLP) Committee of MCB4 learned at its October 18, 2016 meeting that Rise Bar had installed a stage, the BLP Committee requested that Rise Bar submit an accurate floor plan to MCB4, which Rise Bar's attorneys submitted on October 24, 2016. Copies of both the original floor and the new floor plan first submitted to MCB4 on October 24, 2016 are attached. At no time did Rise Bar present

an alteration application to MCB4 seeking to add a stage or live music nor did MCB4 recommend the approval of such change in operation.

MCB4 is concerned that the presence of the stage and events such as open mike nights and singing competitions, which clearly involve live singing, are inconsistent with Rise Bar's stipulations and license that there be no live music at the establishment. If the SLA is in agreement, MCB4 requests that Rise Bar be required to cease use of the stage and all activities involving live singing or performance unless and until Rise Bar presents an alteration application encompassing the stage and the changed method of operation to MCB4 and that alteration is approved by the SLA.

Thank you for your consideration of this matter.

Sincerely,



Delores Rubin
MCB4 Chair



Frank Holozubiec
Co-Chair
Business Licenses & Permits
Committee

[Signed 11/15/16]

Burt Lazarin
Co-Chair
Business Licenses & Permits
Committee



LEGEND

W E D N E S D A Y S

A NIGHT OF CELEBRITY DRAG
IMPERSONATIONS

HOSTED BY

**ANDORA
&
AQUARIA**

MUSIC BY DJ 2 FACE

PARTY STARTS AT 9PM SHOW TIME AT 11PM
WEEKLY SPECIAL GUESTS AND GIVEAWAYS!!

\$6 DRINK SPECIALS AFTER 9PM

RISE

324 4TH AVENUE NYC (55-34TH STREET) 646.892.8113

MIDL DAI

open mic EVERY SUNDAY

HOSTED BY **MARTY THOMAS**

SOUND BY **DJTK**

STARTING AT 10PM

RISE

152 5TH AVENUE, NYC 100 56TH STREET, 646 692 2312

RISING ★ STARZ

10 WEEK SINGING COMPETITION

**EVERY
TUESDAY**

WINNER RECEIVES \$1000
CASH PRIZE AND THEIR
OWN SHOW AT RISE

HOSTED BY **EMMY WINNING
COMEDY DJK**

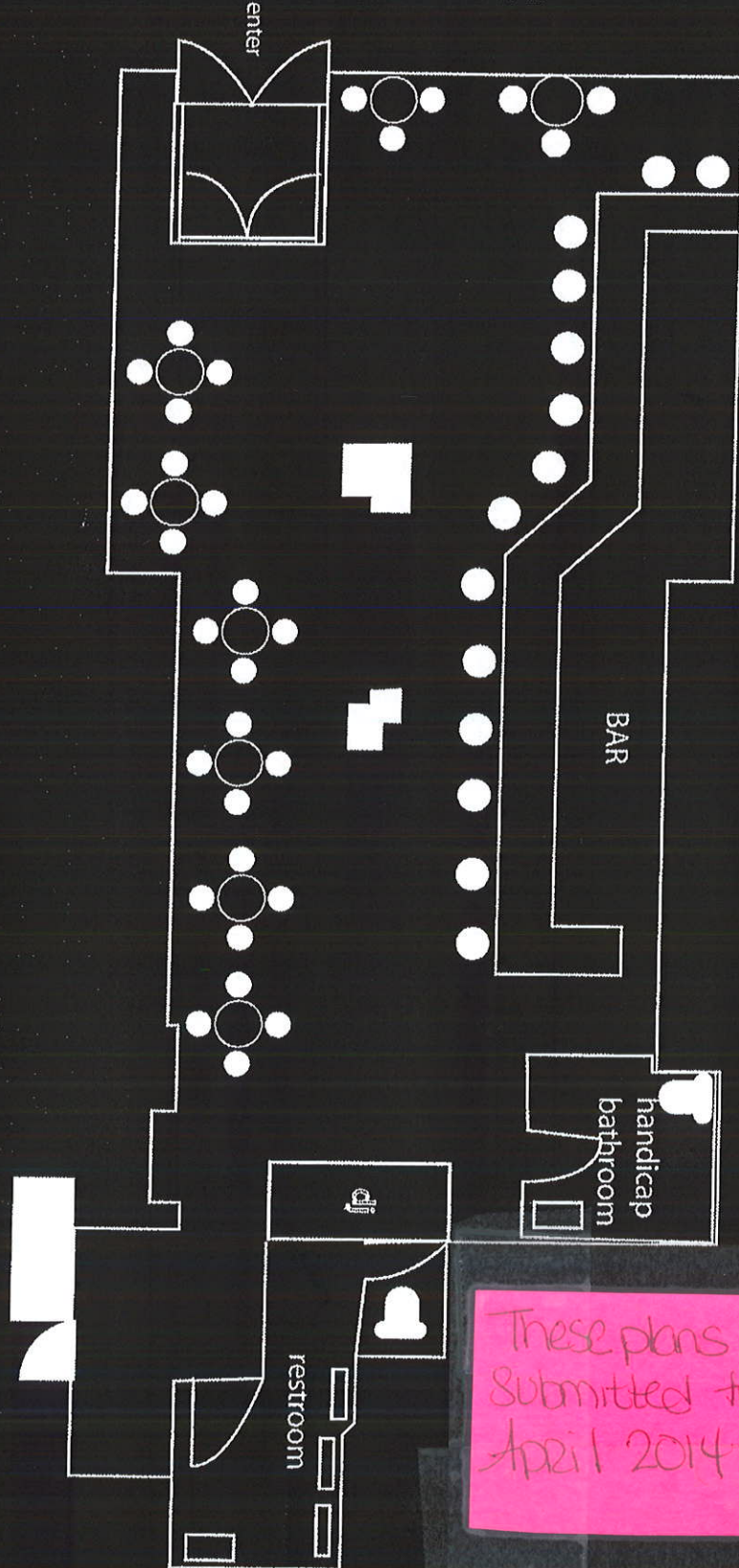
AUDITIONS JULY 19TH AND 26TH AT 10:30PM
COMPETITION STARTS AUGUST 2ND AT 10:30PM

RISE

A high-contrast, black and white photograph of a building's exterior. The image is dominated by strong geometric lines and shadows. A large, dark rectangular sign is mounted on the building, featuring the word "RISE" in a bold, sans-serif font. The sign is positioned in the center of the frame. To the left, a series of parallel lines, possibly a staircase or a set of structural beams, runs diagonally upwards. The right side of the image is mostly in deep shadow, with some lighter areas suggesting architectural details. The overall aesthetic is stark and industrial.

THE LAYOUT

9TH AVE

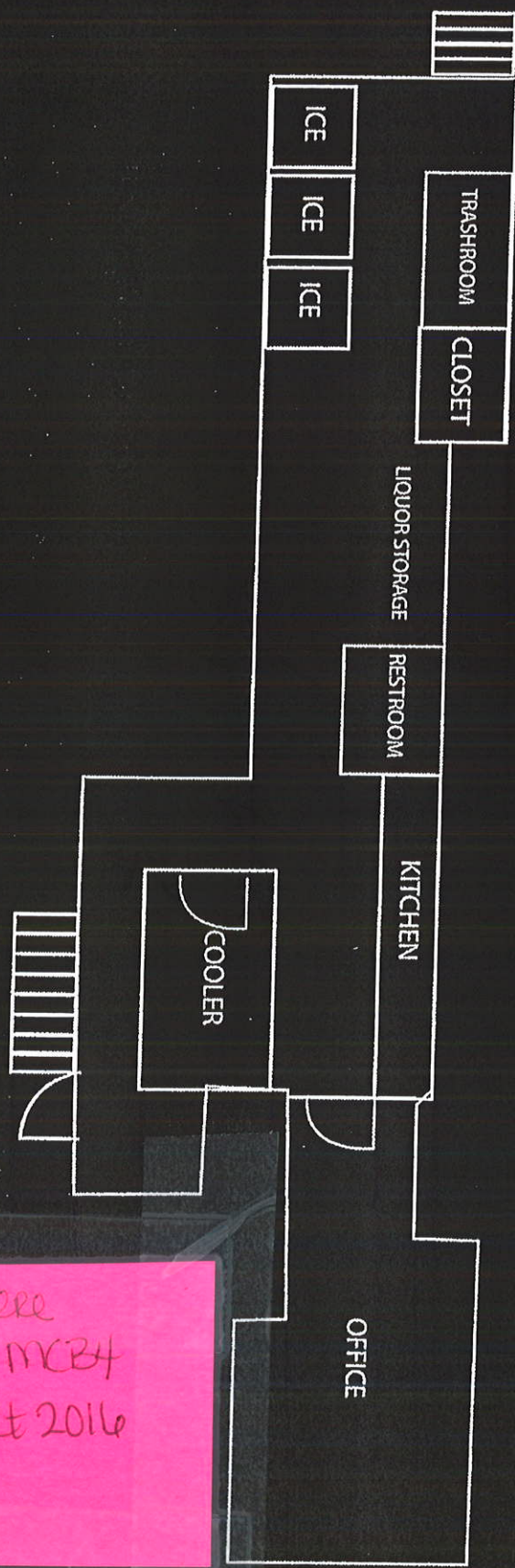


These plans were submitted to MCBH April 2014 & Oct 2016

MAIN ROOM

THE LAYOUT

9TH AVE



These plans were submitted to MCB4 April 2014 & Oct 2016

BASEMENT

BERNSTEIN REDO, P.C.
-ATTORNEYS AT LAW-

1177 AVENUE OF THE AMERICAS, 5TH FL
NEW YORK, NEW YORK 10036
TEL (212) 651-3100

DONALD M. BERNSTEIN

MARTHA M. REDO

BENJAMIN SAVITSKY

October 24, 2016

Sent Electronically & by Hand
Community Board No. 4
330 West 42nd Street – 26th Floor
New York, New York 10036
Attention: Nelly Gonzalez, Assistant District Manager

Re: Rise Bar NYC LLC dba Rise Bar & Lounge
859 Ninth Avenue, New York New York 10019;
Stipulation Compliance – Updated Floorplan

Ms. Gonzalez:

On October 18, 2016, our firm appeared on behalf of our client, *Rise Bar NYC LLC (dba Rise Bar & Lounge)*, before Manhattan Community Board 4's Business Licenses and Permits Committee ("BLP"). As per the BLP signed stipulation, the BLP requested that *Rise Bar NYC LLC* provide the enclosed floorplan by October 25, 2016, for submission to the full Community Board. At your convenience prior to the full board meeting, please update Community Board 4's file for *Rise Bar NYC LLC* with the enclosed floor plan as necessary.

Please let me know if you require any additional information or documentation concerning this matter.

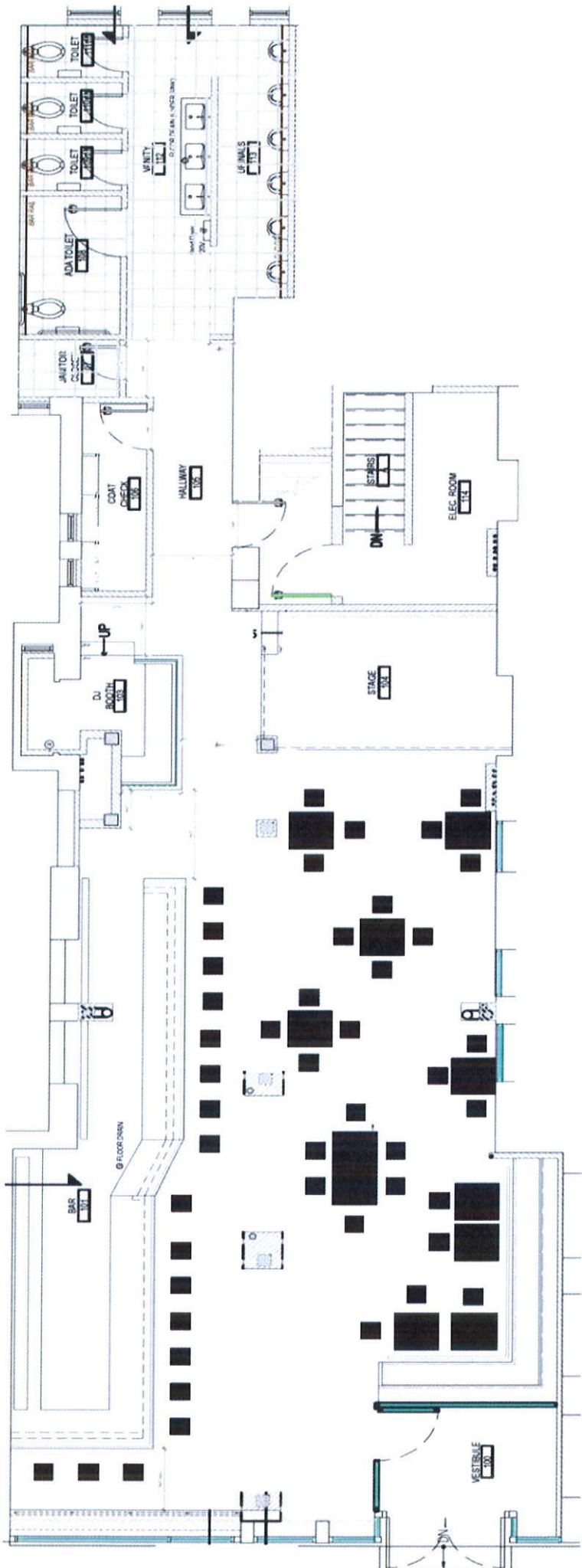
Very truly yours,



Benjamin Savitsky

Encls.: (i) Rise Bar & Lounge Floorplan

Rise Bar NYC LLC dba Rise Bar & Lounge
859 Ninth Avenue, New York, New York 10019



Manhattan Community Board 4

(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME Rise Bar NYC, LLC		DOING BUSINESS AS (DBA) Rise Bar & Lounge		
STREET ADDRESS 859 Ninth Avenue		CROSS STREETS West 55th and West 56th Sts.	ZIP CODE 10019	
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: John Blair	ATTORNEY/ REPRESENTATIVE	NAME: Donald M. Bernstein	
	PHONE: 914-388-5139		PHONE: 212 651 3100	
	EMAIL: johnblairp@gmail.com		EMAIL: donald@brpclaw.com	
MANAGER	NAME: Ted Arenas	LANDLORD	NAME: Trevi Retail	
	PHONE: 917-405-7905		PHONE: 646-937-5094	
	EMAIL: theodorearenas@gmail.com		EMAIL:	
APPLICATION TYPE <i>(Check One)</i>				
<input type="radio"/> New	Has applicant owned or managed a similar business?		YES	NO
	What is/was the name and address of establishment?			
	What were the dates applicant was involved with this former premise?			
<input type="radio"/> Transfer	What is the prior license # and expiration date?			
	Is applicant making any alterations or operational changes?		YES	NO
	If alterations or operational changes are being made, please describe/list all changes.		Change in method of operation to increase hours Thurs.-Sat until 4AM	
<input checked="" type="radio"/> Alteration	What is the current license # and expiration date?		#1278667	
	Please list/describe the nature of all the changes and attach the plans:		10/31/2017	
METHOD OF OPERATION				
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input type="radio"/> Wine & Beer			
ESTABLISHMENT TYPE	<input type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input checked="" type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment First Class Lounge <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization - Members Only)			
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	YES	NO	No. After the CB Meeting - October 2016	
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.	YES	NO	N/A	
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	NO	No	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	YES	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	4PM-2AM	4PM-2AM	4PM-2AM	4PM-4AM	4PM-4AM	4PM-4AM	2PM-2AM	
	Kitchen	4PM-2AM	4PM-2AM	4PM-2AM	4PM-4AM	4PM-4AM	4PM-4AM	2PM-2AM	
	Music	4PM-2AM	4PM-2AM	4PM-2AM	4PM-3AM	4PM-3AM	4PM-3AM	2PM-2AM	
If you plan to have music, what type(s)? (Circle all that apply)		<input checked="" type="checkbox"/> BACKGROUND		LIVE MUSIC	<input checked="" type="checkbox"/> DJ	JUKE BOX	KARAOKE		
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	74	74	8	30	0	1	14		
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?					1-2 Ground floor Basement				
How frequently will the owner(s) be at the establishment?					Regularly				
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?					YES	NO	No		
Will applicant have bottle or table service for beverage alcohol?					YES	NO	No		
Will you be hosting private, promotional or corporate events?					YES	NO	Yes - No promotional events		
Will outside promoters be used on a regular basis? If yes please describe.					YES	NO	No		
Will you have a security plan? If, yes please attach.					YES	NO	Yes		
Will security plan be implemented?					YES	NO	Yes - see attached		
Will State certified security personnel be used?					YES	NO	Yes		
Will New York Nightlife Association and NYPD Best Practices be followed?					YES	NO	Yes		
Will applicant be using delivery bicycles? If yes, how many?					YES	NO	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				

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	No
Are your plans filed with DOB?	YES	NO	N/A

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 attached list	
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.	Emails sent out the week of October 3, 2016		
Who was your contact person at each group you met with?	listed above		
When did applicant post the notice that was provided?	October 3, 2016		
Where did applicant post the notice that was provided?	front window		
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	YES	NO	Yes - 917 405 7905
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	YES	NO	Yes

BUILDING DESIGN			
State the name and type of business previously located in the space.	N/A Current business is Rise Bar		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	NO	Midtown Ninth Ave Deli/Groc Inc. Grocery Store Beer license
Do you plan any changes to the existing façade? If yes, please describe.	YES	NO	N/A – already open
Will applicant have a vestibule within the establishment?	YES	NO	Yes
Will applicant use a storm enclosure?	YES	NO	Yes
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	YES	NO	No
Will applicant comply with the NYC noise code?	YES	NO	Yes
Will the establishment have any of the following: (circle all that apply) N/A	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	N/A
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	N/A
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	YES	NO	Yes
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?	Inside		
When was the air conditioner installed?	October 2015		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFE			
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 café?	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)

- Doors and windows will not be open at any time
- Applicant will submit accurate floor plan to CB4 office no later than 10/25/16
- No live music at any time
- Applicant may operate until 4 a.m. on New Year's Eve with establishment closed and vacated of patrons by 4 a.m.

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*

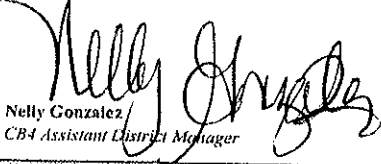
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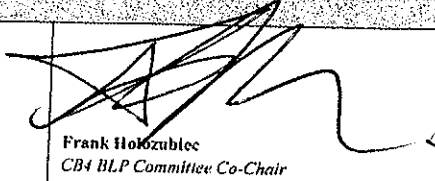
Manhattan Community Board 4 (MCB4) recommends:

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

Denial Approval

CB4 REPRESENTATIVES


Nelly Gonzalez
CB4 Assistant District Manager


Frank Holozublec
CB4 BLP Committee Co-Chair

Burt Lizarin
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



Theodore Arenas

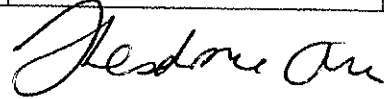
PRINT NAME OF APPLICANT



SIGNATURE OF APPLICANT

October 11, 2016

DATE

 Oct 18, 2016

ADDITIONAL STIPULATIONS: (Office Use Only)

- Doors & windows will NOT BE OPEN AT ANY TIME.
- APPLICANT WILL SUBMIT ACCURATE FLOOR PLAN TO C14 OFFICE NO LATER THAN 10/25/16.
- NO LIVE MUSIC AT ANY TIME.
- APPLICANT MAY ~~STAY~~ ~~STAY~~ OPERATE UNTIL 4:00 a.m. ON NEW YEAR'S EVE, WITH ESTABLISHMENT CLOSED & VACATED OF PATRONS BY 4:50 a.m.

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.

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

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

John Blair: Flatiron Entertainment LLC
656 6th Avenue a/k/a 47-49 West 20th Street
New York, NY
08/2001 –

XL Dance Bar LLC
512 West 42nd Street
New York, NY 10036
01/2012 – 05/2013

Beto Sutter: XL Dance Bar LLC
512 West 42nd Street
New York, NY 10036
01/2012 – 05/2013

Thoedore Arenas: Lux Bar & Lounge LLC
642 10th Avenue
New York, NY 10036
09/2009 - 2015

ABOUT THE OWNERS

JOHN BLAIR

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

BETO SUTTER

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

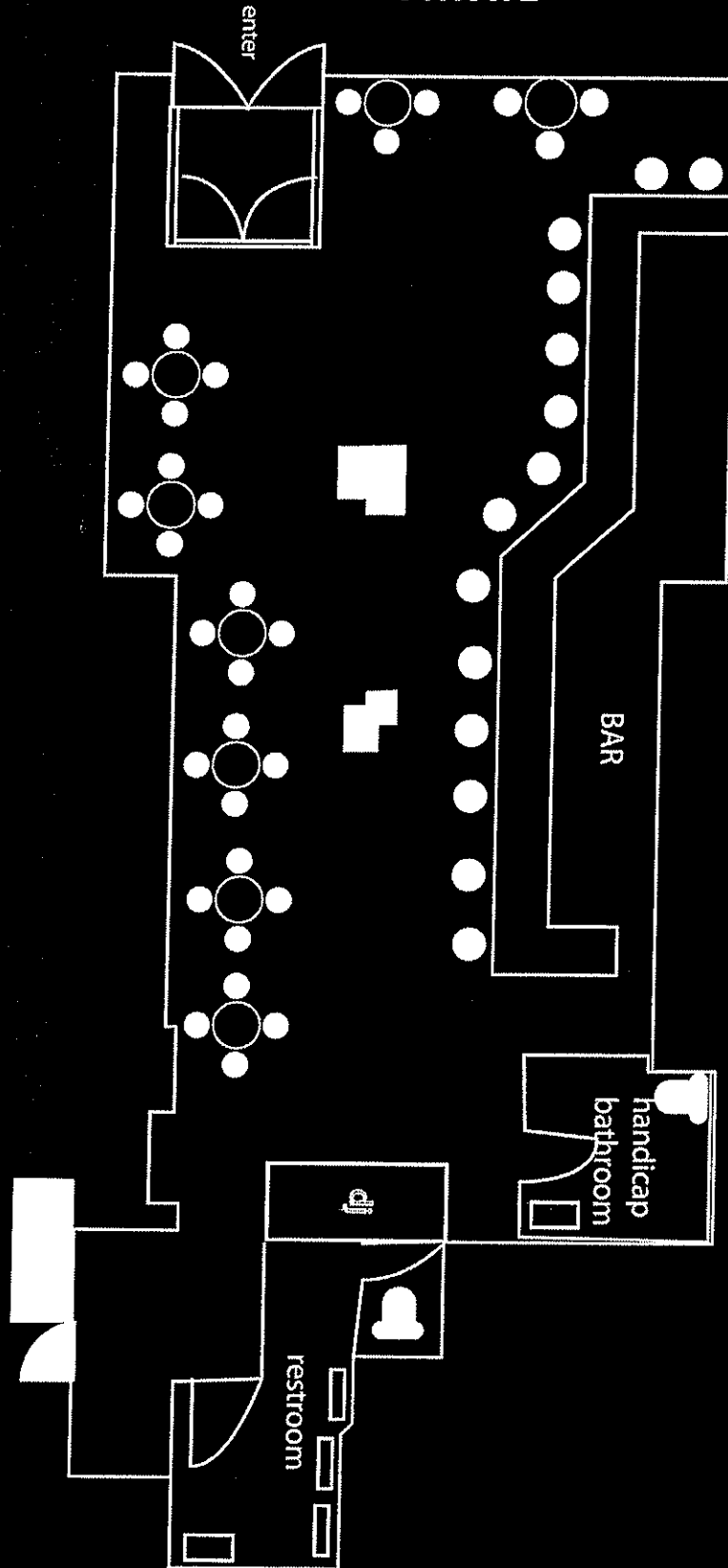
THEODORE ARENAS

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

RISE
BAR & LOUNGE

THE LAYOUT

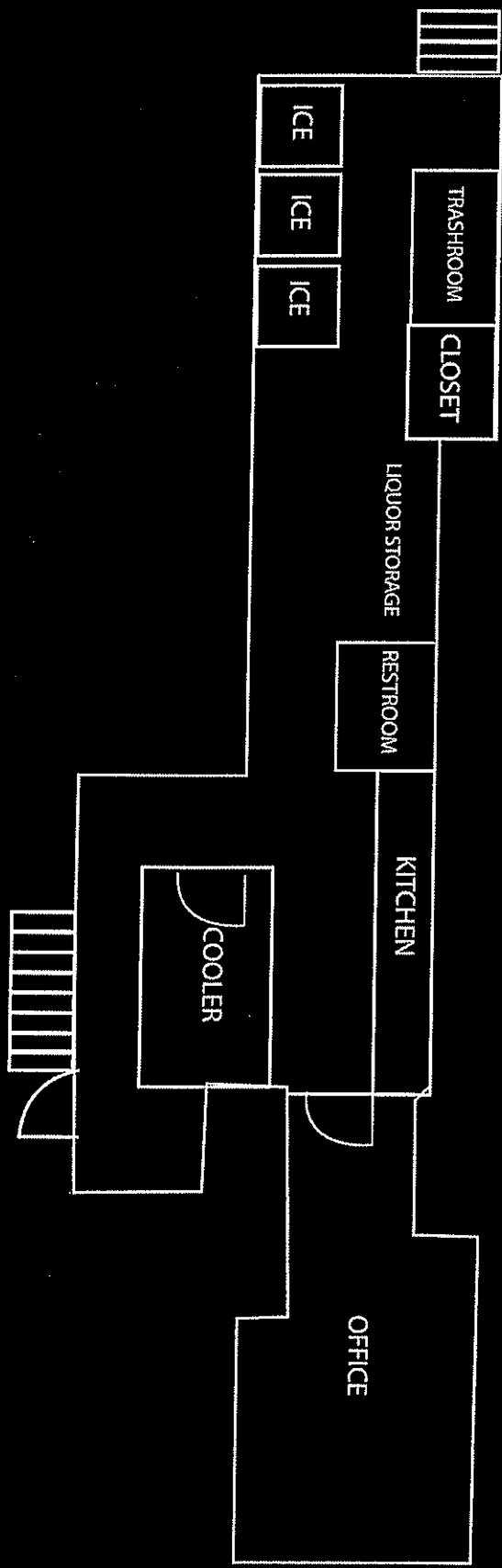
9TH AVE



MAIN ROOM

THE LAYOUT

9TH AVE



BASEMENT

SECURITY PLAN

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

Below is a list of security duties.

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

STAFFING SECURITY MEASURES

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

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

RISE
BAR & LOUNGE

RISE

SNACK MENU

SANDWICHES

Ham and Cheddar Biscuit

(Ham and Cheddar with a touch of butter on a Cheese Biscuit..) \$6

Turkey & Tomato

(On Whole Wheat bread with romaine lettuce, tomato and basil pesto mayonnaise.) \$9

Roasted Chicken Salad Sandwich

(Chicken salad with applewood smoked bacon, toasted walnuts, currants, mayonnaise on Rye.) \$9

SWEETS

Scones

Cherry Creme Scone \$4

Oatmeal Scone with dried fruits and nuts \$4

Cinnamon Walnut scone \$4

Olive Oil Cake \$5

Chocolate Twist \$3

Cookies

Chocolate Chip, Oatmeal Lime \$3

Sticky Bun \$5

Picholine Green Olive Sticks \$3

(ALL ITEMS ARE SERVED DAILY FROM 9 AM - 5 PM)

RISE

Drink Menu

THE RISE

(ABSOLUT PEARS, ST GERMAIN, SPLASH OF PINEAPPLE
3 DASHES OF BITTERS)

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)

Big Drinks

THE KNOCKOUT

(51OZ LIGHT RUM, DARK RUM, PINAPPLE, OJ SPLASH OF GRENADINE)

THE MEGA

(51OZ MARGARITA SPLASH OF BLUE CURACO)

Rise Bar NYC LLC dba Rise Bar & Lounge
859 Ninth Avenue / New York, New York 10019



Rise Bar NYC LLC dba Rise Bar & Lounge
859 Ninth Avenue / New York, New York 10019



Rise Bar NYC LLC dba Rise Bar & Lounge
859 Ninth Avenue / New York, New York 10019



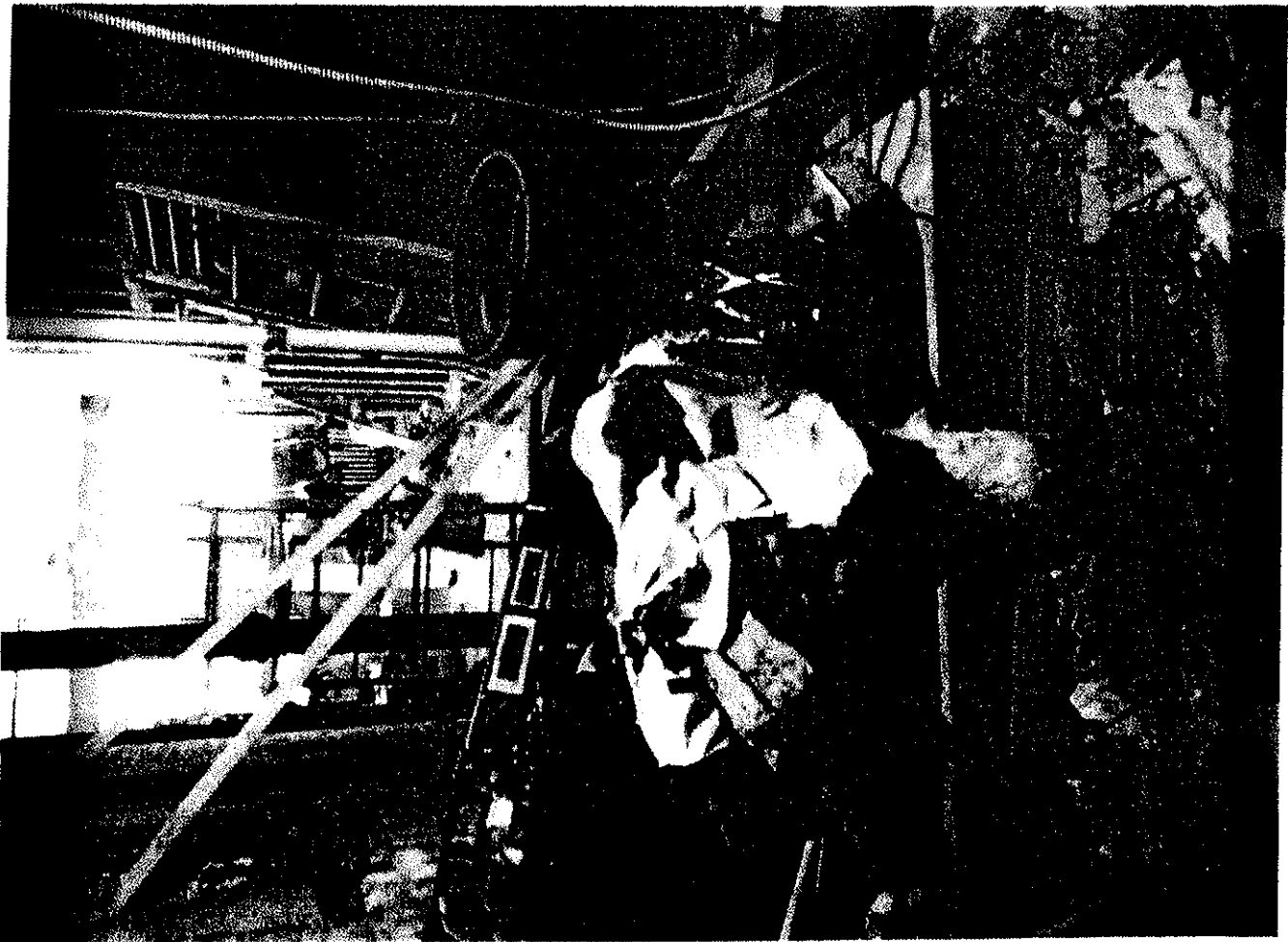
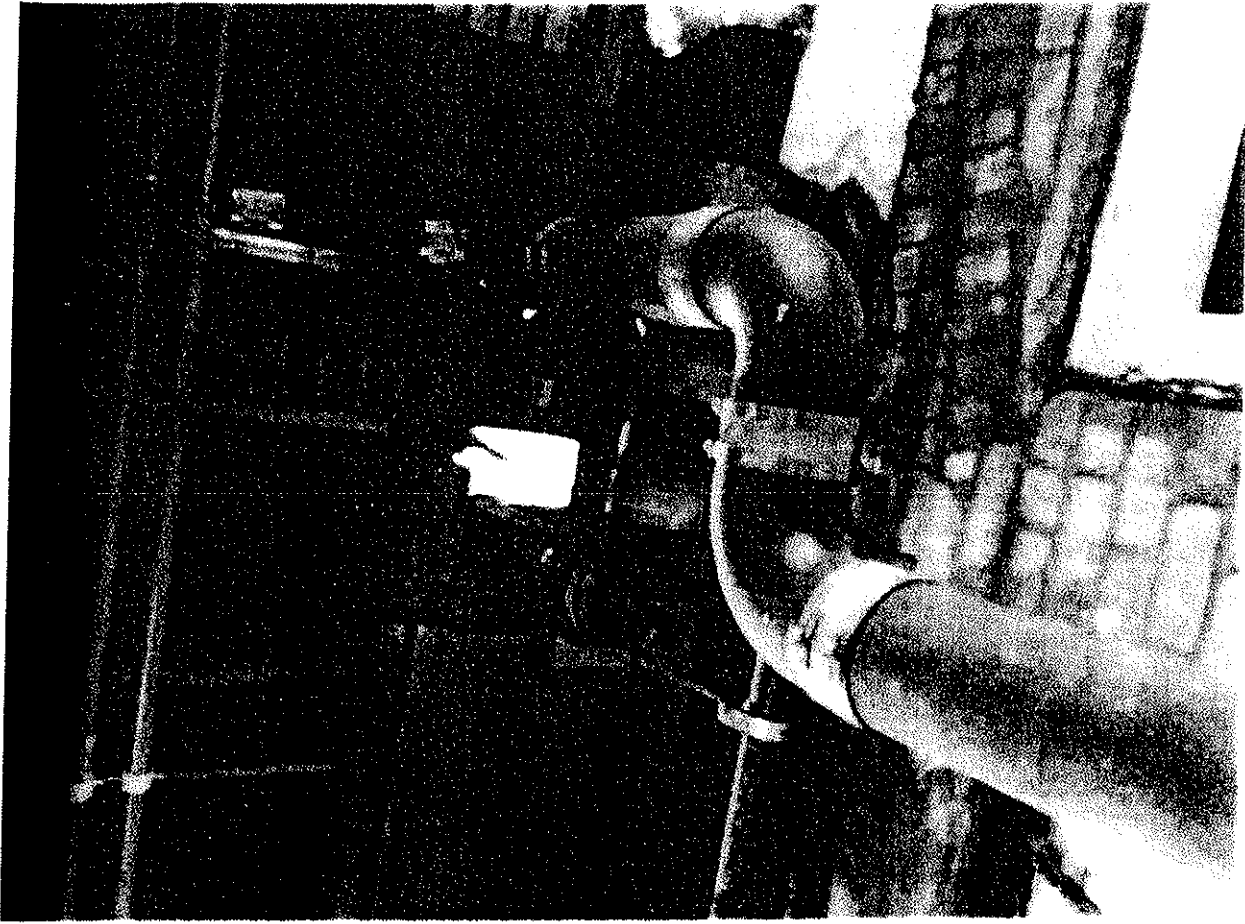
RISE

ADDITIONAL SOUND IMPROVEMENTS

RISE BAR ADDITIONAL SOUND PROOFING

Rise Bar has taken extra measures to increase sound proofing since the original community board meeting due to unforeseen construction of the apartments above. After we first open the were some sound leakage due to the landlord renovating apartments and running electrical lines to all new units. To give you an idea of what rise was up against here are some pics of the state of apartments directly above rise at the time where noise was an issue.





In addition to the \$90K in sound proofing Here are some of the step that were taken to explain our journey to keep sound at a legal level and to maintain a quality of life to all tenants.

Step 1) INTALLING SOUND ABSORBING PANELS

In order to help combat these challenges rise bar has taken addition steps in sound proofing. Adding additional layers of dry wall to column and spending additional 20K in sound absorbing panels. That were installed threw out the ceiling and hallways.

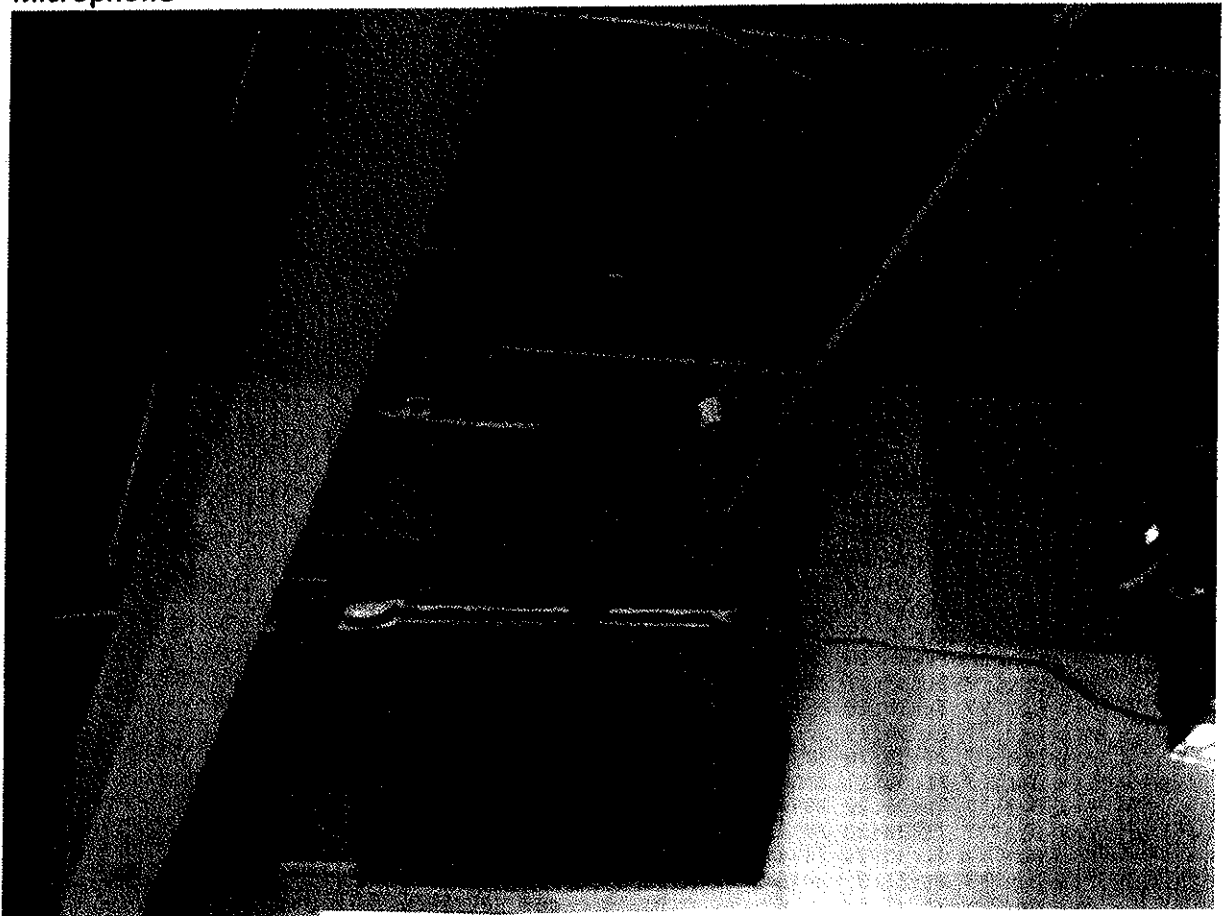


Step 2) INSTALLING SOUND READING DEVICES AND SOFTWARE INSIDE RISE.

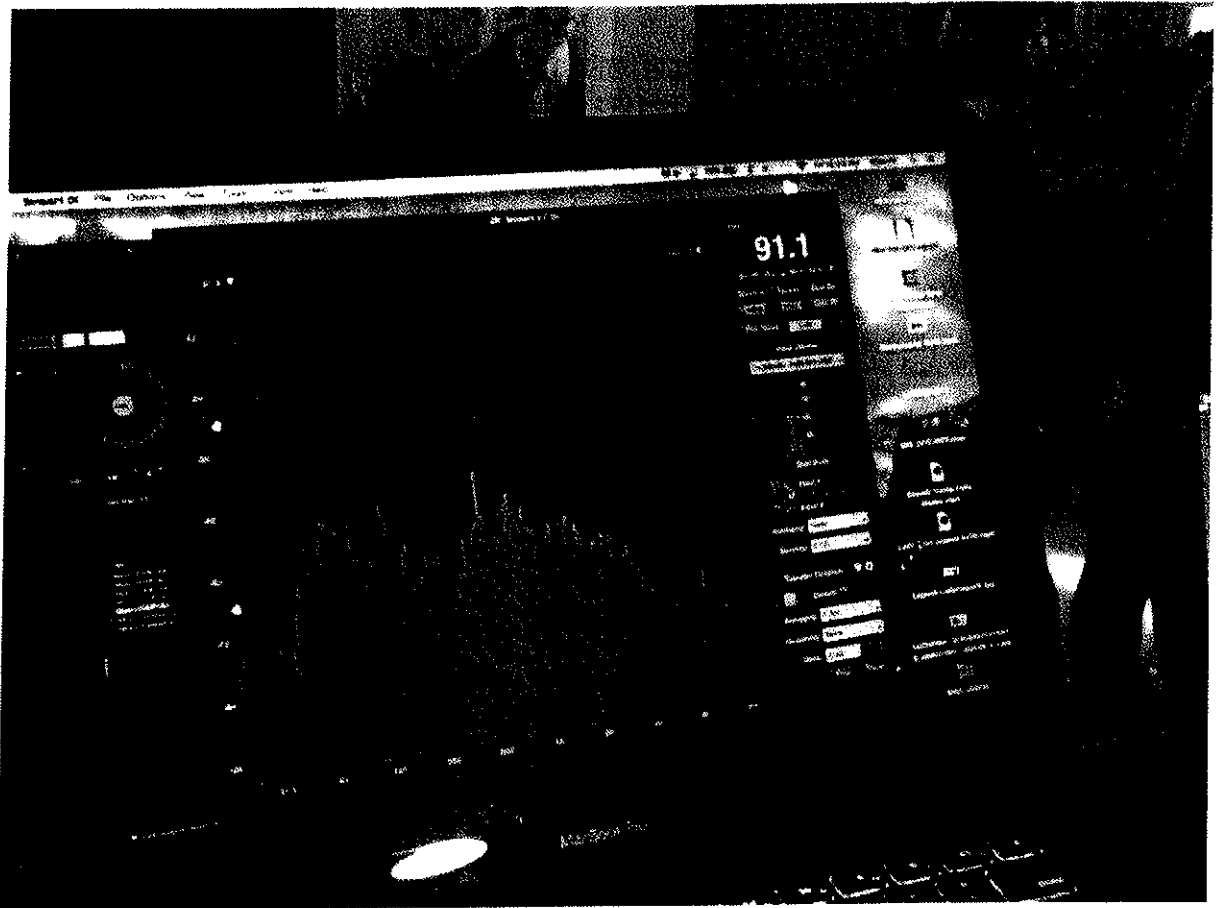
In order to maintain a legal limit in the apartments directly above Rise we needed to maintain the sound level within the space. We decided to install a microphone in the middle of the room at Rise. This Microphone measures the sound decibels in the room and sends the information the laptop in the DJ booth so DJs see what number that are at. After doing sound readings in the apartment above we found at that at 99 decibels in the bar is at legal limit in the apartments directly above. The software also records a log for us to see what the decibels were for the previous night.

Here are pictures of the microphone, the software of what the DJ sees and a pic of what the sound report looks like from the previous night.

Microphone



Computer software for sound in the room. (as you can see the sound is 91 decibels)



Sound report pic

Fri Oct 7 21:30:10 2016	89.02	dB0	SPL	Slow
Fri Oct 7 21:30:11 2016	90.68	dB0	SPL	Slow
Fri Oct 7 21:30:12 2016	89.22	dB0	SPL	Slow
Fri Oct 7 21:30:13 2016	88.94	dB0	SPL	Slow
Fri Oct 7 21:30:14 2016	89.36	dB0	SPL	Slow
Fri Oct 7 21:30:15 2016	90.20	dB0	SPL	Slow
Fri Oct 7 21:30:16 2016	89.89	dB0	SPL	Slow
Fri Oct 7 21:30:17 2016	90.33	dB0	SPL	Slow
Fri Oct 7 21:30:18 2016	89.03	dB0	SPL	Slow
Fri Oct 7 21:30:19 2016	88.74	dB0	SPL	Slow
Fri Oct 7 21:30:20 2016	89.52	dB0	SPL	Slow
Fri Oct 7 21:30:21 2016	89.91	dB0	SPL	Slow
Fri Oct 7 21:30:22 2016	90.21	dB0	SPL	Slow
Fri Oct 7 21:30:23 2016	90.50	dB0	SPL	Slow
Fri Oct 7 21:30:24 2016	90.45	dB0	SPL	Slow
Fri Oct 7 21:31:01 2016	91.07	dB0	SPL	Slow
Fri Oct 7 21:31:02 2016	91.10	dB0	SPL	Slow
Fri Oct 7 21:31:03 2016	91.55	dB0	SPL	Slow
Fri Oct 7 21:31:04 2016	90.65	dB0	SPL	Slow
Fri Oct 7 21:31:05 2016	91.26	dB0	SPL	Slow
Fri Oct 7 21:31:06 2016	91.83	dB0	SPL	Slow
Fri Oct 7 21:31:07 2016	91.02	dB0	SPL	Slow
Fri Oct 7 21:31:08 2016	91.73	dB0	SPL	Slow
Fri Oct 7 21:31:09 2016	91.44	dB0	SPL	Slow
Fri Oct 7 21:31:10 2016	90.07	dB0	SPL	Slow
Fri Oct 7 21:31:11 2016	89.44	dB0	SPL	Slow
Fri Oct 7 21:31:12 2016	89.47	dB0	SPL	Slow

Step 3) LANDLORD COMPLETING RENOVATING APARTMENTS

The third and one of the most important steps is that the landlord completed the renovation of the apartments directly above rise. While we were doing this he added additional soundproofing insulation in the flooring. By doing this and completing the ceiling and walls to not have exposed pipes has helped insure for very minimal sound leakage from the bar to the apartments directly above rise. This work was completed in mid-April and has resolved sound issues



Step 4) ADDITIONAL SOUNDREADINGS FOR OTHER APARTMENTS

In September we did additional reading for the apartments directly above rise or anyone that wanted one. The new tenant that was considering taking apartment 1E was interested in knowing what the readings were before moving in. We also set up a time for him to view the apartment at 1am to hear what it sounded like on a busy weekend. The tenant was happy and not only rented out the apartment directly above rise but has written a letter of support for a 4am closing. Here is the report...

Dear Rise Bar,

September 18, 2016

Units Tested at the location of 400 west 56th Street, New York, NY 10019. Units are **1E & 1F, (Directly above Rise) & 3E**.

I have completed the testing of the above units of Rise Bar, at 400 west 56th street as requested. Since the installation of the sound dampening and acoustical treatments for the bar have concluded.

Summary

Audio testing of the dwellings in the nearest adjacent space located above the bar, to test audio levels and conform within the New York Commercial Music law guidelines of §24-231.

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 dB(C) 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 dB(C).

Testing

Sound Testing was done with the existing bar occupied with patrons and music playing at 99 decibels as measured in B weighted scale in the bar. I tested by measuring sound in each of the units listed above the bar. The sound levels were recorded and are shown in graphical and numeric form for each unit.

Note: When I went to perform the testing of the sound level in apartment 3E at 11:36pm 9/16/16 there were tenants that were having a party with loud music on the second floor that resonated through the building, thus postponing my reading until 11:46pm when the party concluded. The tenant in 3E stated that the music from the bar was not an issue at the apartment and the readings we concluded were below legal limit. I then asked the tenant that resided across the hall at 3F if sound leakage was an issue and if they would like to have a sound reading and I was told that it was not necessary.

Statement

It is my professional statement that the measurements taken in the forward of the 9th avenue street bedrooms can not differentiate between the noise coming from the street/pedestrians, cars, taxi's, city trucks or other sources. That the audio from Rise Bar has little to no effect on the readings done in the unit, and thus Rise Bar still conforms within the guidelines of city code §24-231.

Conclusion

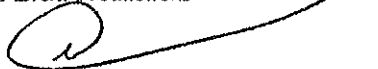
That **all of the tested units fall into the NYC Noise Code §24-231 for Commercial Music**. The bedrooms in the forward of the units have a high noise floor generated by outside traffic and uncontrollable sonic sources in excess of 62 dbA & dbC.

Readings

Measurements were conducted in the most isolated location, from any outside sources to focus mainly on music leakage generated from Rise Bar. That each testing measurement was to not have interference from outside sources such as people or traffic. To only focus on commercial music generated from the bar below the unit(s).

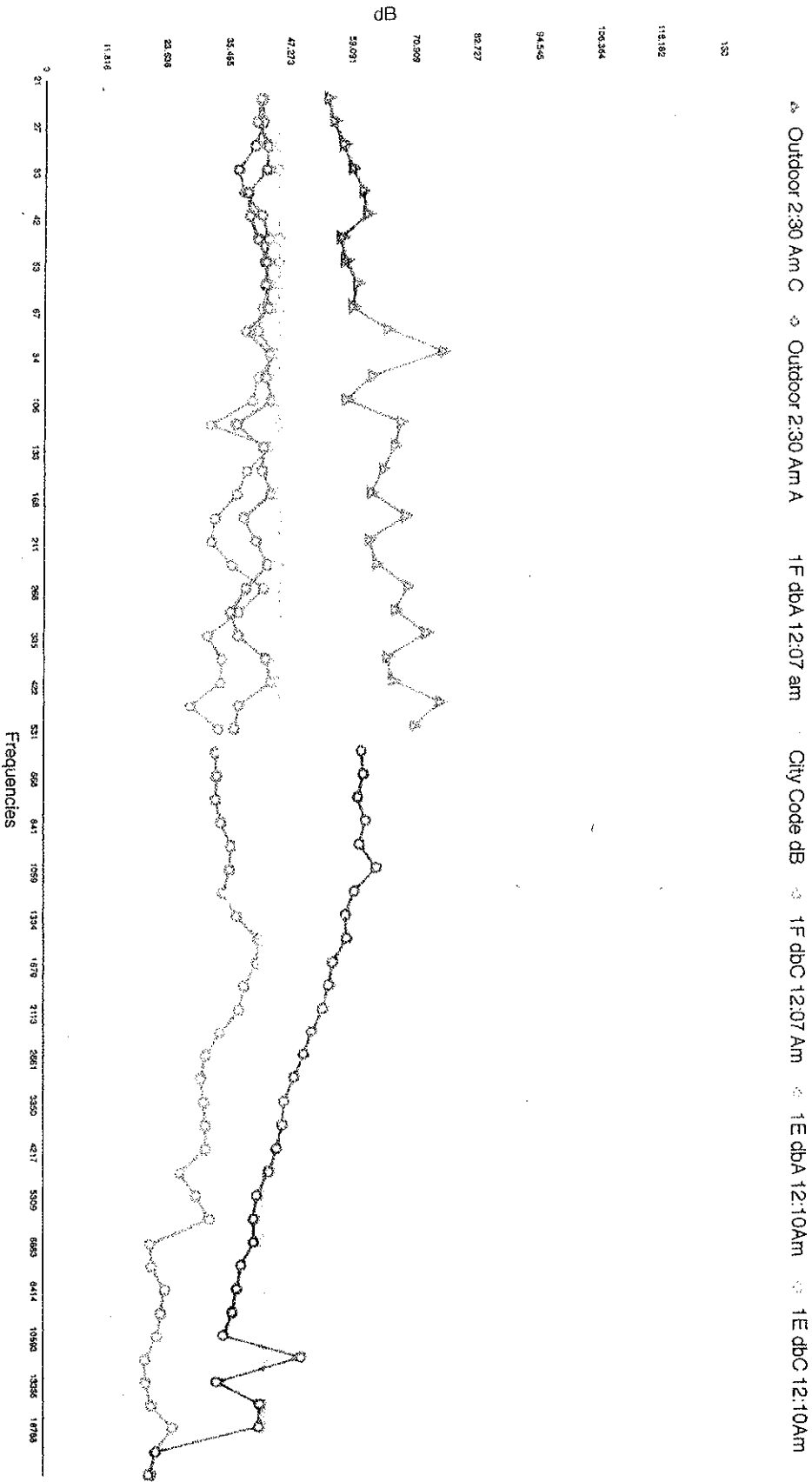
The measurements taken and data used are compiled from *Smaart Rational Acoustics Di version 7*, with *Earthworks testing microphone M23*.

Sincerely,
Nicholas Rubertas
Amp Event Productions



Nick@ampeventproductions.com
CEO

Sound Readings from Units 1E & 1F above Rise Bar at:
400 west 56th Street, New York, NY 10019
 September 19, 2016



Step 5) OUTREACH TO THE TENANTS ABOVE

Rise bar has worked directly with tenants above rise to maintain a good relationship in order to achieve the sound goals we accomplished. In addition to secure business and tenant harmony Ted the co-owner from Rise bar has rented on of the apartments directly above the business. He also has been in contact with all the tenants directly above Rise and they all support a 4am Closing. He has also reached out to all the tenants in the entire building and has received a lot of support. See attached letters of support from people in the building.