



**JOHN WEIS**  
Chair

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District Manager

CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

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May 14, 2010

Jonathan Mintz  
Commissioner  
City of New York  
Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

**Re: Eden Ballroom**  
*637 West 50<sup>th</sup> Street (11<sup>th</sup>/12<sup>th</sup>)*

Dear Commissioner Mintz:

Manhattan Community Board 4 (MCB4) recommends denial of a cabaret license for Eden Ballroom, unless the following stipulations, agreed to by the applicant, are part of their method of operation:

- 1) Hours of operation for serving alcohol in lounge and upstairs dance floor will be no earlier than 5:00 pm and no later than 4:00 am, 7 days per week.
- 2) Hours of operation for café will be 24 hours per day but alcohol will be served no earlier than 8:00 am and no later than 4:00 am, 7 days per week and will be within the hours legislated by the NY SLA.
- 3) The establishment will have a total capacity of no more than 1,240 with no more than 38 tables and 250 seats. Total capacity of the 24 hour café is 74, located on the ground floor. Total capacity of the lounge, located on the ground floor, is 266. Total capacity of the night club upstairs is 900.
- 4) There will be no more than three standing only bars in the establishment. One located in the lounge on the ground floor and two located upstairs in the nightclub.
- 5) The applicant agrees to never use outside promoters.
- 6) The applicant will not distribute advertisement fliers around the exterior of the establishment.

- 7) The applicant agrees to employ 25 New York licensed guards and will use between 15-25 during hours of operation of the lounge and nightclub, dependent upon the size of the crowd.
- 8) The applicant agrees to follow the best practices as outlined by the New York Nightlife Association which was developed in cooperation with the New York City Police Department.
- 9) A certified soundproofing engineer will recommend and implement soundproofing. The recommendations of the sound engineer include, but are not limited to, decibel restrictors/controls and sound absorbing material. A copy of the full report will be submitted with the application and is attached to this letter. A double door entry way will be employed to minimize sound escaping from the establishment.
- 10) To ensure that neighbors are not negatively impacted by sound emanating from the sidewalk in front of the establishment due to the gathering of people, the applicant's security personnel will monitor the area and encourage patrons to either enter the establishment or leave the area.
- 11) There will be absolutely no use of delivery bikes.
- 12) Only soft background music will be played in café and lounge and all doors and windows will be kept closed when music is being played. The night club will have a dj and also live music. Applicant has stated they will not allow hip hop music. The applicant further stated they will not allow events that attract a dangerous element to the neighborhood.
- 13) There will be no French doors or windows that open to the street front.
- 14) Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally it will be compliant with NY DOB code.
- 15) Applicant will never install a storm vestibule enclosure as they have the double door 'soundtrap' vestibule.
- 16) The applicant will proactively clean the sidewalk and area immediately outside of the establishment and club-related trash on neighboring properties.
- 17) No outdoor sidewalk space will be used for queuing of patrons waiting to enter the establishment. Applicant stated cueing will occur inside so there will be no velvet rope lines.
- 18) The applicant will make a concerted effort to hire employees from the community.

- 19) Applicant will provide 24 hour contact details to CB4 and pertinent community representatives.
- 20) Applicant will arrange for representatives to regularly attend Precinct Council, Block Association and Community Board meetings to address and resolve any community problems that may arise from this establishment.
- 21) There will be no use of any outdoor spaces (rooftop, patio or sidewalk café) at this time for the sale or consumption of alcoholic beverages.
- 22) The applicant is simultaneously applying to the NY SLA to incorporate this cabaret license into their method of operation of their liquor license. The cabaret license will only permit dancing in the upstairs night club section of the establishment.

Eden Ballroom LLC has not yet determined the name of its establishment. The complex will consist of the café and lounge on the first floor and the night club (cabaret) on the second floor. The applicant has stated they have designed the café into the facility to control the number of patrons exiting at one time by providing a post closing venue. Entrance to the lounge and nightclub will be on West 50<sup>th</sup> Street with the café entrance located on the corner of West 50<sup>th</sup> and Westside Highway. A signed copy of the stipulations agreed to by the applicant is enclosed.

Sincerely,



John Weis  
Chair  
Manhattan Community  
Board 4



John Owens  
Co-Chair  
Business License & Permits  
Committee - North



Chuck Spence  
Co-Chair  
Business License & Permits  
Committee - North