

October 31, 2016

To: Community Board 3

Re: Nadico Hotel LLC d/b/a Orchard Street Hotel

163 Orchard Street

In connection with the upcoming November 7th meeting, the attached are being submitted in conjunction with the attached Questionnaire.

The property is an 11 story hotel that has been open approximately eighteen months.

There are 58 rooms located on floors 3-11. There is a lower lobby, with restrooms, offices lounge area for back-of-house employees and mechanical spaces. The lobby has a reception area and seating for guests. The second floor is the proposed location of the Tavern Wine premises.

The main entrance is located at 163 Orchard Street (entrance to hotel lobby), with a secondary means of egress at 168 Allen Street.

The lighting system will remain as is

The second floor space will be furnished with a kitchen, wet bar, lounge seats and tables and chairs. The proposed bar length will be 7 feet and will have 6-8 seats. Music will be low, background, lounge music with no amplification. The premises will close by midnight every night, with food service to end by 11:00 PM. There will not be any performance space or a dance venue. The space contains facade openings along the Allen Street and Orchard Street frontages. The space, located approximately 25 feet above grade, faces the street.

The owners have met with Police Officer Umberto Guardino of the Seventh Precinct of the NYC Police Department, Community Affairs.

They have also met with Diem of the Orchard Street Block Association

Since opening they have not experienced any issues. The hotel is always adequately staffed, and on busy nights, they will have additional licensed security to prevent any issues to occur, and the staff will make sure people of cars do not congregate on the sidewalk outside of the . It is their first priority as a hotel to cater to the comfort of their guests, as well as making sure not to create any issues with any neighbors.

The required multi-lingual signs will be hung today and photos of such will be brought to the Meeting.

Also attached please find:

1. Menu
2. Petition in Support signed by 68 residents of the neighborhood
3. Signed Stipulation
4. Biographies of Nader Ohebshalem and Nicholas Moinian

Leonard M. Fogelman

A handwritten signature in black ink, appearing to read "Leonard M. Fogelman". The signature is written in a cursive style with a horizontal line underneath the name.

Attorney-In-Fact



THE CITY OF NEW YORK
 MANHATTAN COMMUNITY BOARD 3
 59 East 4th Street - New York, NY 10003
 Phone (212) 533-5300
 www.cb3manhattan.org - info@cb3manhattan.org

Jamie Rogers, Board Chair

Susan Stetzer, District Manager

Community Board 3 Liquor License Application Questionnaire

Please bring the following items to the meeting:

NOTE: ALL ITEMS MUST BE SUBMITTED FOR APPLICATION TO BE CONSIDERED.

- Photographs of the inside and outside of the premise.
- Schematics, floor plans or architectural drawings of the inside of the premise.
- A proposed food and or drink menu.
- Petition in support of proposed business or change in business with signatures from residential tenants at location and in buildings adjacent to, across the street from and behind proposed location. Petition must give proposed hours and method of operation. For example: restaurant, sports bar, combination restaurant/bar. (petition provided)
- Notice of proposed business to block or tenant association if one exists. You can find community groups and contact information on the CB 3 website:
http://www.nyc.gov/html/mancb3/html/communitygroups/community_group_listings.shtml
- Photographs of proof of conspicuous posting of meeting with newspaper showing date.
- If applicant has been or is licensed anywhere in City, letter from applicable community board indicating history of complaints and other comments.

Check which you are applying for:

- new liquor license alteration of an existing liquor license corporate change

(Tavern Wine)

Check if either of these apply:

- sale of assets upgrade (change of class) of an existing liquor license

Today's Date: 10/31/16

If applying for sale of assets, you must bring letter from current owner confirming that you are buying business or have the seller come with you to the meeting.

Is location currently licensed? Yes No Type of license: _____

If alteration, describe nature of alteration: _____

Previous or current use of the location: _____

Corporation and trade name of current license: _____

APPLICANT:

Premise address: 163 Orchard Street

Cross streets: Rivington and Stanton Streets

Name of applicant and all principals: Nader Ohebshalom and Family, Nicholas Moinian

NADICO Hotel LLC

Trade name (DBA): Orchard Street Hotel Bar

PREMISE:

Type of building and number of floors: Hotel, 11 stories

Will any outside area or sidewalk cafe be used for the sale or consumption of alcoholic beverages? (includes roof & yard) Yes No If Yes, describe and show on diagram: _____

Does premise have a valid ^{Temp-}Certificate of Occupancy and all appropriate permits, including for any back or side yard use? Yes No What is maximum NUMBER of people permitted? 50

Do you plan to apply for Public Assembly permit? Yes No

What is the zoning designation (check zoning using map: <http://gis.nyc.gov/doitt/nycitymap/> - please give specific zoning designation, such as R8 or C2): C4-4A

PROPOSED METHOD OF OPERATION:

Will any other business besides food or alcohol service be conducted at premise? Yes No

If yes, please describe what type: _____

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) open 7 days per week, 5 pm - 12 am

Number of tables? estimated 20 Total number of seats? estimated 40

How many stand-up bars/ bar seats are located on the premise? 1 stand up bar with 6 seats

(A **stand up bar** is any bar or counter (whether with seating or not) over which a patron can order, pay for and receive an alcoholic beverage)

Describe all bars (length, shape and location): anticipated that it will be 8 feet long, wet bar, along the northern side of the space

Does premise have a full kitchen Yes No?

Does it have a food preparation area? Yes No (If any, show on diagram)

Is food available for sale? Yes No If yes, describe type of food and submit a menu

See Attached Menu

What are the hours kitchen will be open? 5 pm - 11 pm

Will a manager or principal always be on site? Yes No If yes, which? _____

How many employees will there be? estimated 5 - 7 employees

Do you have or plan to install French doors accordion doors or windows?

Will there be TVs/monitors? Yes No (If Yes, how many?) _____

Will premise have music? Yes No

If Yes, what type of music? Live musician DJ Juke box Tapes/CDs/iPod

If other type, please describe _____

What will be the music volume? Background (quiet) Entertainment level

Please describe your sound system: wireless, bluetooth, non-amplified music playing devices

Will you host any promoted events, scheduled performances or any event at which a cover fee is charged? If Yes, what type of events or performances are proposed and how often? no

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans. (Please do not answer "we do not anticipate congestion.") See Attachment

Will there be security personnel? Yes No (If Yes, how many and when) (1) Front desk security
(2) at anticipated times, additional licensed security guards will be on site

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans. Inside will have sound proofing - Outside: owners + their security personnel will not allow crowds to remain on sidewalk in front of hotel

Do you have sound proofing installed? Yes No
If not, do you plan to install sound-proofing? Yes No

APPLICANT HISTORY:

Has this corporation or any principal been licensed previously? Yes No

If yes, please indicate name of establishment: Fortuna Realty Hotel Soho, LLC & Fortuna LI, LLC

Address: 525 Greenwich Street and 45 Seventh Street, Garden City Community Board # 2

Dates of operation: existing

If you answered "Yes" to the above question, please provide a letter from the community board indicating history of complaints or other comments. Nico Moinian will manage this property - the other 2 properties are owned by his father, Morris Moinian. For these two premises, there have not been any SLA dicta/was matter

Has any principal had work experience similar to the proposed business? Yes No If Yes, please attach explanation of experience or resume.

Does any principal have other businesses in this area? Yes No If Yes, please give trade name and describe type of business Gatsby Hotel and Redford Hotel

Has any principal had SLA reports or action within the past 3 years? Yes No If Yes, attach list of violations and dates of violations and outcomes, if any.

Attach a separate diagram that indicates the location (name and address) and total number of establishments selling/serving beer, wine (B/W) or liquor (OP) for 2 blocks in each direction. Please indicate whether establishments have On-Premise (OP) licenses. Please label streets and avenues and identify your location. Use letters to indicate Bar, Restaurant, etc. The diagram must be submitted with the questionnaire to the Community Board before the meeting.

LOCATION:

How many licensed establishments are within 1 block? 17

How many On-Premise (OP) liquor licenses are within 500 feet? 43

Is premise within 200 feet of any school or place of worship? Yes No

COMMUNITY OUTREACH:

Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups. Also use provided petitions, which clearly state the name, address, license for which you are applying, and the hours and method of operation of your establishment at the top of each page. (Attach additional sheets of paper as necessary).

We are including the following questions to be able to prepare stipulations and have the meeting be faster and more efficient. Please answer per your business plan; do not plan to negotiate at the meeting.

1. I agree to close any doors and windows at 10:00 P.M. every night?
2. I will not have DJs, live music, promoted events, any event at which a cover fee is charged, scheduled performances, more than 1 DJs/ promoted events per week, more than 1 private parties per night
3. I will play ambient recorded background music only.
4. I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
5. I will not seek a change in class to a full on-premise liquor license. Or my business plan is to seek an upgrade at a later date.
6. I will not participate in pub crawls or have party buses come to my establishment.
7. I will not have a happy hour. Or Happy hour will end by 8 pm.
8. I will not have wait lines outside. There will be a staff person outside to monitor sidewalk crowds and ensure no loitering.
9. Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Nico MOIVAN 212 8048088

2nd Floor Orchard Street Hotel Food Menu

BOCADITOS

Guacamole & Chips

Homemade guacamole and freshly-baked, tri-colored tortilla chips with lime-zest

\$10.00

Pico De Gallo & Chips

Our freshly-made house recipe of traditional pico de gallo served with freshly baked tri-colored tortilla chips with lime-zest

\$8.00

Cuban Sandwich

Roasted pork loin and maple ham with gruyere, kosher dill pickles and spicy Dijon on freshly-

pressed baguette

\$15.00

TACO (2) \$16.00

*all tacos are homemade soft-shell corn tortillas

Grilled Skirt Steak

Grilled skirt steak topped with a tomato and garlic ajillo sauce, cilantro and lime

Grilled Fish

Grilled tuna topped with avocado, citrus mango slaw, cilantro and a chipotle lime crema

Organic Rotisserie Pulled Chicken

Organic Rotisserie pulled chicken topped with pineapple salsa, cilantro, lime and crema fresca

Petition to Support Proposed Liquor License

Date: Sep 19th 2016

The following undersigned residents of the area support the issuance of the following liquor license (indicate the type of license such as full-liquor or beer-wine) beer + wine

to the following applicant/establishment (company and/or trade name) _____

 Nadico Hotel, LLC

Address of premises: 163 orchard st

This business will be a: (circle)

Bar

Restaurant

Other: _____

The hours of operation will be:

 5pm - 12am

PLEASE NOTE: Signatures should be from residents of building, adjoining buildings, and within 2-block area.

Other information regarding the license:

Name	Signature	Address
<u> Boris Kadvent </u>	<u> [Signature] </u>	<u> 126 Ludlow St. </u>
<u> [Signature] </u>	<u> [Signature] </u>	<u> 166 Orchard </u>
<u> [Signature] </u>	<u> [Signature] </u>	<u> 126 Ludlow St. </u>
<u> Steven Swickson </u>	<u> [Signature] </u>	<u> 192 Orchard Street </u>
<u> ADRIAN ALLY </u>	<u> [Signature] </u>	<u> 88 Rivington St. </u>
<u> Jason Masahel </u>	<u> [Signature] </u>	<u> 146 Orchard Street </u>
<u> AIMEE CURRAN </u>	<u> [Signature] </u>	<u> 158 ORCHARD ST </u>
<u> Allen Wang </u>	<u> [Signature] </u>	<u> 190 Allen St </u>
<u> JACK MENEASHE </u>	<u> [Signature] </u>	<u> 154 allen st </u>
<u> [Signature] </u>	<u> [Signature] </u>	<u> 205 Allen St. </u>
<u> [Signature] </u>	<u> [Signature] </u>	<u> 90 Rivington st 3B </u>

Petition to Support Proposed Liquor License

Date: 09-19-2016

The following undersigned residents of the area support the issuance of the following liquor license (indicate the type of license such as full-liquor or beer-wine) Beer - Wine

to the following applicant/establishment (company and/or trade name) Nadico Hotel LLC / Orchard Street Hotel

Address of premises: 163 Orchard Street

This business will be a: (circle) Bar Restaurant Other: Hotel

The hours of operation will be: 5 P.M to 12 A.M.

PLEASE NOTE: Signatures should be from residents of building, adjoining buildings, and within 2-block area.

Other information regarding the license:

Name	Signature	Address
Margo R. Fukuneto		101 Stanton St.
Mayhan Lavery		100 Stanton St
ZAHID MAHMOOD		100 STANTON ST
RAHUL PATEL		100 Stanton St
PABLO VARGAS		96-96 Stanton St.
Eddy Jose Hernandez		96-96 Stanton
JPR		173 Stanton
Micael Berkane		175 Orchard St
Viniam Kulumba		175 Orchard Street
Shahkhan -		86 Stanton
Vanessa Kirk		124 Ludlow St
Renata Llor Sharp		164 Orchard Street

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to the following applicant/establishment (company and/or trade name) Nadico Hotel LLC / Orchard Street Hotel

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This business will be a: (circle) Bar Restaurant Other: Hotel

The hours of operation will be: 5 P.M - 12 A.M

PLEASE NOTE: Signatures should be from residents of building, adjoining buildings, and within 2-block area.

Other information regarding the license:

Name	Signature	Address
Jasmine Bautista	Jasmine Bautista	136 Ludlow Street
ANGEL VALENCIA	Angel Valencia	65 Ludlow St
SUSANA DAHOL	Susana	136 Ludlow St
Kriti Lama	Kriti	136 Ludlow St
Sumi Ghimire	Sumi	136 Ludlow St
Nina Chandra	Nina	149 Ludlow St
Reneal Palkon	Reneal	169 Ludlow St
Hilario Roca	Hilario	151 Ludlow St
Adrienne Annap	A. Annap	156 Ludlow St.
Tristan Taylor	T. Taylor	150 Ludlow St.
Andrea Smith	A. Smith	156 Ludlow St.
Habibatulmat	Habibatulmat	156 Ludlow St.
INDIRA SLOTT	Indira S.	156 Ludlow St
Anna Smith	Anna	

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to the following applicant/establishment (company and/or trade name) Nadira Hotel LLC / Orchard Street Hotel

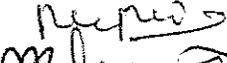
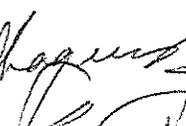
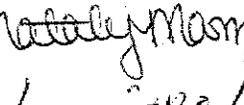
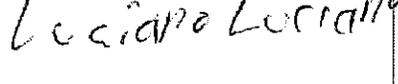
Address of premises: _____

This business will be a: (circle) Bar Restaurant Other: Hotel

The hours of operation will be: 5 P.M - 12 A.M

PLEASE NOTE: Signatures should be from residents of building, adjoining buildings, and within 2-block area.

Other information regarding the license:

Name	Signature	Address
MATTHEW SILVA Cormac		78 RIVINGTON STREET
Melissa Fernandez		140 Orchard Street
Junior Abreu		92 Rivington St
Juan Albert Morte		92 Rivington St
Paulo B. Santos		92 Rivington St
Shaquana Corada		92 Rivington St
Kristelle Duchard		94 Rivington St
Sean Lehan		101 Rivington St
Brooke Neal		100 Rivington
Ann Lujan		100 Rivington
Nataly Masjiane		134 Leedlow St.
Luz		134 Leedlow St.

Petition to Support Proposed Liquor License

Date: 09-19-2016

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to the following applicant/establishment (company and/or trade name) Nadico Hotel LLC/
Orchard Street Hotel

Address of premises: 163 Orchard Street

This business will be a: (circle) Bar Restaurant Other: Hotel

The hours of operation will be: 5 P.M. - 12 A.M

PLEASE NOTE: Signatures should be from residents of building, adjoining buildings, and within 2-block area.

Other information regarding the license:

Name	Signature	Address
Melissa Neves	Melissa Neves	166 Allen St
Reece Barton	[Signature]	166 Allen St
Lorenza Fernandez	Lorenza Fernandez	164 Allen St
Angella Brathwaite	Angella Brathwaite	164 Allen St
Namita A. Dayan	[Signature]	164 Allen St
Laura Siller	[Signature]	160 Allen St
[Signature]	[Signature]	160 Allen St
Lise Szupanski	Lise Szupanski	158 Allen St
Caetlin Jimenez	Caetlin Jimenez	156 Allen St
Olvin Pineda	Olvin Pineda	151 Orchard St
Alexander Meacham	[Signature]	152 Allen St
Carla M. [Signature]	[Signature]	150 Allen St
Kristi Hooper	[Signature]	150 Allen St

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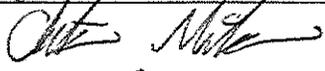
Address of premises: 163 Orchard Street

This business will be a: (circle) Bar Restaurant Other: Hotel

The hours of operation will be: 5 P.M. - 12 A.M.

PLEASE NOTE: Signatures should be from residents of building, adjoining buildings, and within 2-block area.

Other information regarding the license:

Name	Signature	Address
Christopher McLaren		115-56 191st
Andrea Clark		523 W 143rd St
Nick Polanco		161 Orchard
Jaf		158 Orchard
Tostien		158 Orchard



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MANHATTAN COMMUNITY BOARD 3

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Jamie Rogers, Board Chair

Susan Stetzer, District Manager

Community Board 3 Liquor License Stipulations for Administrative Approval within Saturated Area

I, M. Wasim Huda, as a qualified representative of Nadico Hotel LLC located at 163 Orchard Street, New York, NY agree to the following stipulations:

- 1. I will operate a full-service restaurant, specifically a (type of restaurant) Kitchen open and serving food every night during all hours of operation.
2. My hours of operation will be 5 :00 a.m. (p.m.) to 12:00 a.m. all days

(I understand opening is "no later than" specified opening hour, and all patrons are to be cleared from business at specified closing hour.)

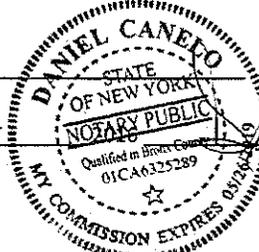
- 3. I will not use outdoor space for commercial use.
4. I will operate my sidewalk cafe no later than n/a
5. I will employ a doorman/security personnel on the following days: weekends
6. I will install soundproofing, panel system along the perimeter of the space
7. I will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances.
8. I will not have DJs, live music, promoted events, any event at which a cover fee is charged, scheduled performances, more than DJs/ promoted events per more than private parties per
9. I will play ambient recorded background music only.
10. I will not apply for an alteration to the method of operation agreed to by this stipulation without first coming before CB 3.
11. I will not seek a change in class to a full on-premise liquor license without first obtaining approval from CB 3.
12. I will not participate in pub crawls or have party buses come to my establishment.
13. I will not have unlimited drink specials with food.
14. I will not have a happy hour. I will have happy hour and it will end by 8 pm
15. I will not have wait lines outside. I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
16. I will conspicuously post this stipulation form beside my liquor license inside of my business.
17. Residents may contact the manager/owner at the number below. Any complaints will be addressed immediately. I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: Angela Fiore Phone Number: 212 804 8088

18. I will:

I hereby certify that the information provided above is truthful and accurate based upon my personal belief.

Signed Sworn to this 14th day of Sept. 09-14-2016 Notary Public



Nader Ohebshalom

Nader Ohebshalom is the Principal and Owner of Gatsby Enterprise, The family-owned firm is a New York City based real estate management and investment company with properties in Manhattan and Long Island. Nader Ohebshalom has been an active real estate investor since the 1970's. His firm owns residential, commercial, and hospitality assets. Prior to establishing Gatsby Realty, Mr Ohebshalom was a high end-carpet dealer based in New York.

Nicholas Moinian

Nicholas Moinian is the Principal of NM Hotels, LLC a hotel investment and management company. Based in New York, the company owns and manages hotels assets in New York. Prior to establishing NM Hotels, LLC, Mr Moinian was a Principal at his family's real estate enterprise, which focused on hotel investments in New York. Mr. Moinian obtained his B.D. At Boston University's School of Hospitality Administration.