



Manhattan Community Board 4
Business Licenses & Permits Committee

January 10, 2016

<u>Tab</u>	<u>Document</u>
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2	Floor Plans (4 th Floor Current & Proposed and Hotel Guest Room Floors)
3	NYC Department of Buildings Property Profile Overview, Certificate of Occupancy, and LAMP Proximity Report
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5	Menu
6	Photographs of Notice Postings (to be provided at the BLP Committee Meeting)



Davidoff Hutcher & Citron LLP
605 Third Avenue
New York, New York 10158

TAB 1

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)	
42nd and 10th Hotel LLC, Yotel Management (New York) Co., LLC, and Green Fig NYC, LLC		Yotel New York, Studio, and Green Fig	
STREET ADDRESS		CROSS STREETS	ZIP CODE
570 Tenth Avenue		Btwn. 41st and 42nd Street	10036
OWNER <i>(Attach a list of all the people that will be associated/listed with the license)</i>	NAME: 42nd and 10th Hotel, LLC	ATTORNEY/ REPRESENTATIVE	NAME: Alexander Victor
	PHONE: (646) 449-7700		PHONE: (212) 557-7200
	EMAIL: c/o michael@yotelnewyork.com		EMAIL: abv@dhclegal.com
Contact MANAGER	NAME: Gil Rubenstein	LANDLORD	NAME: 42nd and 10th Hotel, LLC
	PHONE:		PHONE: (646) 449-7700
	EMAIL: gil@beancountersnyc.com		EMAIL: c/o Michael Teplin, michael@yotelnewyork.com
APPLICATION TYPE (Check One)			
<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.		
<input checked="" type="radio"/> Alteration	What is the current license # and expiration date?		Serial No. 1259111, Expires January 31, 2018
	(1) Convert the coat room to an espresso/coffee bar, which will also function as a service bar. (2) Permit the banquet/meeting room to also be used for public eating and drinking w/ incidental entertainment.		
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 checked="" type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input checked="" type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment <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	<input type="radio"/> NO On or about January 19, 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	<input type="radio"/> 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	<input type="radio"/> NO
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?		<input checked="" type="radio"/> YES	<input type="radio"/> NO

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

HOURS* (Indoor Only)		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation		Restaurant: 7AM-4AM, daily	Hotel: 24 hours, daily	(restaurant may open later or close earlier)			
	Kitchen	The full kitchen will typically operate from 7AM to 11PM but food will be available during all hours alcoholic beverages may be sold						
	Music	During all hours of operation but in accordance with previously agreed upon stipulations (copy attached).						

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 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	316	Up to 316	~45	~180	1	1	Approx. 18	
OUTSIDE <i>(Other than sidewalk café)</i>	142	Up to 142	~30	~120	0	1 (can be enclosed)	0	
SIDEWALK CAFÉ	N/A	N/A	N/A	N/A	N/A			

How many floors are there? What is the capacity for each floor?

Hotel occupies 23 floors of the building.

How frequently will the owner(s) be at the establishment?

Hotel GM is on site every day.

Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?

YES

NO

Will applicant have bottle or table service for beverage alcohol?

YES

NO

Will you 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 you have a security plan? If, yes please attach.

YES

NO

The hotel employs security.

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

The premises are a hotel, there will not be 1 security guard for every 75 persons.

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

N/A

Where will delivery bicycles be stored during the day when not in use?

N/A

The numbers provided above are for the food and beverage portion of the premises on the 4th floor. This floor has multiple rooms which are capable of multiple configurations depending on use (e.g., dining, private event, meeting space, etc.). The numbers indicated are approximations for the typical, day-to-day layout of the entire floor and include lounge, banquet, dining counter and communal seating areas.

LOCATION & ZONING

Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO	
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO	
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	NO	
Are your plans filed with DOB?	<input checked="" type="radio"/> YES	NO	

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	Manhattan Community Board 4
	# 2	See list attached.
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.		Email notification to be sent on or before Jan. 5
Who was your contact person at each group you met with?		See list attached.
When did applicant post the notice that was provided?		On or before January 5, 2017
Where did applicant post the notice that was provided?		In window of Yotel, at 4 closest street corners, and distributed to nearby residential buildings.
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/> YES	NO Manager on duty: (917) 239-6560 Owner: (917) 551-0811
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/> YES	NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	N/A - previously/currently Yotel		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Yotel New York
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant have a vestibule within the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use a storm enclosure?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input checked="" type="checkbox"/> Partitions <input type="checkbox"/> FRENCH DOORS <input type="checkbox"/> GARAGE DOORS <input type="checkbox"/> 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?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Not for light background music, but will close sliding partitions if there is an event with DJ/live music that might be heard outside if the partitions were not closed.
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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Done prior to original license being issued.
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?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have an illuminated sign?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Where will the air conditioner be located? What type is it?	Existing.		
When was the air conditioner installed?	Prior to hotel opening.		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	4th floor terrace
Are the floorplans for the outdoor space(s) included?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	The licensee is licensed to have its outdoor area close at 12:30AM on Sun.-Wed. and at 1:30AM on Thurs.-Sat.
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	The licensee has a stand-up bar that, weather permitting, is unenclosed.
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	There is space for patrons to stand around the outdoor stand-up bar.
Will there be no amplified music, as per the law?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Per prior stipulations with CB4, there is music outside at background levels; however, there will be no live music or DJ located outside.
If amplified sound is played inside the establishment, will windows and doors be closed?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	If the amplified music being played inside is above background levels then yes.
Will applicant agree to post signs outside asking customers to respect the neighbors'?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant agree to train staff to encourage a peaceful environment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

OUTDOOR ITEMS – SIDEWALK CAFÉ**☐☐☐/A - No Sidewalk Cafe****

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 cafe?	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	

Yotel - CB4 Stipulations:

- 1) The hotel will operate as a 24 hour a day business but the indoor 4th floor restaurant and lounge areas will operate no earlier than 6:00 am and no later than 4:00 am, every day of the week. The 4th floor terrace (outdoor area) of the premises will operate no later than 12:30 am Sunday through Wednesday, and no earlier than 6:00 am and no later than 1:30 am Thursday through Saturday.
- 2) The sliding partitions separating the indoor and outdoor space will be kept closed no later than 10:00 pm Sunday through Thursday and no later than 11:00 pm Friday and Saturday. Those sliding partitions will also be closed during any private events in the indoor portion of the 4th floor where there is amplified music.
- 3) The fourth floor will have a total capacity of no more than 468, or as the premises' Place of Assembly Permit may allow.
- 4) There will be one stand up bar located entirely inside, a second stand up bar that will be partially inside and partially outside and a third stand up bar and seating on the outdoor terrace.
- 5) The service and consumption of alcohol on the fourth floor terrace will be primarily via seated food service and stand up bar service.
- 6) The licensee will follow the security plan as previously provided.
- 7) The licensee has engaged Acoustilog Inc. to conduct a reassessment of the premises' operation and physical layout and to make recommendations for potential additional sound attenuating measures, if any, that could be implemented at the premises.
- 8) To ensure that neighbors are not negatively impacted by sound emanating from the terrace, the licensee's security personnel will monitor the area.
- 9) The licensee intends to have live, background and DJ music in the inside space on the fourth floor; and live music or DJ music must use hotel equipment, including use of a limiter. Only music at background levels will be played in the outside space in compliance with the limitations as set forth in the report to be prepared by Acoustilog Inc. There will be no live music or DJ located on outdoor portions of the fourth floor.
- 10) The licensee is not applying for a cabaret license with this current application.
- 11) The licensee will retain all control and responsibility for operation and security of the establishment. If any outside promoter is used, their role will be limited to marketing.

July 22, 2013

- 12) Kitchen exhaust will be compliant with NY DOB code and will not unreasonably disturb residents.
- 13) Licensee will provide 24 hour contact details to CB4 and pertinent community representatives. Licensee will also use reasonable efforts to notify the Community Board and residents of planned upcoming large private events out of the ordinary course.
- 14) Licensee will arrange for representatives to attend Precinct Council Block Association and Community Board meetings, if requested, to address and resolve any community problems that may arise from this establishment. The hotel and community associations will report progress and/or issues back to CB4 regularly by email, writing or in person.

Agreed to:

42nd & 10th HOTEL LLC

By: _____

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.

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Manhattan Community Board 4 (MCB4) recommends:	<input type="radio"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation <input type="radio"/> Denial <input type="radio"/> Approval
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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.

SIGN HERE 	PRINT NAME OF APPLICANT	SIGNATURE OF APPLICANT	DATE
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TAB 2

FOUR Floor Plan

4th Floor (CURRENT)

Multipurpose Space (meetings, special/private events, entertainment). An enlarged diagram of the proposed layout is enclosed.

New Coffee/Esspresso Bar & Service Bar Area. An enlarged diagram of the existing and proposed layout is enclosed.

Back of house, kitchen and storage areas.

Elevators to Guest Room Floors

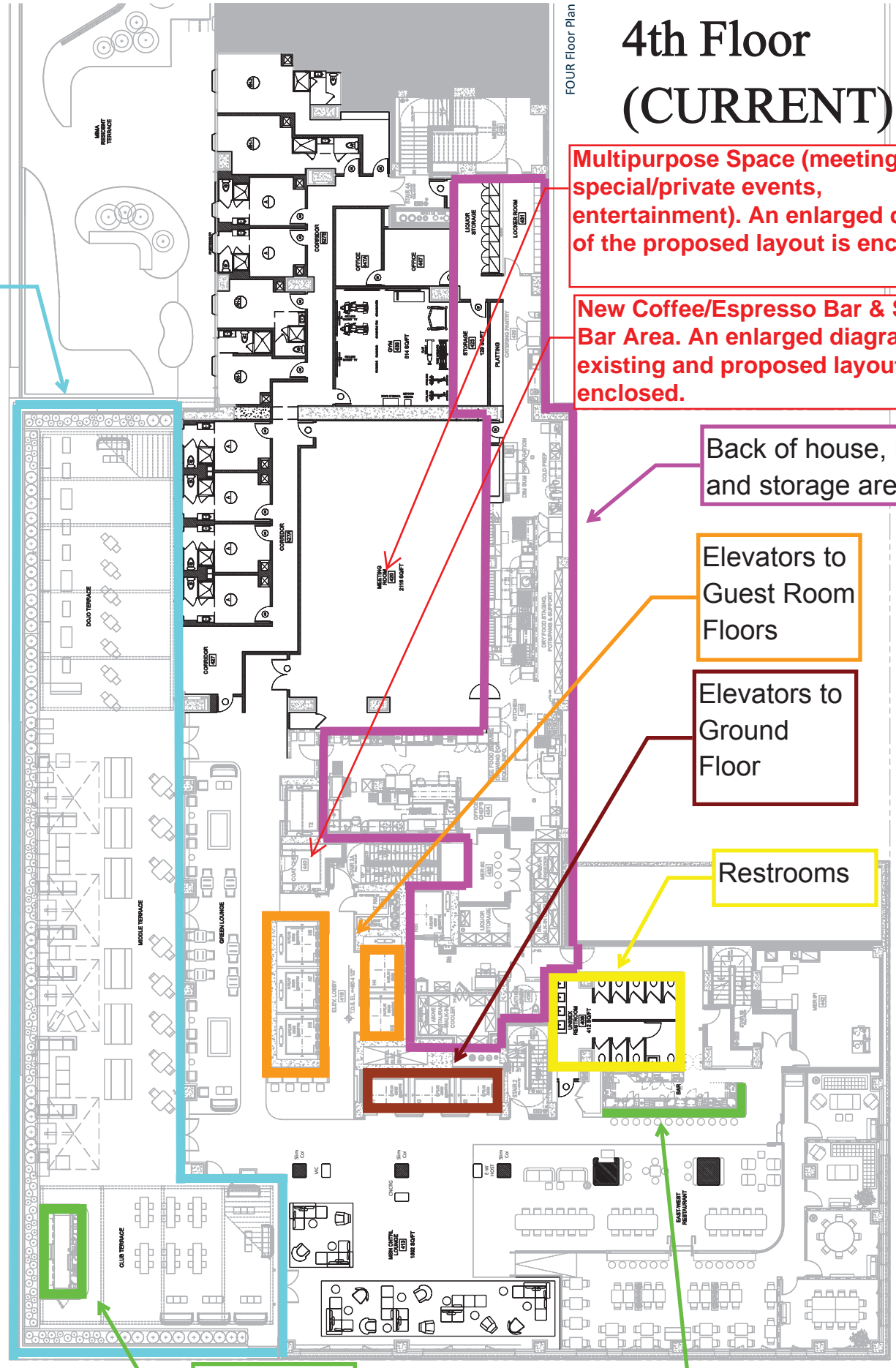
Elevators to Ground Floor

Restrooms

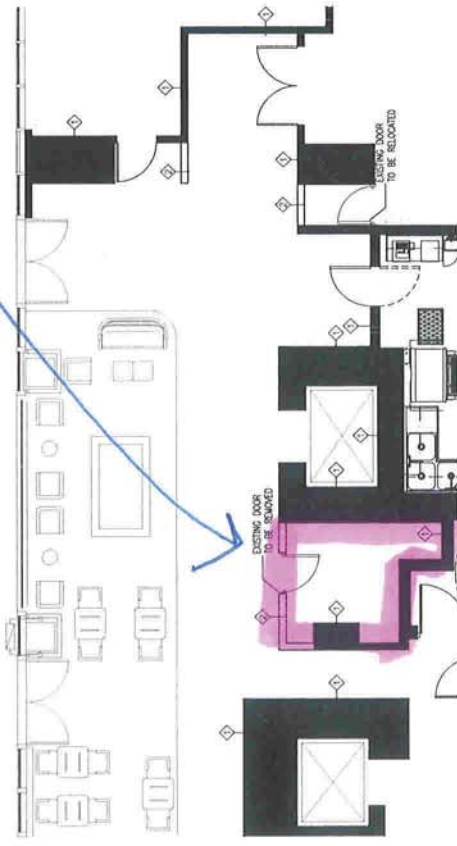
Add'l Bar

Main Bar

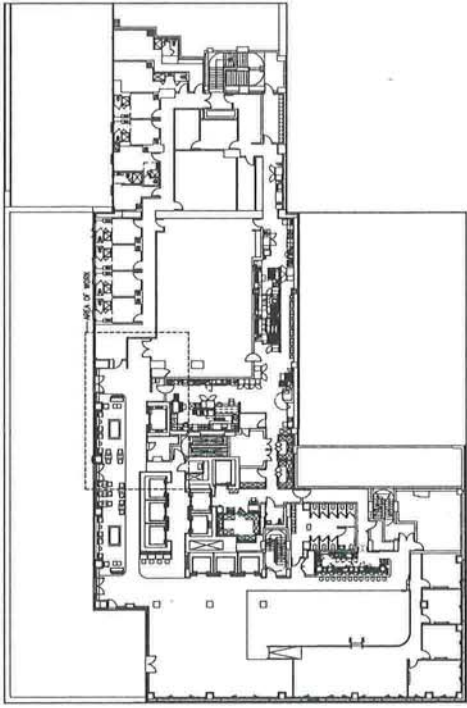
Outdoor Space



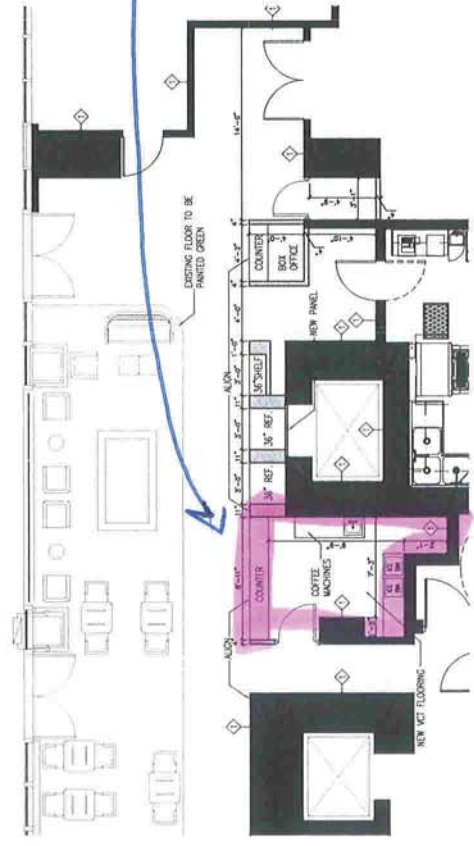
CURRENT COAT ROOM



1 DEMOLITION FLOOR PLAN - PARTIAL FOURTH FLOOR
SCALE: 1/4" = 1'-0"
A-100



3 LOCATION PLAN
SCALE: 1/4" = 1'-0"
A-100



2 PROPOSED FLOOR PLAN - PARTIAL FOURTH FLOOR
SCALE: 1/4" = 1'-0"
A-100

PROPOSED COFFEE
& SERVICE BAR

ME ARCHITECT P.C.
Architect P.C.
100 W. 11th Street, 10th Floor, New York, NY 10011
Tel: 212.336.6666
Fax: 212.336.6667
www.me-architect.com

NOTES:
ALL DRAWINGS AND SPECIFICATIONS SHALL BE THE PROPERTY OF ME ARCHITECT P.C. AND SHALL NOT BE REPRODUCED OR COPIED WITHOUT THE WRITTEN CONSENT OF ME ARCHITECT P.C.

DATE: 01/15/2010

PROJECT: NEW COFFEE BAR

CLIENT: NEW COFFEE BAR

LOCATION: 570 10TH AVENUE, 4TH FLOOR, NEW YORK, NY 10036

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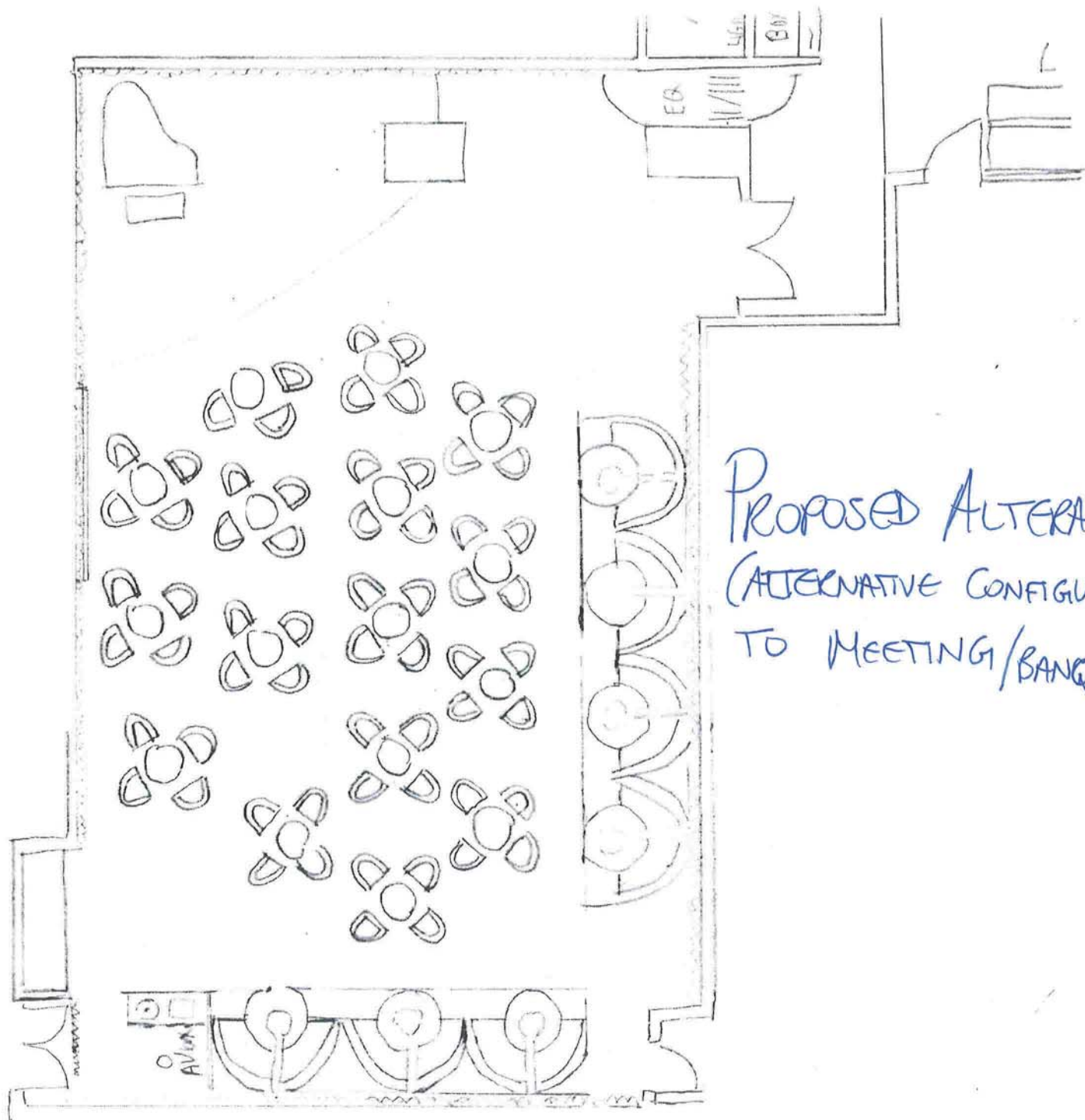
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DATE: 01/15/2010

PROJECT: NEW COFFEE BAR

CLIENT: NEW COFFEE BAR



PROPOSED ALTERATION
(ALTERNATIVE CONFIGURATION)
TO MEETING/BANQUET

TAB 3


[CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

NYC Department of Buildings Property Profile Overview

570 TENTH AVENUE

10 AVENUE 562 - 574
WEST 42 STREET 432 - 492

MANHATTAN 10036

Health Area : 4500
Census Tract : 115
Community Board : 104
Buildings on Lot : 1

BIN# 1088437

Tax Block : 1051
Tax Lot : 7502
Condo : YES
Vacant : NO

[View DCP Addresses...](#) [Browse Block](#)

[View Zoning Documents](#)

[View Challenge Results](#)

[Pre - BIS PA](#)

[View Certificates of Occupancy](#)

Cross Street(s): WEST 41 STREET, WEST 42 STREET

DOB Special Place Name:

DOB Building Remarks:

Landmark Status:

Special Status: N/A

Local Law: NO

Loft Law: NO

SRO Restricted: NO

TA Restricted: NO

UB Restricted: NO

Environmental Restrictions: HAZMAT/NOISE

Grandfathered Sign: NO

Legal Adult Use: NO

City Owned: NO

Additional BINs for Building: [1026337](#)

Special District: UNKNOWN

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, Coastal Erosion Hazard Area, or Special Flood Hazard Area. [Click here for more information](#)

Department of Finance Building Classification: R0-CONDOMINIUMS

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

	Total	Open	Elevator Records
Complaints	91	1	Electrical Applications
Violations-DOB	196	12	Permits In-Process / Issued
Violations-ECB (DOB)	79	0	Illuminated Signs Annual Permits
Jobs/Filings	253		Plumbing Inspections
ARA / LAA Jobs	7		Open Plumbing Jobs / Work Types
Total Jobs	260		Facades
Actions	389		Marquee Annual Permits
OR Enter Action Type: <input type="text"/>			Boiler Records
OR Select from List: <input type="text" value="Select..."/>			DEP Boiler Information
AND <input type="button" value="Show Actions"/>			Crane Information
			After Hours Variance Permits

If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

Certificate of Occupancy

CO Number: 104844581T032

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A. Borough: Manhattan Address: 440 WEST 42 STREET Building Identification Number (BIN): 1088437	Block Number: 01051 Lot Number(s): 53 Building Type: New	Certificate Type: Temporary Effective Date: 12/14/2016 Expiration Date: 03/14/2017
<i>For zoning lot metes & bounds, please see BISWeb.</i>		
B. Construction classification: 1-A (1968 Code) Building Occupancy Group classification: J2 (1968 Code) Multiple Dwelling Law Classification: HAEA No. of stories: 59 Height in feet: 627 No. of dwelling units: 1483		
C. Fire Protection Equipment: Standpipe system, Fire alarm system, Sprinkler system		
D. Type and number of open spaces: None associated with this filing.		
E. This Certificate is issued with the following legal limitations: Easement(s) - Recording Info: MTA EASEMENT		
Outstanding requirements for obtaining Final Certificate of Occupancy: There are 22 outstanding requirements. Please refer to BISWeb for further detail. Borough Comments: None		



Borough Commissioner



Commissioner

Certificate of Occupancy

CO Number: 104844581T032

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL		100	B-2		2, 5	ACCESSORY OFF STREET PARKING GARAGE (158 SPACES), STORAGE
CEL	1	75	E		2	PARKING ATTENDANTS OFFICE
CEL		75	D-2		2	FIRE PUMP ROOM, UTILITY ROOMS, ELECTRIC ROOMS, TELECOM ROOMS, COMPACTOR ROOM, ELEVATOR MACHINE ROOMS
SUB		OG	B-1		2	FUEL OIL STORAGE ROOM
SUB		OG	B-2		2, 5	ACCESSORY OFF STREET PARKING GARAGE (188 SPACES), STORAGE, LOCKER ROOMS
SUB	1	OG	E		2	SUPER'S OFFICE AND WORKSHOP, BREAKROOM, TEMPORARY AMENITIES, BASKETBALL COURT AND RESTROOMS
SUB		OG	D-2		2	UTILITY AND MECHANICAL EQUIPMENT ROOMS, ELEVATOR MACHINE ROOM
001	274	100	F-4		6	EATING & DRINKING ESTABLISHMENT AND KITCHEN
001		100	J-1 D-2		5	MECHANICAL EQUIPMENT ROOMS, LAUNDRY, HOUSEKEEPING
001		100	D-1		5	THREE (3) LOADING BERTHS
001		100	F-1A B-2 D-2		8A	THEATRE LOBBY, BOX OFFICE, STORAGE AND MECHANICAL EQUIPMENT ROOMS
001		100	D-2		2	CON-ED VAULTS, MECHANICAL EQUIPMENT ROOMS



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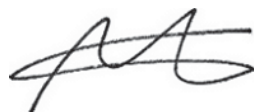
Certificate of Occupancy

CO Number: 104844581T032

Permissible Use and Occupancy

All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.

Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
001		100	J-2 D-2		2	MECHANICAL EQUIPMENT ROOMS, STORAGE
001		100	J-1 D-2		5	HOTEL LOBBY
001		100	J-2 D-2		2	RESIDENTIAL LOBBY- RENTAL-RESIDENTIAL LOBBY-CONDO
002	50	100	F-3		8A	REHEARSAL STUDIO #1
002	269	100	F-1A		8A	THEATRE #2
002	50	100	E D-2		8A	MECHANICAL EQUIPMENT ROOMS, DRESSING ROOMS
002	299	100	F-1A		8A	THEATRE #1
002	199	100	F-1A		8A	THEATRE #3
002	120	100	F1-A		8A	REHERSAL STUDIO #2
003		75	D-2		2	MECHANICAL EQUIPMENT ROOMS
003		100	B-2		2	LOCKER ROOMS
003	23	50	F-3 E		2	ACCESSORY OFFICES, DOG PLAY ROOM



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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
003	105	100	F-4		2	PARTY ROOM 1 & PARTY ROOM 2 (BANQUET ROOM), ACCESSORY OUTDOOR RECREATION (OUTDOOR RECREATION NON SIMULTANEOUS WITH INDOOR OCCUPANCY, (105) INDOOR & (24) OUTDOOR)
003	85	50	E D-2		5	HOTEL OFFICES, HOTEL STAFF CREW ROOM, MECHANICAL EQUIPMENT ROOMS
003	489	100	F-3		2	ACCESSORY GYM, POOL, LOUNGE, PANTRY, GAME ROOM, BUSINESS CENTER, ACCESSORY OUTDOOR RECREATION (NORTH & SOUTH TERRACES) (OUTDOOR RECREATION) (NORTH & SOUTH TERRACES) NON -SIMULTANEOUS WITH INDOOR OCCUPANCY, (296) INDOOR & (489) OUTDOOR) (EXCEPT TERRACES)
004	10	100	B-2 E		5	ACCESSORY OFFICES & STORAGE
004		75	D-2		5	MECHANICAL EQUIPMENT ROOMS
004	316	100	F-4 D-2		5	EATING & DRINKING ESTABLISHMENT, CLUB ROOM, ACCESSORY HOTEL GYM, KITCHEN
004		40	J-2	6	2	SIX (6) APARTMENTS
004	7	75	D-2		2	MECHANICAL EQUIPMENT ROOMS
004	10		E			ACCESSORY OFFICES
004	142	100	F-4		5	ASSEMBLY OUTDOOR RECREATION (EATING & DRINKING)
005		40	J-2	8	2	EIGHT (8) APARTMENTS



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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
005		75	D-2		2	TELECOM & ELECTRIC ROOMS
005		40	J-1	17	5	SEVENTEEN (17) HOTEL ROOMS
005		75	D-2		5	BUTLERS ROOM, HOUSEKEEPING & TELECOM ROOMS
006 009		40	J-2	17	2	SEVENTEEN (17) APARTMENTS PER FLOOR
006 019		40	J-1	37	5	THIRTY SEVEN (37) HOTEL ROOMS PER FLOOR
006 019			D-2		2	TELECOM & ELECTRICAL ROOMS PER FLOOR
006 019			D-2		5	HOUSEKEEPING, TELECOM ROOMS PER FLOOR
010 019		40	J-2	17	2	SEVENTEEN (17) APARTMENTS PER FLOOR
020		40	J-2	16	2	SIXTEEN (16) APARTMENTS
020			D-2		2	TELECOM & ELECTRICAL ROOMS
020		40	J-1	37	2	THIRTY SEVEN (37) HOTEL ROOMS
020			D-2		5	HOUSEKEEPING & TELECOM ROOMS
021			D-2		5	HOUSEKEEPING & TELECOM ROOMS



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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
021			J-2 D-2	16	2	SIXTEEN (16) APARTMENTS (TELECOM AND ELECTRIC ROOMS)
021		40	J-1	35	5	THIRTY-FIVE (35) HOTEL ROOMS
022			J-2 D-2	16	2	SIXTEEN (16) APARTMENTS, TELECOM & ELECTRIC ROOMS
022		40	J-1	31	2	THIRTY (31) ONE HOTEL ROOMS
022			D-2		5	HOUSEKEEPING & TELECOM ROOMS
023		40	J-2	16	2	SIXTEEN (16) APARTMENT
023			D-2		2	TELECOM & ELECTRIC ROOMS
023	64	40	J-1	31	5	THIRTY-ONE (31) HOTEL ROOMS
023			D-2		5	HOUSEKEEPING AND TELECOM ROOMS
024			D-2		2	TELECOM & ELECTRIC ROOMS
024			D-2		5, 2	BOILER ROOM & MECHANICAL ROOM
024		40	J-2	16	2	SIXTEEN (16) APARTMENTS
025		40	J-2	14	2	FOURTEEN (14) APARTMENT



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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
025			D-2		2	MECHANICAL EQUIPMENT ROOMS
025			D-2		5	HOTEL ELEVATOR MACHINE ROOM
026		40	J-2	15	2	FIFTEEN (15) APARTMENTS
026			D-2		2	ELECTRIC & TELECOM ROOM
027 028		40	J-2	16	2	SIXTEEN (16) APARTMENTS PER FLOOR
027 033			D-2		2	ELECTRIC & TELECOM ROOMS PER FLOOR
029 033		40	J-2	16	2	SIXTEEN (16) APARTMENTS PER FLOOR
034			D-2		2	ELECTRIC AND TELECOM ROOMS
034		40	J-2	16	2	SIXTEEN (16) APARTMENTS
035 036		40	J-2	15	2	FIFTEEN (15) APARTMENTS PER FLOOR
035 042		75	D-2		2	ELECTRIC & TELECOM ROOMS PER FLOOR
037 043		40	J-2	15	2	FIFTEEN (15) APARTMENTS PER FLOOR
044		40	J-2 D-2	14	2	FOURTEEN (14) APARTMENTS) ELECTRIC & TELECOM ROOMS



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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
045		40	J-2	12	2	TWELVE (12) APARTMENTS
045		75	D-2		2	ELECTRIC & TELECOM & MECHANICAL EQUIPMENT ROOMS
046		40	J-2	13	2	THIRTEEN (13) APARTMENTS
046		75	D-2		2	TELECOM ROOMS/ELECTRIC ROOM
047 048		40	J-2	12	2	TWELVE (12) APARTMENTS PER FLOOR
047 048		75	D-2		2	ELECTRIC & TELECOM ROOMS PER FLOOR
049		75	D-2		2	ELECTRIC AND TELECOM ROOMS, ELEVATOR MACHINE ROOM
049		40	J-2	11	2	ELEVEN (11) APARTMENTS
050 055		40	J-2	12	2	TWELVE (12) APARTMENTS PER FLOOR
050 055		75	D-2		2	ELECTRIC AND TELECOM ROOMS PER FLOOR
056 059		40	J-2	11	2	ELEVEN (11) APARTMENTS PER FLOOR
056 059		75	D-2		2	ELECTRIC TELECOM ROOM PER FLOOR
RO F		75	D-2		2	ELEVATOR MACHINE ROOM



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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
PEN		75	D-2		2	MECHANICAL EQUIPMENT ROOMS/ELEVATOR RUN-BY
PEN		75	D-2		2	MECHANICAL EQUIPMENT ROOMS, ELEVATOR MACHINE ROOM (RESIDENTIAL)

NOTE: USES LOCATED ON THE GROUND FL LEVEL OR WITHIN FIVE FEET OF CURB LEVEL SHALL BE LIMITED TO RETAIL, PERSONAL SERVICE OR AMUSEMENT USES PERMITTED BY THE UNDERLYING ZONING DISTRICT REGULATIONS BUT NOT INCLUDING USES IN USE GROUP 6B, 6F, 7C, 8C, 9B, 10B, 11 & 12D OR AUTOMATILE SHOWROOMS EASEMENT GRANTED FOR SUBWAY MECHANICAL EASEMENTS AND SUBWAY STATION IMPROVEMENTS..APPLICATION N90156ZCM, PURSUANT TO SEC 96-25 OF THE NYC RESOLUTION, FOR THE INCLUSION OF AN ADDITIONAL 3.0 FAR AS A F AREA BONUS FOR A NEW LEGITIMATE THEATRE USE HAS BEEN CERTIFIED BY THE CPC. THE BONUS REQUIRE THAT 63,933SF MUST BE USED AS LEGITIMATE THEATRE SPACE. INCLUSIONARY HOUSING BONUS RECEIVED FOR BOTH ON SITE NEW CONSTRUCTION & OFF-SITE INCLUSIONARY HOUSING. ON-SITE LOWER INCOME HOUSING 25,008SF PROVIDED THAT GENERATES BONUS AT A RATE OF 3.7SF. OFF SITE INCLUSIONARY HOUSING OF 11,335SF PROVIDED THAT GENERATES A BONUS OF 45,430SF AT A RATE OF 4.0SF

END OF SECTION



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Proximity Report for Location:

January 3, 2017

570 10 Ave, New York, NY, 10036

* 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.

Closest Liquor Stores

Name	Address	Approx. Distance
42 & 10TH SPIRITS LTD	507 W 42ND STREET	285 ft
GRACE WINE & SPIRITS INC	610 10TH AVENUE	680 ft
589 NINTH AVENUE CORP	589 9TH AVENUE	850 ft
GRAND CRU WINE \$ SPIRITS INC	560 11TH AVE	985 ft
ODYSSEY WINE & SPIRITS INC	490 10TH AVE	1020 ft
VERITAS STUDIOS INC	527 W 45TH ST	1105 ft
SHILORI INC	486 9TH AVENUE	1395 ft

Churches within 500 Feet

Name	Approx. Distance
Saint Raphael's Croatian Catholic Church	385 ft

Schools within 500 Feet

Name	Address	Approx. Distance
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On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
42ND&10THHOTELL;42ND&10THUSOPCP;YOTEL	570 10TH AVENUE 4TH FL	125 ft
42ND KAVA AND KAVA MIMA ASSOCIATES LLC	470 W 42ND ST	235 ft
42ND STREET HOTEL LLC 42ND STREET KITCHEN LLC	508 510 W 42ND ST	275 ft
SIGNATURE THEATRE COMPANY INC	450 W 42ND ST	340 ft
ROSIERAE'S INC	500 W 43RD ST	395 ft
DIVISION ONE MANAGEMENT GROUP INC	500 W 43RD ST	435 ft
MR BIGGS BAR & GRILL INC	596 10TH AVE	460 ft
CANARD INC	503 W 43RD STREET	490 ft
WEST SIDE STEAKHOUSE LLC	597 10TH AVENUE	520 ft
THEATRE ROW RESTAURANT INC	424 WEST 42ND STREET	545 ft
599 TENTH AVENUE CORP	599 10TH AVE	550 ft
THEATRE REFRESHMENT CO OF NY INC & MIDSUMMER	422 W 42ND ST	570 ft
PIO PIO OCHO INC	604 10TH AVE	585 ft
SWEET CONCESSIONS INC	416 W 42ND ST	650 ft

Name	Address	Approx. Distance
CHESEBROUGH ROSEPHINE LTD	414 W 42ND STREET	670 ft
TOR RESTAURANT LLC	607 10TH AVE	685 ft
OLLIES 42ND LLC	411 W 42ND STREET	715 ft
42ND STREET DEVELOPMENT CORP	410 WEST 42ND STREET	720 ft

Pending Licenses within 750 Feet

Name	Address	Approx. Distance
CREATIVE FOOD CRAFTS LLC	500B W 42ND ST	165 ft
460 WINE MARKET INC	460 W 42ND ST	270 ft
510 W42 HOTEL OPERATING LLC	510 W 42ND ST	345 ft

Unmapped licenses within zipcode of report location

Name	Address
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TAB 4

Hotel Sheraton
New York-New York

Premises Photographs

Other areas of 4th Floor



Hotel New York
A New York
New York

Premises Photographs



TAB 5

mezze	18
hummus • tahini • tzatziki charred eggplant • labane • red pepper salad served with laffa - homemade flatbread	
light	
the cantine cauliflower • green tahini • mint • “green fire” • toasted almonds • za’atar • paprika • feta • cilantro	12
the carrot steak • homemade mozzarella • carrot pesto • paprika oil • spiced crumble • micro fennel • toasted almonds • cilantro • mint	12
octopus carpaccio • shallots • black eggplant puree • walnut cream • carrots	15
tuna tartar • pomegranate & sumac foam • pickled beet • labane cheese • beet chips • red mustard	14
medium	
mediterranean style salad • eggplant • cured lemon • tahini • sumac • onions • shaved egg • cilantro • lemon • olive oil	14
gnocchi a la israel • charred eggplant • mushrooms • garlic confit • cumin • olive oil	15
“bar-vaz” duck • carrot puree • peanuts crumble • honey	19
skin charred sea bream • “hraieme” crema • charred leeks • smoked red peppers • chickpeas • lemon juice • olive oil • root vegetable puree	19
jaffa to tijuana • pork belly • mexican corn • jerusalem bagel • feta cheese • pomegranate-mustard seed glaze • smoked paprika	23
hearty	
persian lamb couscous • homemade couscous • persian lemon broth • herbs • lamb loin • garden carrots • king oysters smoked mushrooms • tahini	26
quartered chipotle chicken • lentil ragout • charred leek • yogurt • zucchini • micro leaves • olive oil	27
the “not kosher” bbq • pork short ribs • homemade bbq sauce • potato wedges • za’atar • “green fire” • labane dip • kohlrabi salad	28
om kalthoum steak • chanterelle mushrooms • cauliflower puree • shaved daikon • smoked corn • fava beans	31

TAB 6