



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JOHN WEIS
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

December 7, 2010

Dennis Rosen
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

Re: Northquay Properties LLC, Avenue Restaurant LLC & Circadian F&B Mgt. LLC
346 W. 17th Street (btwn. Eighth and Ninth Avenue)
Las Ramblas Restaurant LLC
346 W. 17th Street (btwn. Eighth and Ninth Avenue)
346 Lounge LLC
346 W. 17th Street (btwn. Eighth and Ninth Avenue)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends *denial* of the three applications referenced above *unless* the following stipulations, agreed to by the applicant, are part of this establishment's method of operation.

All three applications have been submitted and presented by Hampshire Hotels & Resorts, LLC, known as Dream Hotel. When Hampshire Hotels purchased the property in 2006 they came before this Board for a variance. As a condition to our support they agreed and it was put into the variance by the Board of Standard and Appeals that any establishment would operate as a use group 5 and/or 6 and that there would be no use group 10 (nightclubs). The three applications here are in compliance with this condition.

We will discuss each application separately.

Northquay Properties LLC, Avenue Restaurant LLC & Circadian F&B Mgt. LLC

This application consists of a liquor license for a ground floor restaurant (128 seats), ground floor lounge (78 seats), 2nd floor pool deck (115 seats; 21 indoor/94 outdoor), small basement venue, guestroom mini-bars, and conference/meeting room. The stipulations follow:

- The applicant agrees to abide by the seating numbers presented to the committee; the seating capacity of any establishment will not exceed 300.

- The ground floor restaurant, lounge and basement venue will be fully enclosed and will have a sound-treated ceiling to assure that any sound generated will be effectively baffled and contained as well as possible within the space.
- There will be no set show times, no cover charge.
- The 2nd floor pool deck will close at 11:00 p.m. every day.
- The establishment will erect an eight foot noise barrier wall to partially shield the pool deck.
- The loudspeakers at the 2nd floor pool deck will be placed downward to reduce noise and spaced out in such a way to limit the volume of the system.

Las Ramblas Restaurant LLC

This application is for a basement level restaurant with 65 seats. It will feature the food of Chef Miguel Sanchez Romero of Barcelona, Spain. The stipulations follow:

- The applicant agrees to abide by the seating numbers presented to the committee; the seating capacity of any establishment will not exceed 300.
- There will be no set show times, no cover charge.

346 Lounge LLC

This application is for a rooftop indoor and outdoor lounge with a full kitchen. There will be 70 outdoor seats with 23 tables and 107 indoor seats with 19 tables. The stipulations follow:

- The applicant agrees to abide by the seating numbers presented to the committee; the seating occupancy of any establishment will not exceed 300.
- Speaker placement and orientation will be made so as to minimize the sound energy transferred to adjacent buildings.
- More speakers than normal will be used so as to allow for lower overall volume per speaker. There will be no use of sub-woofers, outside.
- The parapet wall has been designed in such a way not to allow drinks to rest upon it and at a height to send the sound in a downward direction as it travels outward toward adjacent buildings.
- Access to the parapet wall has been limited by landscaping that will push patrons further towards the center of the property and away from the property line.
- Due to the sloping nature of the façade the parapet walls are set back 20 feet from the property line.
- After opening, the applicant will be amendable to evaluating the operation of the lounge and its noise generation as it receives feedback from its neighbors.

- There will be no set show times, no cover charge.

There was one stipulation with the rooftop that the applicant would not agree to. The Board voted that the rooftop be closed at 10:00 p.m. from Sunday to Thursday and at 11:00 p.m. from Friday to Saturday. This is in keeping with the Board's rooftop policy. The Board opposes the granting of any liquor license for the rooftop lounge if this stipulation is not a part of the method of operation.

Signed copies of the stipulations agreed to for each application are enclosed.

Sincerely,

[signed 12/7/10]

John Weis
Chair
Manhattan Community
Board 4

[signed 12/7/10]

Paul Seres
Co-Chair
Business License & Permits
Committee - South

[signed 12/7/10]

Burt Lazarin
Co-Chair
Business License & Permits
Committee - South

cc: License Division, NYS SLA
Hampshire Hotel & Resorts LLC, Eran Nornberg
Capalino & Co., George Fontas
NYC Council Speaker Christine Quinn
NYS Senator Thomas Duane
NYS Assemblyman Richard Gottfried
Council of Chelsea Block Associations, William Borock