

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT The Highline Hotel LLC & Tenth Avenue Hotel Managemnet LLC as Manager		DOING BUSINESS AS (DBA) The Highline Hotel	
STREET ADDRESS 180 Tenth Avenue		CROSS STREETS W 20 th & 21 st Street	
OWNER	NAME: The Highline Hotel LLC	REPRESENTATIVE	NAME: Donald Bernstein
	PHONE:		PHONE: 212-486-6000
	FAX:		FAX: 212-486-8668
MANAGER	NAME: Osama Aduib	LANDLORD	NAME: N/A
	PHONE: 212-929-3888		PHONE:
	FAX: 646-717-9728		FAX:

DESCRIPTION OF BUSINESS

Establishment Type:

Bar/Tavern
 Bed & Breakfast
 Eating Place Beer
 Cabaret
 Night Club
 Hotel
 Restaurant

Catering Establishment
 Club (Fraternal Organization – Members Only)

Other (Explain):

Method of Operation:

Restaurant
 Dance Club
 Sports Bar
 Adult Entertainment
 Wine Bar
 Pizzeria
 Cafe

Other (Explain): Hotel with a restaurant

License Type:

On-Premise
 Wine
 Beer
 Wine & Beer

APPLICATION TYPE (check one)	<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	YES	<input checked="" type="checkbox"/> NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input type="radio"/> Transfer	What is the prior license #?		
		What is the expiration date on the prior license?		
		Are you making any alterations or operational changes?	YES	<input type="checkbox"/> NO
		<i>If alterations or operational changes are being made, please attach the plans to this form.</i>		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
<i>Please describe the nature of the alterations and attach the plans</i>				

OPERATIONAL ISSUES										
HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY		
	Operation	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	
	Music	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	
	Kitchen	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	7 a.m. – 10 p.m.	
OCCUPANCY	INDOOR				BAR			OUTSIDE		
	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 Bars	Number of Seats	Number of Tables	
	525	160	8	20	0	1	5	36	12	
How many floors are there? What is the capacity for each floor? (please respond in space provided)					1-2	3-4	<input checked="" type="checkbox"/>	Lobby: 75; Floors 1-5: 90 per floor		
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)					YES	<input type="checkbox"/>	N/A			
Will applicant have bottle service?					YES	<input type="checkbox"/>	N/A			
Will you be hosting private parties and promotional events?					<input checked="" type="checkbox"/>	NO	N/A			
Will outside promoters be used?					YES	<input type="checkbox"/>	N/A			
Will the security plan submitted be implemented?					<input checked="" type="checkbox"/>	NO	N/A	See attached		
Will State certified security personnel be used?					<input checked="" type="checkbox"/>	NO	N/A			
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?					YES	<input type="checkbox"/>	N/A			
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)					YES	<input type="checkbox"/>	N/A			
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)					YES	<input type="checkbox"/>	N/A			
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)					YES	NO	<input type="checkbox"/>			
Will applicant provide contact information to neighbors and respond to complaints that arise?					<input checked="" type="checkbox"/>	NO	N/A			
If you plan to have music, what type(s)?			<input checked="" type="checkbox"/> BACKGROUND	LIVE MUSIC	DJ	Ambient music				
BUILDING DESIGN										
Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.					<input checked="" type="checkbox"/>	NO	N/A			
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="checkbox"/>	NO	N/A	If necessary		
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)					YES	NO	<input type="checkbox"/>			

OUTDOOR ITEMS				
Will applicant use the rooftop, rear yard or any outdoor space?	<input checked="" type="checkbox"/> YES	NO	N/A	Front & back courtyard space
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	<input checked="" type="checkbox"/> YES	NO	N/A	
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	<input checked="" type="checkbox"/> YES	NO	N/A	
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	<input checked="" type="checkbox"/> YES	NO	N/A	
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="checkbox"/> YES	NO	N/A	
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="checkbox"/> YES	NO	N/A	
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="checkbox"/> YES	NO	N/A	

LOCATION & ZONING				
Primary Zoning District:	C2-5	Overlay (If Applicable):	R7B	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="checkbox"/> YES	NO	N/A	unknown
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="checkbox"/> YES	NO	N/A	New CofO will issue after renovations
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	<input checked="" type="checkbox"/> YES	NO	N/A	500 Ft. Rule
Is a Public Assembly permit required?	<input checked="" type="checkbox"/> YES	NO	N/A	Already issued
Are your plans filed with DOB?	<input checked="" type="checkbox"/> YES	NO	N/A	
Building Type	<input type="radio"/> Residential <input type="radio"/> Commercial <input type="radio"/> Mixed Use <input checked="" type="radio"/> Other, describe: Transient Hotel			
Adjacent Buildings	<input checked="" type="radio"/> Residential <input type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe:			
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1			
	# 2			
	# 3			

ADDITIONAL INFORMATION: (Applicant Use)

ADDITIONAL NOTES: (Office Use Only)

- Includes room service & mini bar
- 2 outdoor spaces - closed & vacated by 10PM
 - front - c/o W-20th & 10th Ave
 - seasonal
 - 12 tables / 2 tops = 24 seats
 - seated food service
- Interior/rear patio
 - seasonal
 - 8 tables / 2 tops = 16 seats
- will supply \rightarrow drawings / seating plans in advance of full board.
- will consult with sound engineer and pursue sound mitigation efforts & materials.
- will adhere to sidewalk cafe opening hour guidelines on weekends.
- No music outside
- will post job openings on CB website

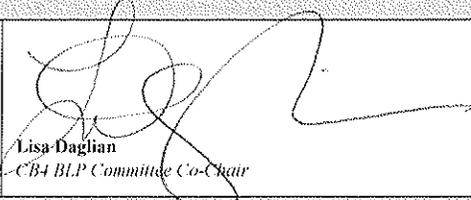
ADDITIONAL STIPULATIONS: (Office Use Only)

Manhattan Community Board 4 (MCB4) recommends:

Denial unless all agreed to by applicant is part of the method of operation

Denial Approval

CB4 REPRESENTATIVES

 Nelly Gonzalez CB4 Community Associate	 Lisa Daglian CB4 BLP Committee Co-Chair	 Paul Seres CB4 BLP Committee Co-Chair
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APPLICANT AGREEMENT WITH THE COMMUNITY

Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

SIGN HERE →


SIGNATURE OF APPLICANT

**Tuesday,
November 13, 2012**

DATE

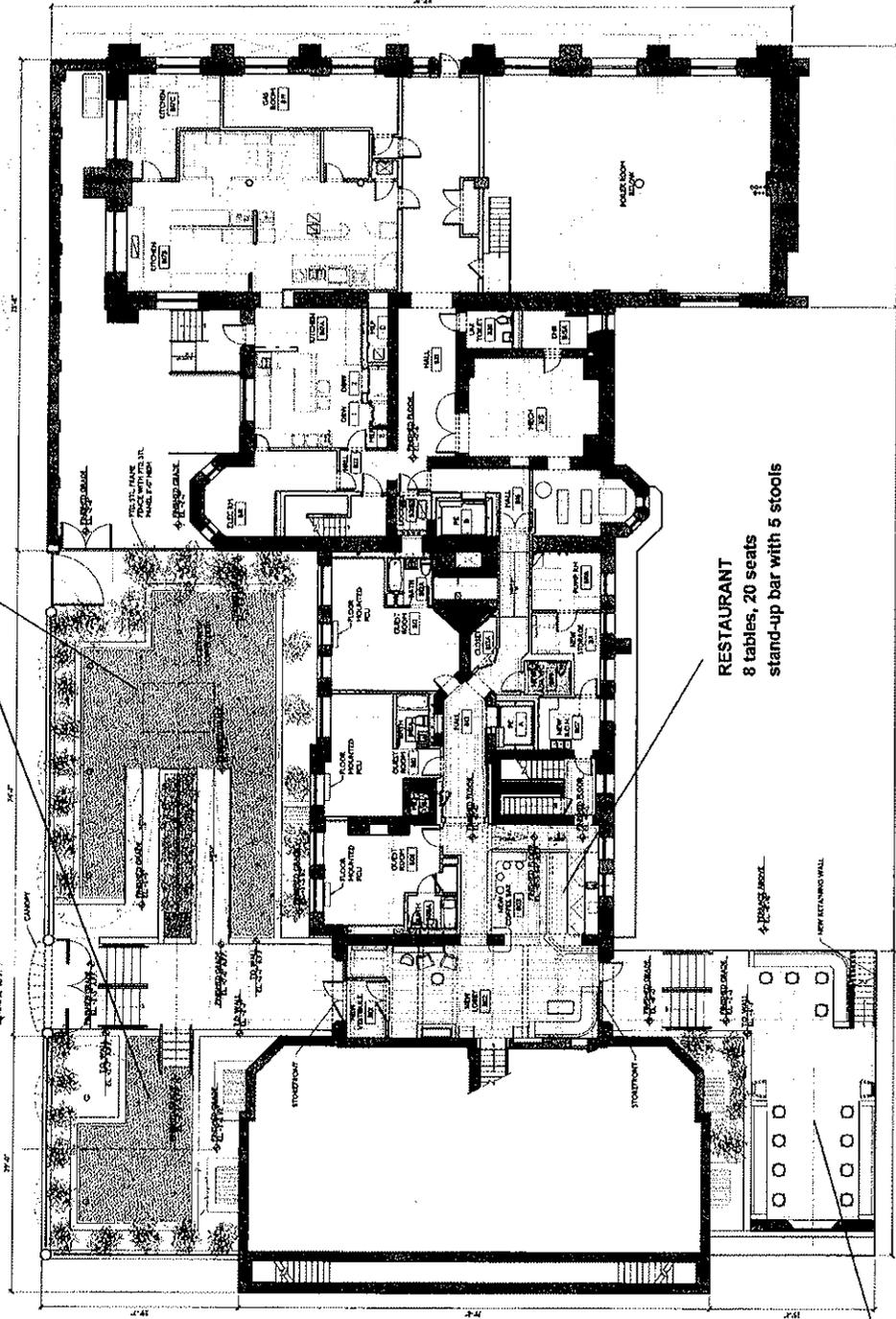
Floor Plans

The Highline Hotel, LLC
180 Tenth Avenue

ENTRANCE

10TH AVENUE

COURTYARD
seating for approx 40



WEST 20TH STREET

WEST 21ST STREET

REAR COURTYARD
seating for approx 15

1 PLANS - BASEMENT

NOT FOR CONSTRUCTION

PLANS - BASEMENT

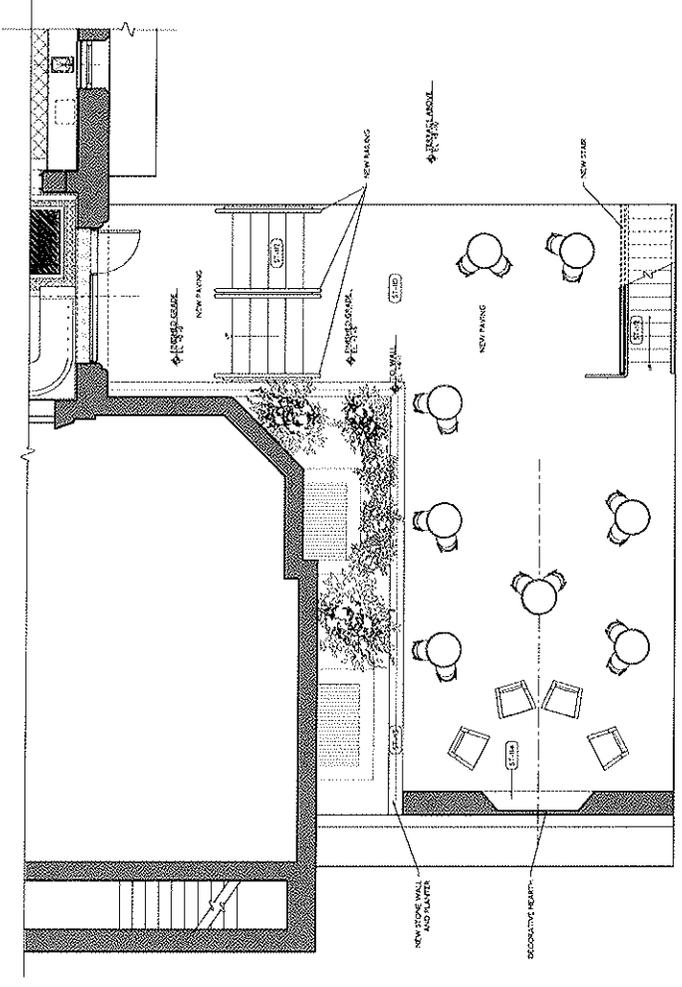
SCALE: 1/8" = 1'-0"

RW²

PROJECT TITLE: HIGHLINE HOTEL
PROJECT ADDRESS: 180 10TH AVENUE, NEW YORK, NEW YORK
DATE: 12 OCTOBER 2012
SHEET NO.: 100B
PLANS - BASEMENT

ROMAN AND WILLIAMS BUILDINGS AND INTERIORS
312 LAUREL STREET, 5TH FLOOR, NEW YORK, NY 10013
PHONE: 212 625 2888 FAX: 212 625 2887 WWW.ROMANANDWILLIAMS.COM

NOT FOR CONSTRUCTION
SCALE: 1/4" = 1'-0"



1 FURNITURE PLAN - REAR COURTYARD
SCALE: 1/4" = 1'-0"

FURNITURE PLAN - REAR COURTYARD

Area Survey

LANDESS-SIMON, INC
45 LAWLINS PARK
WYCKOFF, N.J. 07481

RE: 180 10TH AVENUE

1. TIA POL - 207 10TH AVENUE - 499'
2. THE HIGHLINER - 210 10TH AVENUE - 500'
3. COOKSHOP - 156 10TH AVENUE - 107'
4. MORANS - 146 10TH AVENUE - 286'
5. THE DESMOND TUTU CENTER - 180 10TH AVENUE - 0'

Proposed Menu

The Highline Hotel Restaurant (name TBD)

Menu

Breakfast menu served till 11 am

Continental breakfast

Eggs any style with fried potatoes

choice of bacon and sausages and toast

Omlette with choice of

Spinach, cheese and ham and fried potatoes and toast

ALL DAY MENU

Chicken Salad

Grilled chicken, tomato, crispy onions, white balsamic vinaigrette

Smoked Salmon Salad

With spinach, caramelized onion vinaigrette and pickled celery

Swordfish Club

Grilled swordfish, lettuce tomato, avocado, pickle, potato crisps

Spaghetinni

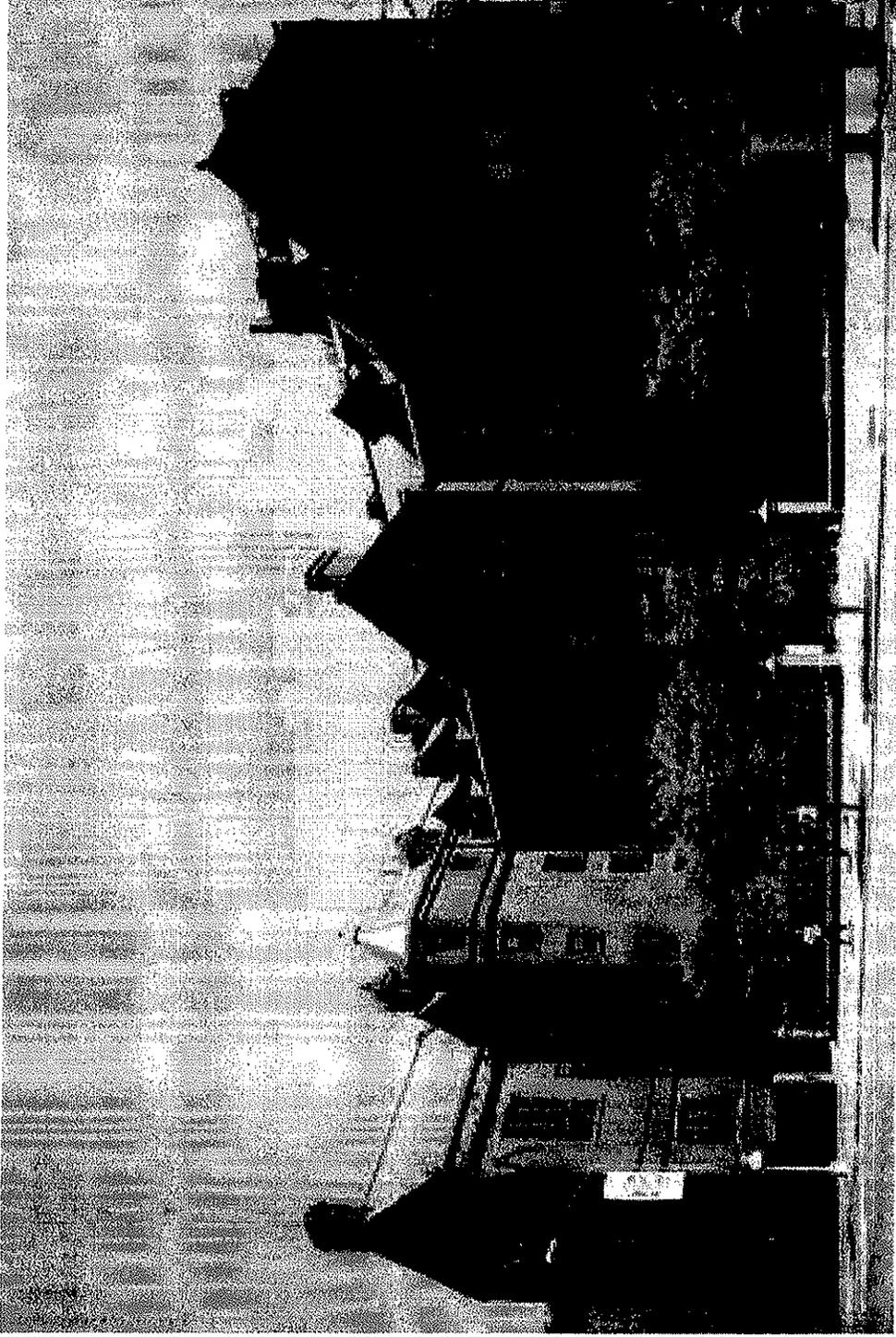
With Spanish chorizo, lump crab, roasted tomato, charred scallion, basil oil

Prime Steak strip

Dry aged 30 days, housebutter and choice of daily sides

Exterior Photograph

Exterior on 10th Avenue



Public Interest Statement

PUBLIC INTEREST STATEMENT - 500' RULE STATEMENT

RE: The Highline Hotel, LLC & Tenth Avenue Hotel Management LLC
180 Tenth Avenue
New York, NY 10011

The subject premises is a small hotel located on 10th Avenue and 20th Street, in the heart of Chelsea and within walking distance of the High Line, Chelsea Market, Chelsea Piers and the Meatpacking District.

The premises is adjacent to and shares the same address as the Desmond Tutu Conference Center and is part of the larger campus of the General Theological Seminary. All but a few of the campus buildings, including the hotel, were built in the 1800's and hold United States and New York Landmark status. The hotel offers convenient accommodations for those attending events at the Conference Center and the Seminary as well as for tourists visiting the area.

The hotel is five floors with just 60 guest rooms and combines the charm of its 19th-century Gothic architecture with all of the modern comforts. The applicant intends to renovate the lobby and add a small restaurant. The restaurant will have approximately 8 tables with 20 seats. The hotel will, of course, be open 24 hours daily and will have mini bars in each guest room. The restaurant will be open daily from 7AM to 10PM. There will be a small stand-up bar in the restaurant with 5 bar stools. During the morning and afternoon hours the stand-up bar will serve primarily as a coffee bar and in the evenings will serve alcoholic beverages. There will not be any live music at the premises, only recorded ambient music.

There are two outside courtyard areas, one on the 10th Avenue side of the premises, before you enter the hotel and a small rear courtyard space which is accessed from the back of the lobby. Both spaces will be updated with new furniture and landscaping. The front courtyard garden is set back from and a few steps below grade of 10th Avenue. It will have small café-style tables and seats for approximately 24 people. The rear courtyard will have couches and chairs for approximately 12. Both courtyard areas will close at 10PM.

The following sub-sections of section 64 of the ABC Law specifically address the statutory requirements for the public convenience and advantage when there are three or more establishments with full liquor licenses within 500 feet of the applicant:

(a) The number, classes and character of licenses in proximity to the location and in particular municipality or subdivision thereof.

There are five locations within a 500 foot radius of the applicant that hold full liquor licenses. One of the five is the Catering Establishment License of the adjacent conference center and two of the five are just within the 500' radius measuring 499' and 500' from the applicant premises. All of these licensed premises are located on Tenth Avenue, a wide and busy street and one that is predominantly commercial near the applicant premises.

(b) Evidence that all necessary licenses and permits have been obtained from the state and all other governing bodies

An updated Certificate of Occupancy or Temporary Certificate of Occupancy will be issued by the New York City Department of Buildings when all renovations are complete. The applicant will apply for any and all necessary licenses, permits and certifications including, but not limited to, Workers Compensation and Disability Insurance, Certificate of Authority to Collect Sales Taxes, Certificate of Assumed Name and Department of Health and Mental Hygiene permit.

(c) Effect of the grant of the license on vehicular traffic and parking in proximity to the location

The premises is currently an operating hotel. The contemplated renovations will add seating only for approximately 56, including the restaurant and both courtyards, many of whom will be hotel guests or visitors to the conference center. Therefore approval of the application and issuance of a Hotel Liquor License will not negatively impact traffic patterns in and around the premises. Further, the premises is located on 10th Avenue, a particularly wide street, is easily accessible by New York City Transit buses and subways as well as New York City taxi cabs and parking garages/parking lots are available in the area, including a public parking garage directly across the street from the premises.

(d) The existing noise level at the location and any increase in noise level that would be generated by the proposed premises

Although there is not presently a Hotel Liquor License at the premises, the hotel is currently open and operating. Due to the nature of the hotel, its location adjacent to the Desmond Tutu Conference Center and the General Theological Seminary, and the 10PM closing hour of the new restaurant and outside courtyards, issuance of the license will clearly not cause an unusual increase in noise levels in this area. It will instead offer a lovely setting in which to enjoy a meal. Again, there will not be any live or loud music at the premises, only ambient music.

(e) The history of liquor violations and reported criminal activity at the proposed premises

There are no known violations or any history of criminal activity at the premises.

Issuance of the instant license will promote the public interest in that it will be a positive contribution to the economy by way of the jobs maintained, continued wages paid, income, sales and other taxes collected, state and local license revenues, and maintenance of the local real estate tax base.

Accordingly, we believe approval of this application and issuance of a Hotel Liquor License will promote the public interest and convenience and the Community Board should so find. We therefore request that the Community Board approve the application.

Security Plan

Security Department

The Highline Hotel

The hotel consists of 60 rooms, an outdoor garden, a coffee bar and a lobby that will house a small restaurant for our guests.

It is in the interest of the hotel and the ownership to keep the hotel patrolled by in house security 7 days a week.

The staffing will be one security guard from 4 pm to midnight and one security guard from 11 pm to 7 am for seven days.

Duties of the security officers who report directly to the property General Manager:

- Patrol the property frequently which will include all guest floors, outdoor spaces
- Respond to guest request if needed.
- Follow through on staff being in their places of work and not anywhere else
- Ensure that guest incidents are documented and resolved in any way possible.
- Be present in the lobby and outdoor garden
- Avoid any loitering and littering of the property and surrounding area of the property.
- Ensure that the last call for the outdoor garden for drinks is at 9:15 pm and that the garden is completely closed by 10 am.
- Patrol all outdoor spaces after 10 pm to avoid any noise created by outside influences as we have hotel guests overlooking the outdoor spaces.
- Ensure that the lobby is secure and that closing hours of the lobby restaurant and bar will be adhered to as the outdoor space.
- Patrol the perimeters to ensure the safety of the property and to only allow proper guests for the public spaces into the property.

- Ensure through constant control that the property is always safe and closing hours are adhered to.

The proper security is of great importance to the hotel to have our guests always feel secure and presence of security will ensure that.



VICTOR & BERNSTEIN, P.C.
ATTORNEYS AT LAW

18 EAST 41ST STREET
NEW YORK, NEW YORK 10017

TEL 212/486-6000
FAX 212/486-8668

SAUL L. VICTOR
DONALD M. BERNSTEIN

MARTHA M. REDO
ALEXANDER B. VICTOR

January 2, 2013

VIA EMAIL

Community Board No. 4
330 West 42nd Street – 26th Floor
New York, NY 10036

Attn.: Ms. Nelly Gonzalez
Community Associate

Re: *The Highline Hotel, LLC & Tenth
Avenue Hotel Management LLC
d/b/a The Highline Hotel ("Applicant")
180 Tenth Avenue
New York, NY 10011*

Dear Nelly:

This will confirm what my client agreed to on December 11, 2012 before the Business Licenses and Permit Committee of Community Board 4.

1. The Applicant will rehire its prior employees who it discharged after Hurricane Sandy, provided however and on condition that they file an application, take and pass a drug test, and meet the Applicant's specific screening procedures and criteria for this hotel.

2. If rehired, those employees will receive seniority credit for their prior period of employment by and with the Applicant.

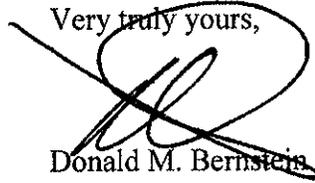
3. Former employees who are rehired will be on probation for the Applicant's standard period of ninety (90) days from the commencement of their re-employment, less the number of days they actually worked for the Applicant before being discharged. It is understood that upon re-employment of any former employees upon the criteria set forth above, they will be and remain at-will employees.

Community Board No. 4
January 2, 2013
Page 2

VICTOR & BERNSTEIN, P.C.
ATTORNEYS AT LAW

4. The Applicant will post the availability of employment on the Community Board's website at such time as it commences rehiring. Additionally, the Applicant will send a written notice to its prior employees advising them that they may reapply. That letter will require those former employees to respond within seven (7) days.

Very truly yours,

A handwritten signature in black ink, appearing to be "DMB", is written over a circular scribble. A diagonal line is drawn across the signature from the top left to the bottom right.

Donald M. Bernstein

DMB:to