

# ORCHARD STREET HOTEL MANAGEMENT LLC

9 ORCHARD STREET  
NEW YORK, NEW YORK 10002

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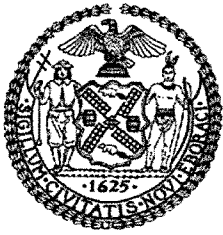
Hotel Liquor License Application  
Manhattan Community Board No. 3  
SLA & DCA Licensing Committee

## **Completed Manhattan Community Board No. 3 Questionnaire**

1. Hotel Supplemental Questionnaire
2. Floor Plans
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10. NYC DOB Property Profile Page

**BERNSTEIN REDO P.C.**  
1177 Avenue of the Americas -5<sup>th</sup> Floor  
New York, New York 10036  
(212) 651-3100

**Completed Manhattan Community Board No. 3 Questionnaire**



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

Alysha Lewis-Coleman, 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](http://www.nyc.gov/html/mancb3/html/communitygroups/community_group_listings.shtml)
- Photographs of proof of conspicuous posting of meeting with newspaper showing date.

Check which you are applying for:

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

Check if either of these apply:

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

Today's Date: September 28, 2018

**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: N/A

If alteration, describe nature of alteration: N/A

Previous or current use of the location: Under renovation since 2012 / Previously site of restaurant (Happy Happy Shabu), kitchen supply store, and offices

Corporation and trade name of current license: N/A

**APPLICANT:**

Premise address: 9 Orchard Street, New York, New York 10002

Cross streets: Allen Street / Canal Street / Orchard Street

Name of applicant and all principals: Orchard Street Hotel Management LLC; Andrew Rifkin and Steven Carter

Trade name (DBA): To Be Determined

**PREMISE:**

Type of building and number of floors: Jarmulowsky Bank Building / Commercial / 14 Floors (plus cellar & sub-cellar)  
HL License will use ground floor, guest room floors 3 - 12

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: Three guestrooms on the 7th floor have terraces (private for use of room guests only)

Does premise have a valid Certificate of Occupancy and all appropriate permits, including for any

back or side yard use?  Yes  No What is maximum NUMBER of people permitted? 261 (116 guest rooms)  
\*PENDING - Under Construction

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):

Commercial / C6-2G

**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: Operation of a hotel

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space) Hotel is 24/7, room service may be available 24/7

Number of tables? 0 Total number of seats? 0

How many stand-up bars/ bar seats are located on the premise? 0

(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): N/A

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

American cuisine (menus annexed to presentation as Attachment 2 of OP Application)

What are the hours kitchen will be open? Room service may be available 24 hours a day

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

How many employees will there be? 116 employees (F&B and Hotel employees)

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

Entire hotel has been renovated, windows replaced with laminated glass to insulate sound

Will there be TVs/monitors?  Yes  No (If Yes, how many?) Televisions in guest rooms only

Will premise have music?  Yes  No

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

If other type, please describe N/A

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

Please describe your sound system: House sound system throughout hotel (not in guest rooms)

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.")

**Traffic Study and Security Plan annexed to presentation as Attachments 6 and 7**

Will there be security personnel?  Yes  No (If Yes, how many and when) \_\_\_\_\_

**Security Plan annexed to presentation as Attachment 7**

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans.

**Sound Report annexed to presentation as Attachment 5.**

Do you have sound proofing installed?  Yes  No

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

**Laminated glass has been used on all windows and mechanical equipment will be enclosed with sound insulating materials**

**APPLICANT HISTORY:**

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

If yes, please indicate name of establishment: \_\_\_\_\_

Address: \_\_\_\_\_ Community Board # \_\_\_\_\_

Dates of operation: \_\_\_\_\_

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 3-5 Essex Street and 1 Ludlow Street

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? 1

How many On-Premise (OP) liquor licenses are within 500 feet? 14

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

**COMMUNITY OUTREACH:**

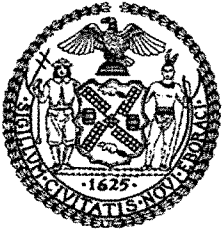
Please see the Community Board website to find block associations or tenant associations in the immediate vicinity of your location for community outreach. Applicants are encouraged to reach out to community groups. Also use provided petitions, which clearly state the name, address, license for which 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 will operate a ~~full-service restaurant, specifically a (type of restaurant)~~ hotel with a restaurant within the building, with a kitchen open and serving food during all hours of operation OR  I have less than full-service kitchen but will serve food all hours of operation.
2.  I will close any front or rear façade 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.
3.  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 \_\_\_\_\_.
4.  I will play ambient recorded background music only.
5.  I will not apply for an alteration to the method of operation or for any physical alterations of any nature without first coming before CB 3.
6.  I will not seek a change in class to a full on-premise liquor license without first obtaining approval from CB 3.
7.  I will not participate in pub crawls or have party buses come to my establishment.
8.  I will not have a happy hour or drink specials with or without time restrictions OR  I will have happy hour and it will end by \_\_\_\_\_.
9.  I will not have wait lines outside.  I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
10.  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.

Steven Carter: (917) 740-8076

## 1. Hotel Supplemental Questionnaire



THE CITY OF NEW YORK  
 MANHATTAN COMMUNITY BOARD 3  
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Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

**Supplemental Questionnaire for Hotel Applications**

Consistent with our expectations for all hotel liquor license applications, please complete this form before the committee meeting.

	HL   OP   Total		HL   OP   Total
1. Number of floors in total	11   5   16	Number of floors used for lodging	10   0   10
2. Number of public spaces	1   6   7	Indoor waiting areas for public spaces	1   4   5

3. Where deliveries will occur Allen Street Service Entrance
4. Where will the main entrance be located HL - Orchard Street  
OP - Canal Street and Allen Street
  - a. What other entrances or exits exist and their uses One entrance on Orchard Street is main hotel entrance, entrance at corner of Orchard and Canal is used for OP Lobby Bar, entrance at Canal is used for OP restaurant, entrance at corner of Canal and Allen is for neighborhood bar and restaurant, Allen Street entrance used for events on floors 2 and 14, and a service entrance is located on Allen Street.
5. What the exterior lighting consists of or if it will change (this includes proposed lighting for the rooftop and lighting for any outdoor area) Lighting Plan annexed to presentation as Attachment 8 of HL Application
6. For each public space, please include the following information (please provide attached sheets if there are multiple public spaces):

**HL - Hotel Lobby**

- a. Method of operation (lounge, waiting area, lobby, restaurant, event space, etc.) HL - Hotel Lobby Hours of operation 24 hours-a-day, 7 days-a-week.  
 Square footage 364 sq. ft. Capacity 25\* Licensed HL
- b. Seating and what seating is comprised of (tables, chairs, couches, etc.)  
N/A
- c. Number of bars and type (service or stand up) 0
- d. Bar length N/A Number of stools at bars N/A
- e. Food service yes  no  **\*\*Room service available to hotel rooms 24/7**
- f. Food service from central kitchen or elsewhere N/A
- g. Hours of food service N/A Proposed menu Menu annexed to presentation as Attachment 2 of OP Application
- h. Music type (live, recorded, etc.) and level (background or entertainment)  
Recorded background music (ambiance)

\*All capacity numbers are the capacities of patrons only, which exclude staff.



**OP - Cocktail Lounge**

- a. Method of operation (lounge, waiting area, lobby, restaurant, event space, etc.) OP - Cellar Bar Hours of operation 5:00pm - 4:00am  
Square footage 1080 sq. ft Capacity 68 Licensed OP License
- b. Seating and what seating is comprised of (tables, chairs, couches, etc.)  
28 Seats (table seats, couches, lounge chairs) at 9 Tables
- c. Number of bars and type (service or stand up) 1 Service Bar
- d. Bar length N/A Service Bar Number of stools at bars 0
- e. Food service yes X no \_\_\_\_\_
- f. Food service from central kitchen or elsewhere Central kitchen (1st Floor)
- g. Hours of food service 5:00pm - 4:00am Proposed menu Menu annexed to presentation as Attachment 2 of OP Application
- h. Music type (live, recorded, etc.) and level (background or entertainment)  
Recorded Music / Background

**OP - Hotel Lobby Lounge**

- a. Method of operation (lounge, waiting area, lobby, restaurant, event space, etc.) OP - Lobby Bar Hours of operation 7:00am - 4:00am  
Square footage 1046 sq. ft. Capacity 65 Licensed OP License
- b. Seating and what seating is comprised of (tables, chairs, couches, etc.)  
32 seats (table seats, couches) at 8 tables, with 12 barstools at 1 stand-up bar
- c. Number of bars and type (service or stand up) 1 Stand-Up Bar
- d. Bar length 27' Number of stools at bars 12
- e. Food service yes X no \_\_\_\_\_
- f. Food service from central kitchen or elsewhere Central kitchen (1st Floor)
- g. Hours of food service 7:00am - 4:00am Proposed menu Menu annexed to presentation as Attachment 2 of OP Application
- h. Music type (live, recorded, etc.) and level (background or entertainment)  
Recorded, Live and DJ / Background

**OP- Hotel Dining Room**

- a. Method of operation (lounge, waiting area, lobby, restaurant, event space, etc.) OP-Restaurant Hours of operation 7:00am - 2:00am  
Square footage 1148 sq. ft. Capacity 78 Licensed OP
- b. Seating and what seating is comprised of (tables, chairs, couches, etc.)  
62 seats (table seats, banquets) at 13 tables, 16 stools at 1 food counter
- c. Number of bars and type (service or stand up) 0
- d. Bar length N/A Number of stools at bars N/A
- e. Food service yes X no \_\_\_\_\_
- f. Food service from central kitchen or elsewhere Central kitchen (1st Floor)
- g. Hours of food service 7:00am - 2:00am Proposed menu Menu annexed to presentation as Attachment 2 of OP Application
- h. Music type (live, recorded, etc.) and level (background or entertainment)  
Recorded / Background

**OP - Neighborhood Diner & Bar**

- a. Method of operation (lounge, waiting area, lobby, restaurant, event space, etc.) OP-Bar/Restaurant Hours of operation 8:00am - 4:00am  
Square footage 1039 sq. ft. Capacity 97 Licensed OP
- b. Seating and what seating is comprised of (tables, chairs, couches, etc.)  
37 seats (table seats, counter & banquet seats) at 12 tables, Sidewalk Cafe of 24 seats at 12 tables
- c. Number of bars and type (service or stand up) 1 Stand Up Bar
- d. Bar length 52' Number of stools at bars 25 bar stools
- e. Food service yes X no \_\_\_\_\_
- f. Food service from central kitchen or elsewhere Central Kitchen (1st Floor)
- g. Hours of food service 8:00am - 4:00am Proposed menu Menu annexed to presentation as Attachment 2 of OP Application
- h. Music type (live, recorded, etc.) and level (background or entertainment)  
Recorded / DJ / Live / Background

**OP - Second Floor Event Spaces (Small and Large)**

- a. Method of operation (lounge, waiting area, lobby, restaurant, event space, etc.) OP-Event Space Hours of operation 7:00am - 4:00am  
Square footage 2263 sq.ft. Capacity 245 Licensed OP
- b. Seating and what seating is comprised of (tables, chairs, couches, etc.)  
140 seats (event table seating) at 14 tables
- c. Number of bars and type (service or stand up) 0
- d. Bar length N/A Number of stools at bars N/A
- e. Food service yes X no \_\_\_\_\_
- f. Food service from central kitchen or elsewhere Kitchen (Cellar), Finish Kitchen 2nd Floor
- g. Hours of food service 7:00am-4:00am Proposed menu Menu annexed to presentation as Attachment 2 of OP Application
- h. Music type (live, recorded, etc.) and level (background or entertainment)  
Recorded / Live / DJ / Background and Entertainment (for events)

**OP - Rooftop Event Space**

- a. Method of operation (lounge, waiting area, lobby, restaurant, event space, etc.) OP-Events Hours of operation 7:00am-4:00am / Exterior space closes at Midnight  
Square footage 2977 sq. ft. Capacity 238 Licensed OP
- b. Seating and what seating is comprised of (tables, chairs, couches, etc.)  
160 seats (event table seating) at 16 tables; 6 bar stools
- c. Number of bars and type (service or stand up) 1 stand-up bar
- d. Bar length 16' Number of stools at bars 6
- e. Food service yes X no \_\_\_\_\_
- f. Food service from central kitchen or elsewhere Kitchen (Cellar), Finish Kitchen 2nd Floor
- g. Hours of food service 7:00am-4:00am Proposed menu Menu annexed to presentation as Attachment 2 of OP Application
- h. Music type (live, recorded, etc.) and level (background or entertainment)  
Recorded / Live / DJ / Background and Entertainment (for events/interior only)

7. If any public space is being proposed as a performance and/or dance venue, please provide the following additional information:

- a. Types of programs or shows proposed N/A
- b. Frequency of shows (when will they be scheduled) N/A
- c. Capacity of dance areas N/A
- d. Soundproofing N/A

8. If any part of the façade will open, please provide the following information:

- a. Where it is located in the building 14th Floor
- b. What it overlooks Canal & Allen Streets
- c. When it is proposed to be closed Midnight

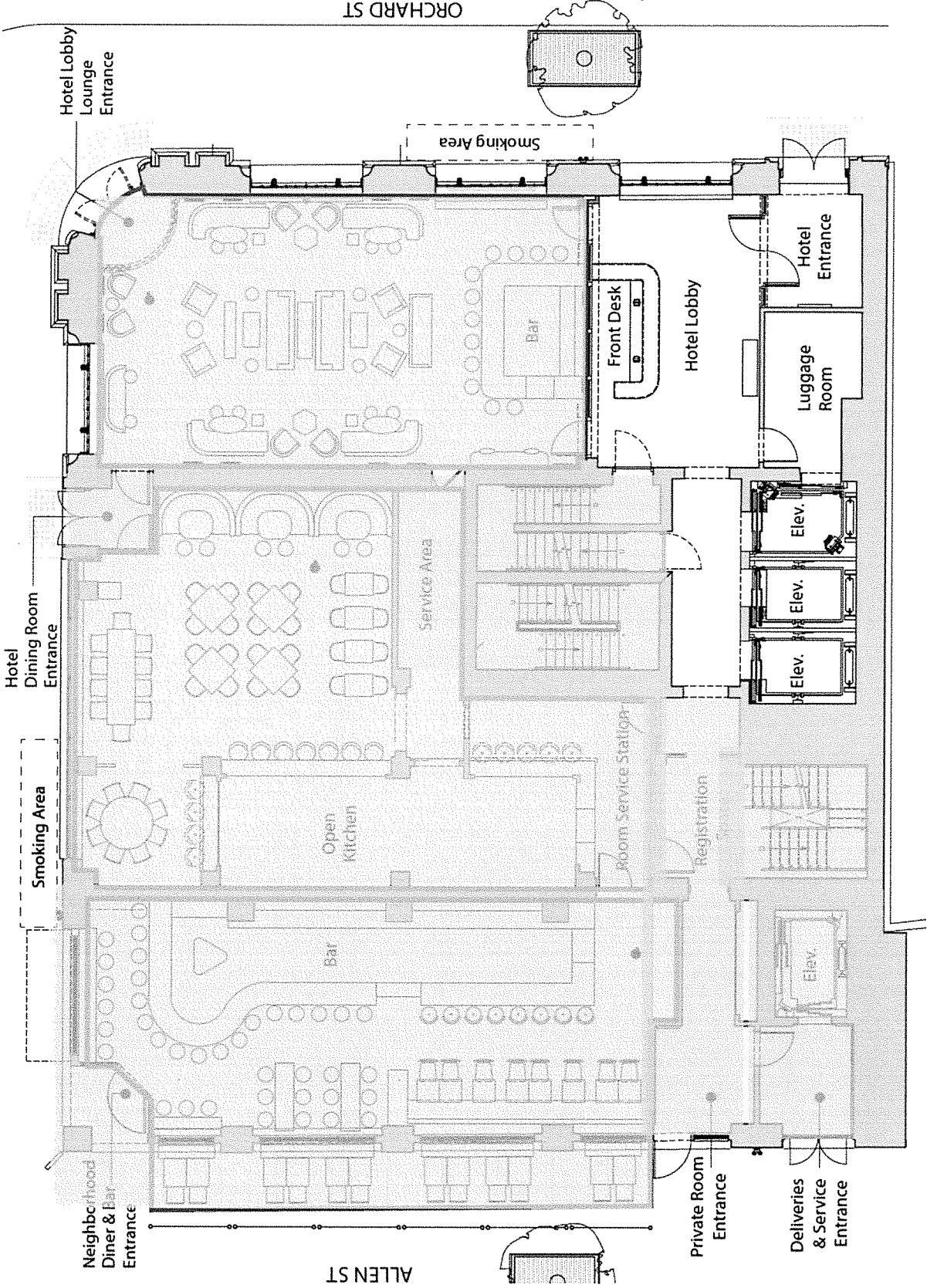
9. If there are any proposed outdoor spaces, please provide the following information:

- a. Method of operation Ground Floor - Sidewalk Cafe / 14th Floor - Partially Enclosed Roof
- b. Hours of operation Ground Floor SWC - 8:00am - 10:00pm / 14th Floor - 7:00am - Midnight
- c. Seating and what it consists of GF SWC - 24 Seats at 12 tables / 14th Floor - No Seating Outside
- d. Whether music is proposed No Type N/A
- e. Proximity to adjacent residential windows 100 Feet across Allen Street
- f. Licensed? Yes, OP License

- Please submit any vehicle and pedestrian traffic study in advance of the meeting for review. Hotel applicants should meet with the local precinct regarding its traffic and other potential impacts.
- Applicant should also meet with the community to address concerns.
- Please also submit applicant work history.

## 2. Floor Plans

CANAL ST



Hotel Lobby Lounge Entrance

Hotel Dining Room Entrance

Smoking Area

Neighborhood Diner & Bar Entrance

Smoking Area

Front Desk

Hotel Lobby

Hotel Entrance

Luggage Room

Elev.

Elev.

Elev.

Room Service Station

Registration

Elev.

Private Room Entrance

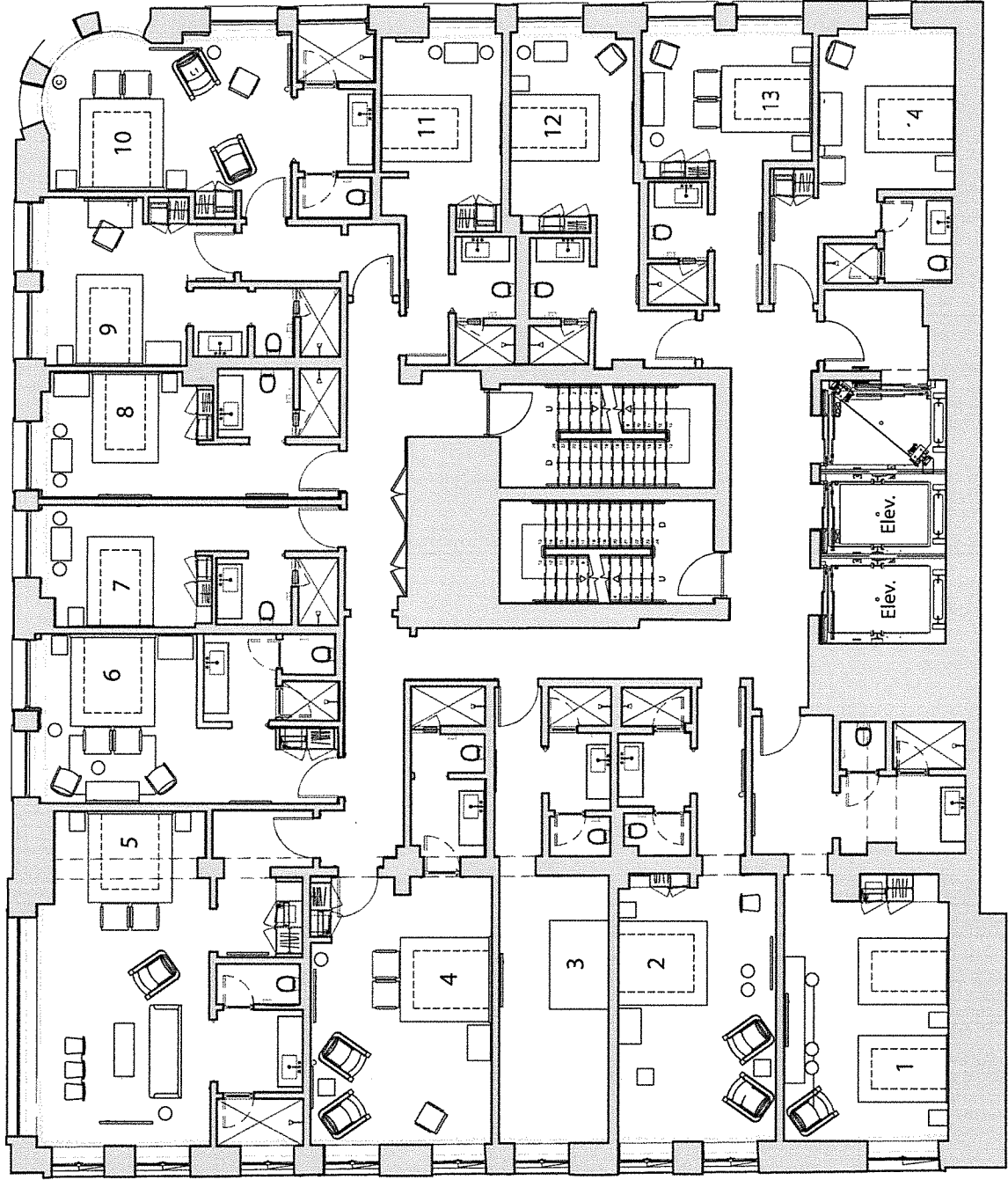
Deliveries & Service Entrance

ALLEN ST

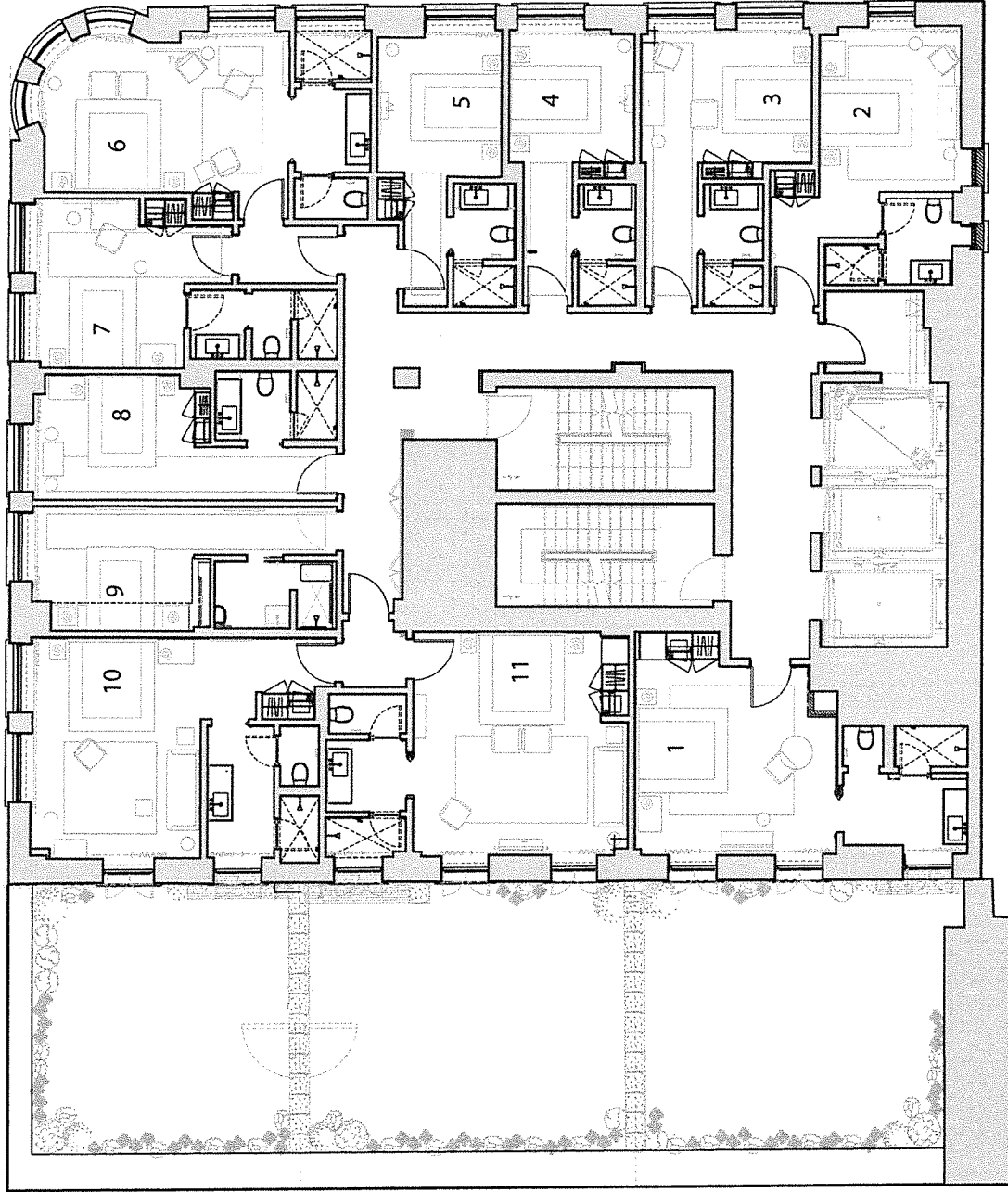
ORCHARD ST

Ground Floor

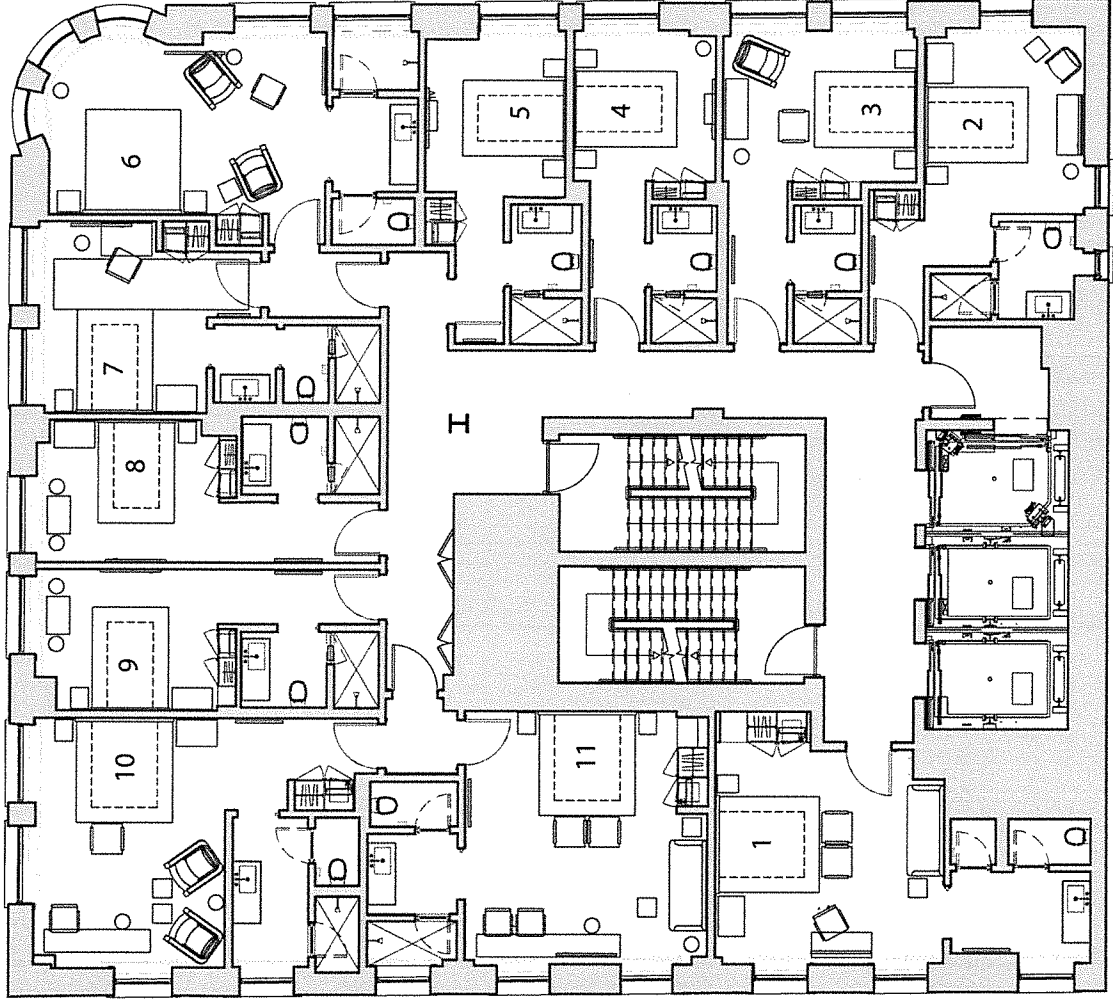
Guest Rooms  
3rd - 6th Floors



Guest Rooms  
7th Floors



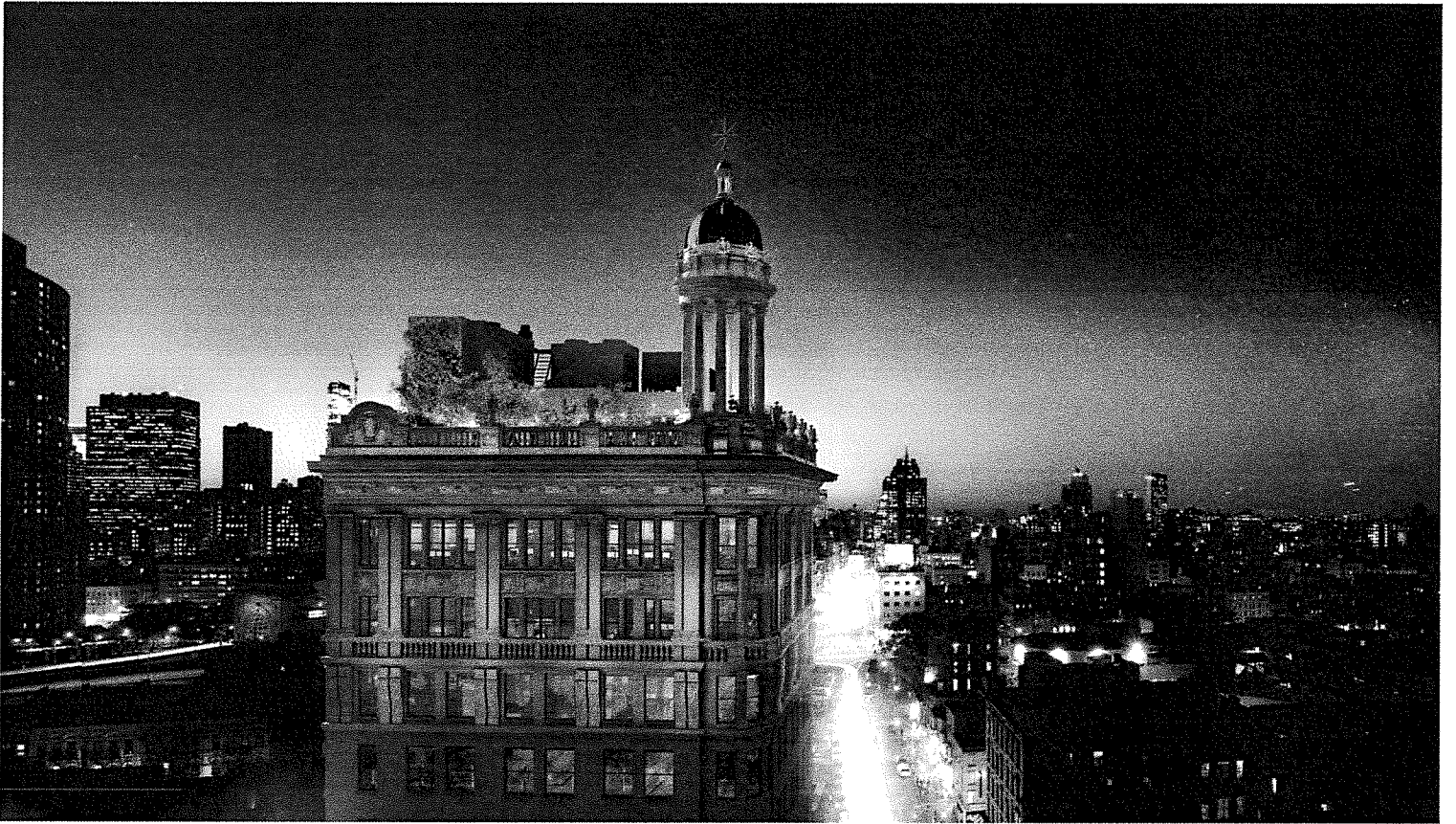




Guest Rooms  
8th - 12th Floors

### 3. Renderings





*Façade – Looking West*



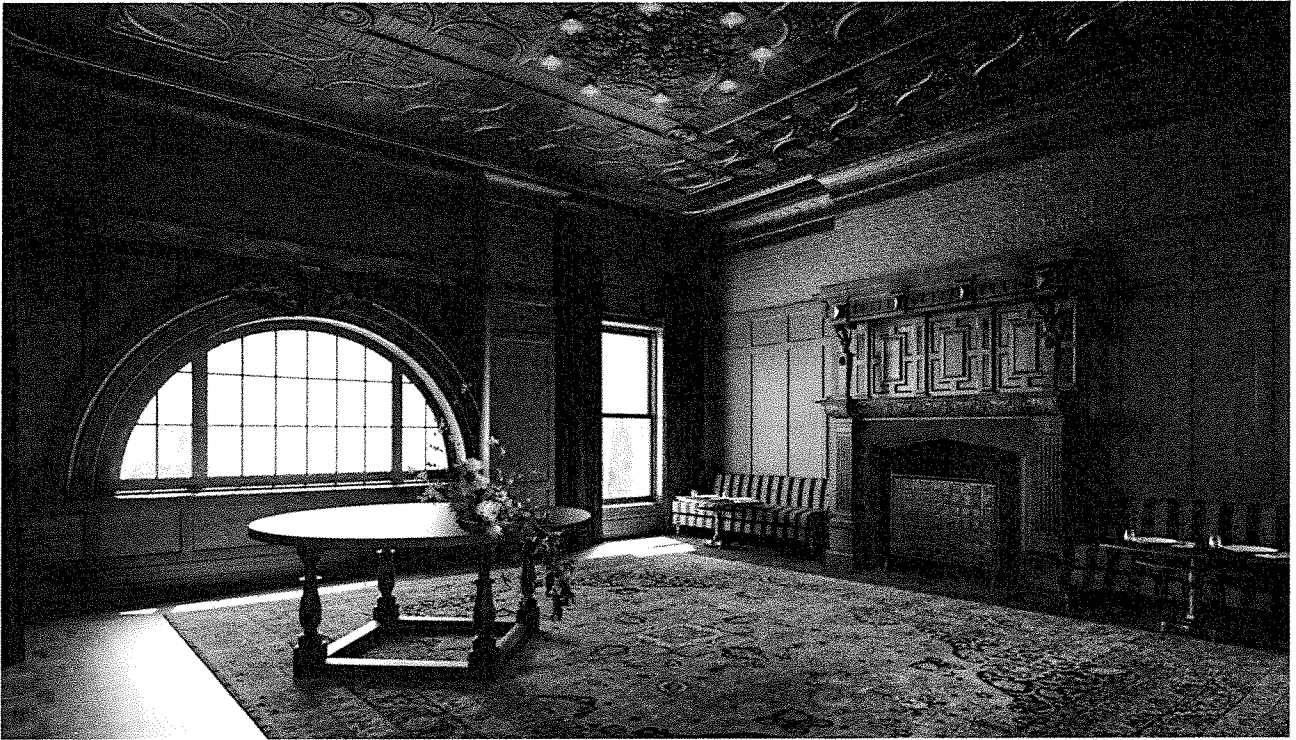
*Hotel Lobby Lounge*



*Hotel Dining Room*



*Neighborhood Diner & Bar*



*Second Floor - Event Space (Small)*



*Second Floor - Event Space (Large)*



*Rooftop Event Space (Outdoor)*



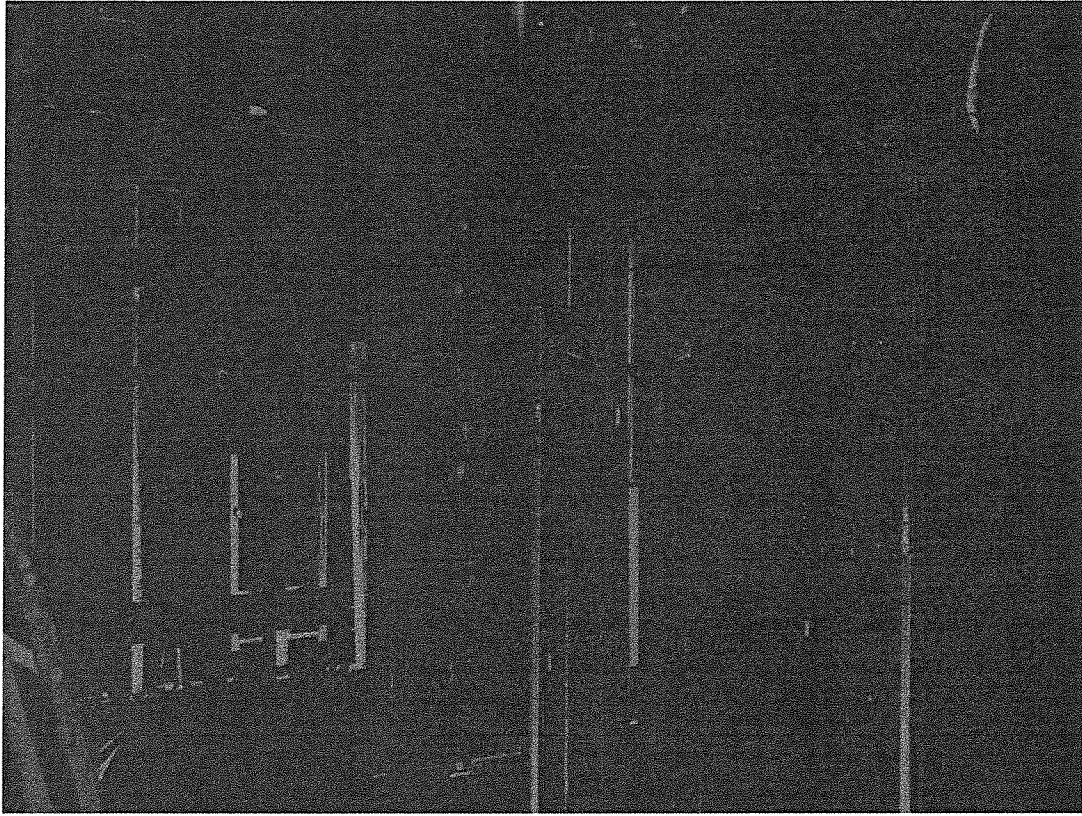
#### 4. Construction Photographs



*Location: Lobby*



*Location: Elevator Shaft*



*Location: Guestrooms, Floor 8*



*Location: Guestrooms, Floor 4*



*Location: Parapet, 14<sup>th</sup> Floor*



*Location: Dome Spire, 14<sup>th</sup> Floor*

5. Sound Reports - Acoustilog & Cerami

September 25, 2018

Mr. Steven Carter  
Nine Orchard Partners, LLC (DLJ RE)  
1123 Broadway, Second Floor  
New York, NY 10010

Re: 9 Orchard Street, New York, NY 10002 - New Hotel Terrace Music and Voice Noise

Dear Mr. Carter,

I have studied the noise issues at the above premises. I am providing recommendations to prevent noise disturbances to the neighbors from terrace music and voices at the new hotel.

## SUMMARY

You are constructing a hotel that will include an outdoor 157 foot high terrace. The geometry of the hotel and the nearby residences, the high level of ambient noise in the area and the design of your facility will keep sound levels within Noise Code limits for both music and voices. Recommendations are provided in this report.

## TEST AND INSPECTION

To measure the neighborhood "ambient" noise level, a long-term monitor was set up to record the sound levels on a typical Friday night (noisy), Saturday night (noisy) and Sunday night (quiet). Sunday night is typically the quietest time of the week.

Calculations were performed to determine the sound level of your terrace music and customers' voices at the nearest residential dwellings as compared with the ambient noise level.

## DBA VS ONE-THIRD OCTAVE BAND MUSIC LEVELS

One way that the sound levels were measured was using the A-weighting decibel scale. The dB (A) decibel scale (see Noise Code Section §24-231 a1) is the most common type of sound measurement, which represents an overall measurement of all frequencies, but with a strong tendency to ignore the low-frequency "bass" sounds. The A-weighted decibels require only a simple sound level meter to measure them. dBA is what the City DEP inspectors use, and they normally consider anything above 42 dBA to be unreasonable.

The C-weighted decibels or dBC (see Noise Code Section §24-231 a3) are also an overall measurement of all frequencies, but this measurement includes the important low-frequency "bass" sounds. However, dBC readings pick up so many frequencies at the same time that they usually do not distinguish between normal background noise and music beats.

One-third-octave band sound level readings (see Noise Code Section §24-231 a2) were also taken, which are measured in decibels, or dB. Sounds with frequencies below 200 Hertz are called bass or low frequencies, which sound like thumping or vibration. This range of low frequencies is addressed in the Noise Code regulations and is the sound most likely to cause neighbor



complaints. Bass and drums usually cause sounds in these frequency ranges. These sounds require a complex spectrum analyzer to measure them.

## **THE NOISE CODE - MUSIC**

### **§24-231 Commercial music.**

*(a) No person shall make or cause or permit to be made or caused any music originating from or in connection with the operation of any commercial establishment or enterprise when the level of sound attributable to such music, as measured inside any receiving property dwelling unit:*

*(1) is in excess of 42 dB(A) as measured with a sound level meter; or*

*(2) is in excess of 45 dB in any one-third octave band having a center frequency between 63 hertz and 500 hertz (ANSI bands numbers 18 through 27, Inclusive), in accordance with American National Standards Institute standard S1.6-1984; or*

*(3) causes a 6 dBC or more increase in the total sound level above the ambient sound level as measured in decibels in the "C" weighting network provided that the ambient sound level is in excess of 62 dBC.*

## **THE NOISE CODE - UNREASONABLE NOISE**

*§24-203 General definitions. When used in the New York city noise control code the following terms shall have the following meanings:*

*(62) Unreasonable noise means any excessive or unusually loud sound that disturbs the peace, comfort or repose of a reasonable person of normal sensitivities, injures or endangers the health or safety of a reasonable person of normal sensitivities or which causes injury to plant or animal life, or damage to property or business.*

### *§24-218 General prohibitions.*

*(a) No person shall make, continue or cause or permit to be made or continued any unreasonable noise.*

*(b) Unreasonable noise shall include but shall not be limited to sound, attributable to any device, that exceeds the following prohibited noise levels:*

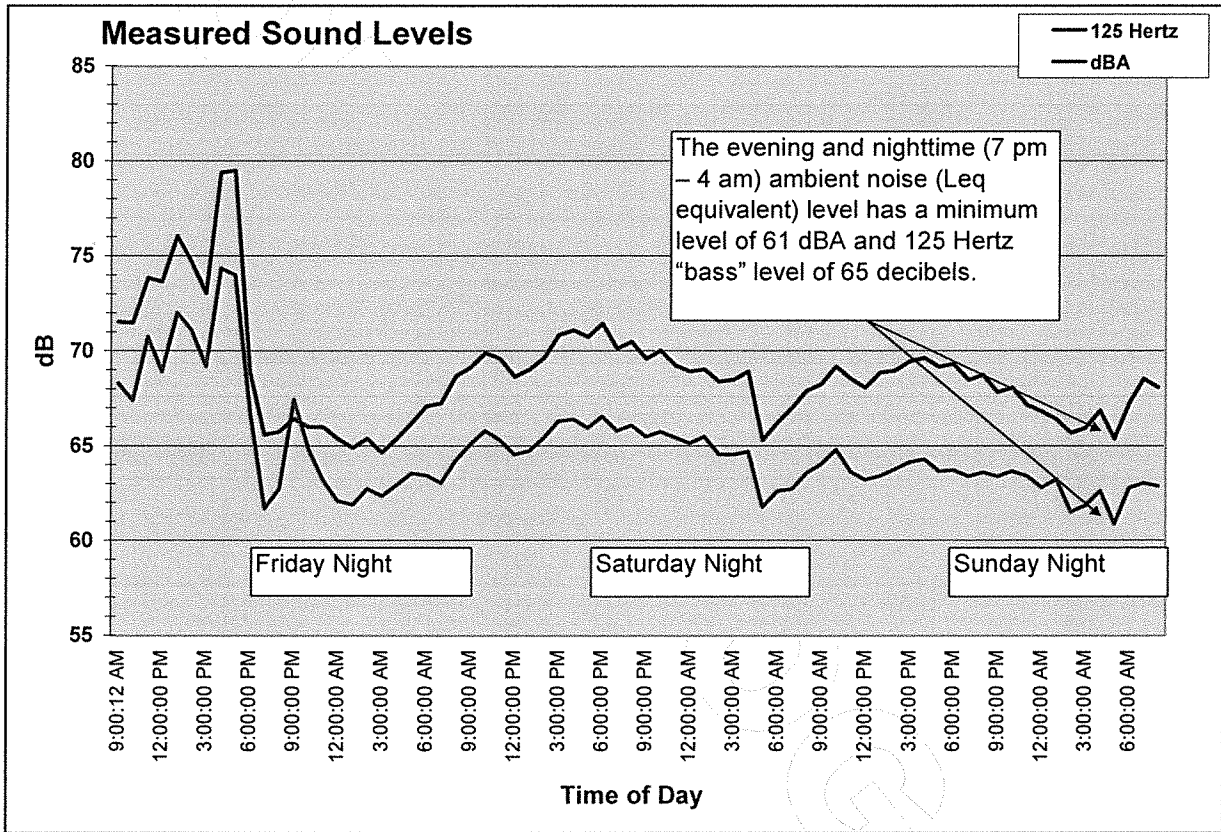
*(1) Sound, other than impulsive sound, attributable to the source, measured at a level of 7 dB(A) or more above the ambient sound level at or after 10:00 p.m. and before 7:00 a.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way.*

*(2) Sound, other than impulsive sound, attributable to the source, measured at a level of 10 dB(A) or more above the ambient sound level at or after 7:00 a.m. and before 10:00 p.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way.*

*(3) Impulsive sound, attributable to the source, measured at a level of 15 dB(A) or more above the ambient sound level, as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on a public right-of-way. Impulsive sound levels shall be measured in the A-weighting network with the sound level meter set to fast response. The ambient sound level shall be taken in the A-weighting network with the sound level meter set to slow response.*

**AMBIENT NOISE ANALYSIS**

The chart below shows the Leq equivalent (a type of average each hour) sound levels throughout a Friday, Saturday and Sunday night period, January 12 - 15, 2018. The daytime noise included construction and was ignored. The evening and nighttime (7 pm – 4 am) ambient noise (Leq equivalent) level has minimum levels of 61 dBA and of 65 decibels at 125 Hertz (bass). This relatively high level of sound is due to the level of the traffic noise in the neighborhood. Since the test was done in cold weather, the background noise would be louder during the summer with air conditioners running. The noise readings were taken under the overhang at a point fully open to the outside.



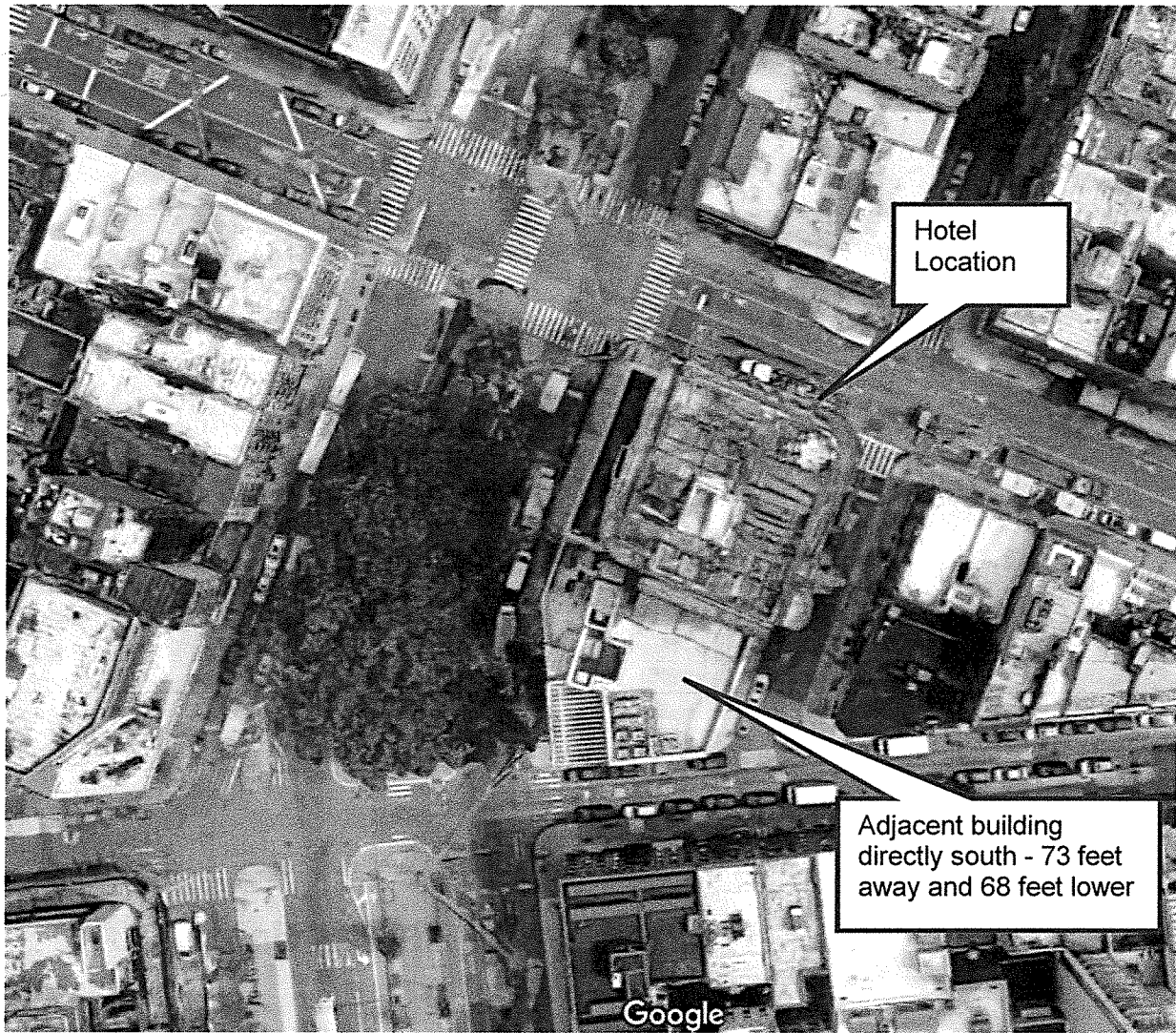
**VOICES AND MUSIC FROM TERRACE TO NEAREST RESIDENTIAL BUILDING**

The terrace is surrounded by mixed-use buildings on all sides, along with busy streets such as Canal, Allen and Orchard Streets.

The nearest line-of-sight distance to a tall residential building is 126 feet. The closest distance, although not line of sight, is to the adjacent building directly south at 73 feet, although it is 68 feet lower than the terrace. The analysis was done using the worst-case scenario with the closest 73 foot distance.

There will be a maximum of 186 persons on the outside terrace. The voice noise level was analyzed by deducting the sound attenuation due to travel distance, by being forced to bend over the parapet wall, and by being blocked by the building elements.

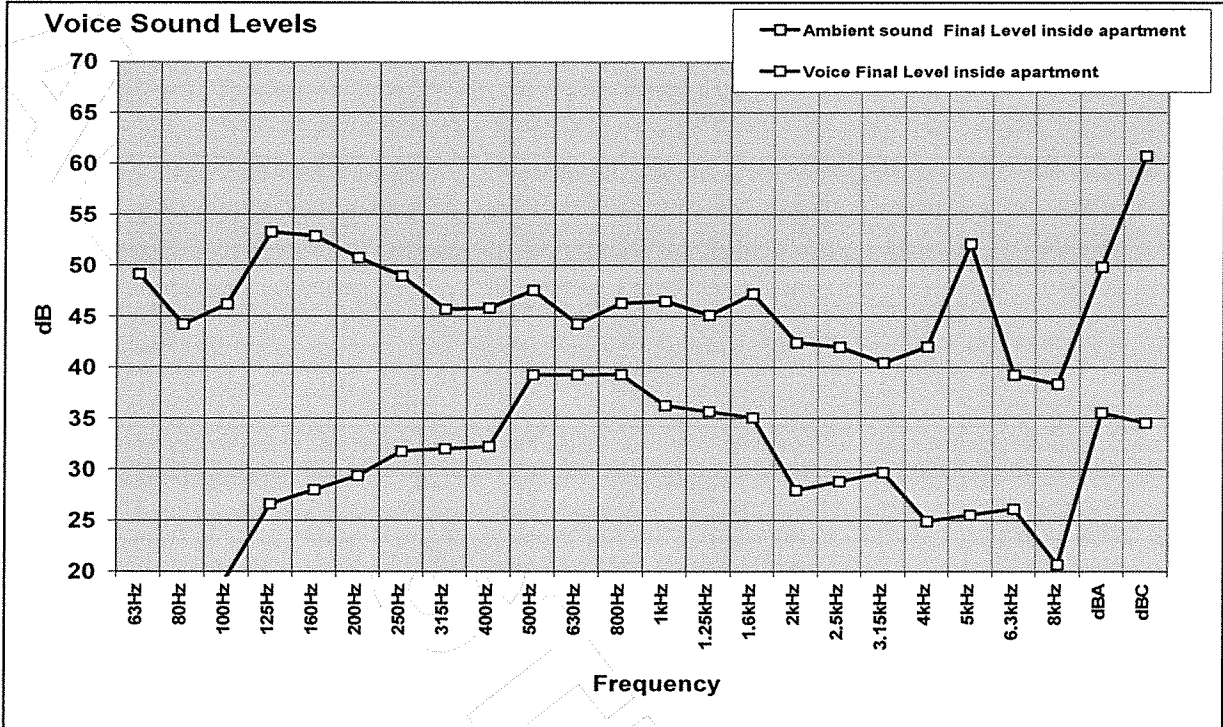
See the Google map below.



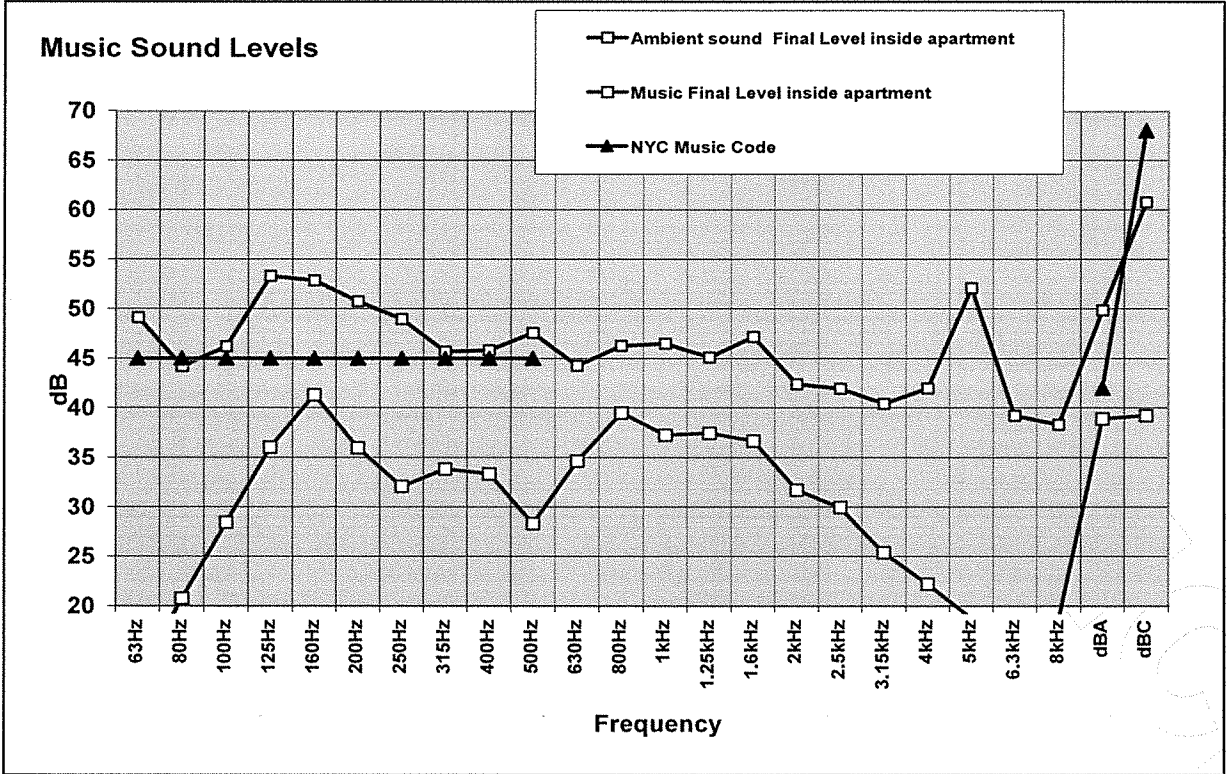
The terrace voice sounds will be attenuated after traveling to the nearest open window and will drop further after entering through the window. In addition to the drop due to distance, it will be attenuated by the parapet wall which blocks sound due the interruption of line-of-sight.

With the combined sound attenuation, the voice sound is calculated to be 36 dBA inside the nearby open windows. This is far below the lowest ambient noise, 50 dBA. This does not include the masking effect of residential and commercial air conditioners in the neighborhood which will create additional ambient noise. Since my testing was done in the winter, no air conditioners were running.

In order to be Code-compliant, the voice sound must not *exceed* the ambient by 7 or 10 decibels (night/day). Since the sound will actually be *below* the level of ambient noise, it will meet Code requirements. See the graph below.



The graph below shows the music calculations. This is based on a music level of 82 dBC and 78 dBA measured 3 feet from any terrace speaker. There are two considerations here: the 45 decibel limit for bass sounds and the 42 dBA limit for midrange sounds.



The music will meet Code requirements because the music will be below the 45 decibel limit and

the 42 dBA limit, and also because the music will be below the ambient noise level, just like the voices. This is based on the minimum level of ambient sound picked up during the late-night test, including an analysis of the bass frequencies. The sound system will need to be electronically limited as described in the recommendations.

## RECOMMENDATIONS

1. For the outside terrace, at least 8 small speakers should be used as a distributed system. I have included a wiring diagram so that one amplifier can power all 8 speakers instead of using multiple power amplifiers.
  - a. Data for one suitable model of small outdoor speaker is attached.
  - b. Do not use subwoofers.
  - c. The system should be set up in stereo. Stereo sounds louder to people without actually increasing the sound level.
2. The terrace sound system will incorporate an equalizer. The equalizer will then feed into a limiter. Both functions can be accomplished with a DBX DriveRack PA2. Installed in the system right before the amplifier and electronically locked with a combination, it will prevent the sound system from exceeding a pre-determined sound level, set by the sound installer. If the sound system is turned up too high, the limiter will activate and guarantee that the actual sound never exceeds the desired maximum.
  - a. The amplifiers must be set to maximum level during this process so they cannot be turned up further at a later time.
  - b. Using the graphic equalizer section, attenuate (lower) all frequencies 125 Hertz and below. Do this by setting a high-pass filter on both stereo channels to a cutoff frequency of 125 Hertz and a slope of 12 dB/octave.
  - c. Set the Stereo Output Limiters to COUPLE both channels together, which makes the Channel 1 controls affect both channels. The rest of the instructions are thus for the left channel only.
  - d. Set the limiter's Ratio control to infinity, the Peak Stop to off, the Attack and Release time to midway and Auto, Over-Easy to off, and the Threshold control so as to normally limit only 3 decibels during typical music playing. If the music tries to get louder for any reason, the sound will stay at the same volume.
  - e. Using the unit's output level control, set the maximum sound level from the small terrace speakers to 82 dBC and 78 dBA measured 3 feet from any speaker. The sound installer can do this with a simple Radio Shack sound level meter (these are still available used). Set the meter to read "C", and "Slow". This will be a good starting point from which to operate the sound system.
  - f. The DBX unit could be set more accurately in conjunction with tests made of noise levels in the neighboring buildings.
  - g. To ensure the accuracy of the meter, you can bring it my office to be calibrated.
  - h. Music from interior spaces: For the interior event space sound systems where doors or windows do not open to the outside, set the limit to 100 dBC, measured 3 feet from any speaker. This is an approximate sound level which will not disturb neighboring buildings, and must be set more precisely in conjunction with tests in the neighboring spaces.

- i. For the interior sound systems where rooms do have outside doors or windows which open, set the limit to 85 dBC and 80 dBA, measured 3 feet from any speaker. This level must be balanced against the levels of voices so as not to make conversation difficult.
  - j. No speakers should be located within 12 feet of an outside door.
  - k. No outside sound systems can play sound any louder than the levels listed above.
3. Optional - Install sound-absorbing panels on the terrace walls where practical, to prevent reverberant sound build-up. This is to primarily to benefit your customers because there is noise from the street traffic and reverberation can "muddy" the sound of voices and music. One suitable choice is the 1" thick Sound Silencer panel from Acoustilog Surfaces. These can be hidden behind a trellis or plantings, but must not be blocked with any solid material such as wood or closed fencing.

If I can be of further assistance, please call.

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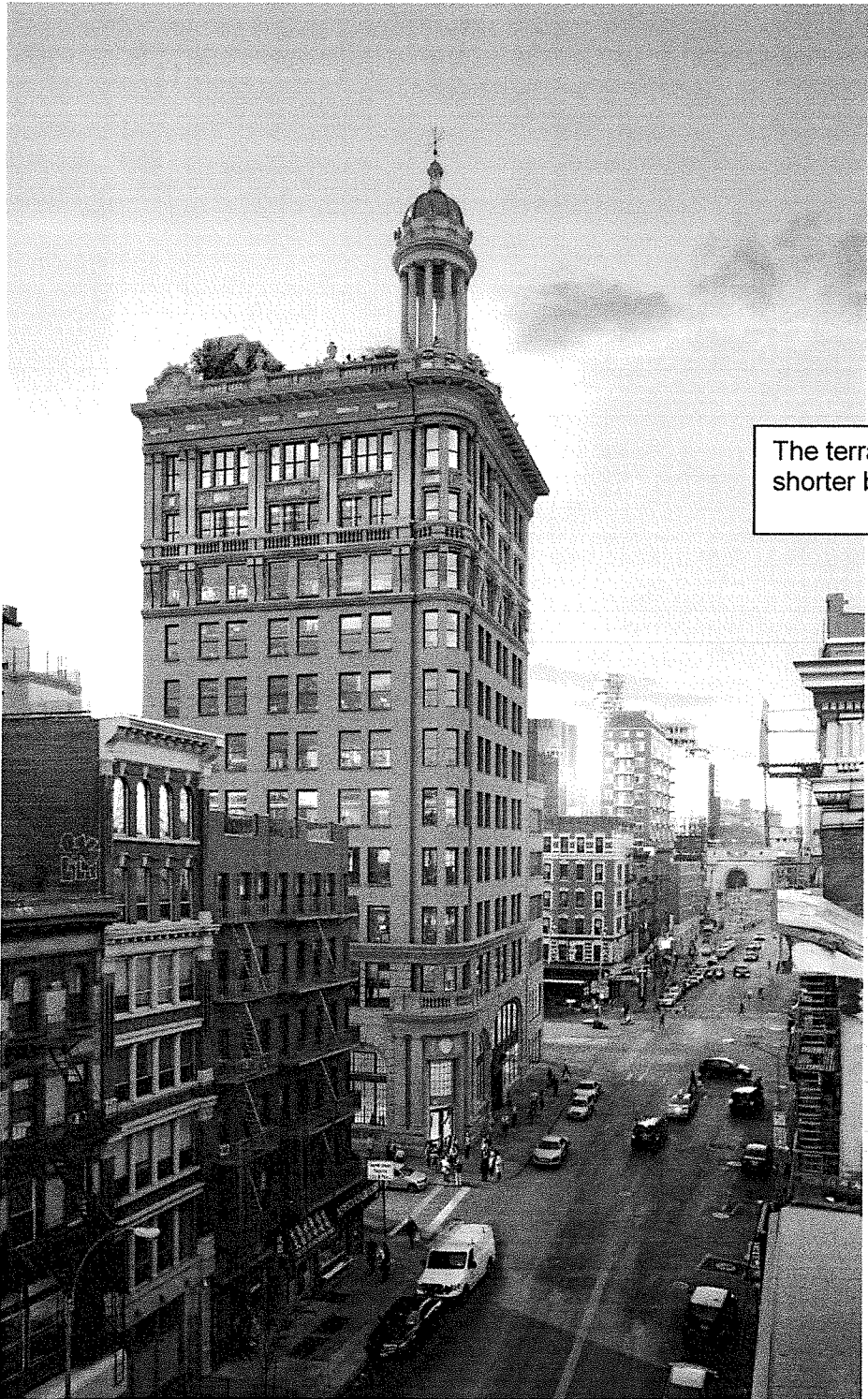
Yours Truly,

Alan Fierstein



President  
acoustilog1@verizon.net

*All readings re: .0002 microbar. Readings taken with Bruel & Kjaer 2260/2270 Analyzer, Bruel & Kjaer 4135, 4145, 4165, 4189 or 4190 Microphone, Acoustilog 232A Reverberation Timer. Calibrated to Bruel & Kjaer 4220 Sound Source or Quest CA-15A.*



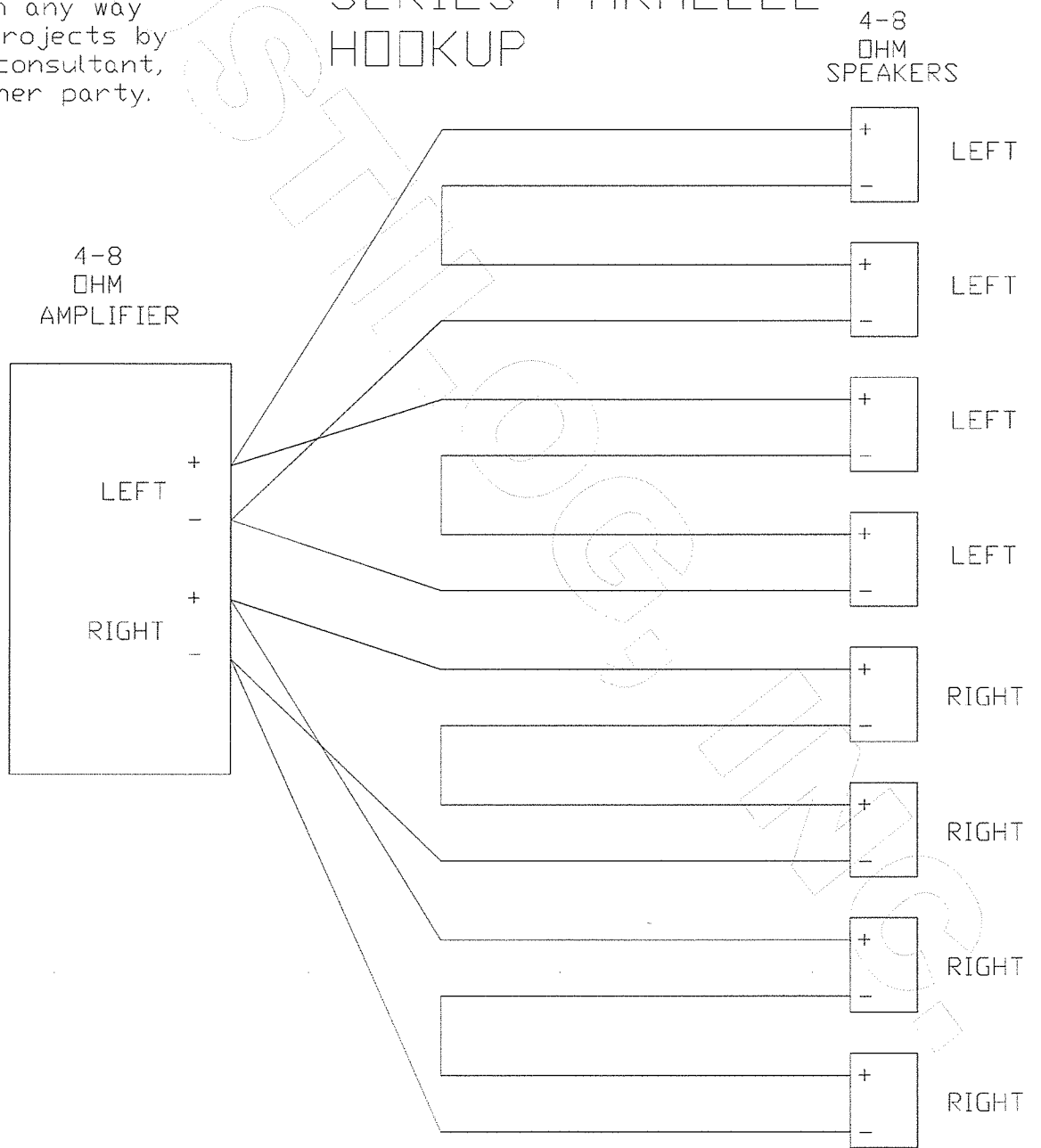
The terrace is surrounded by shorter buildings all sides.

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**Control 25**  
 Compact Indoor  
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The Control 25 is perhaps the most versatile of JBL Professional's Control Contractor Series indoor/outdoor loudspeakers.

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- Components: 5.25 in Polypropylene coated woofer, .75 in Titanium coated horn loaded tweeter.
- Built-in InvisiBall® mounting hardware\*.
- Weather resistant enclosure and transducers.
- Readily paintable.
- 90° x 90° high frequency horn.
- Overload Protection Circuitry.
- Sensitivity: 88 dB SPL, 1W, 1m
- \*Patents pending worldwide

**Specifications :**

Frequency Range : 80 Hz to 16 kHz (-10 dB)

Power Capacity : 150 W Continuous Program Power  
 75 W Continuous Pink Noise

Sensitivity : 88 dB SPL, 1 W, 1m

Directivity Factor (D) : 5.3 dB

Directivity Index (DI) : 7.2 dB

Nominal Impedance : 8 ohms

Crossover Frequency : 3.0kHz

Frequency LF Driver : 135mm (5.25 in) Polypropylene cone w/ WeatherEdge

HF Driver : 19mm (.75 in) Titanium coated polycarbonate

Enclosure Material : HIPS (High Impact Polystyrene)

Overload Protection : Full-Range power limiting to protect network and transducers

Termination : Spring terminals, accepts banana plug

Environmental : Conforms to MIL Spec 810 for humidity, salt spray, temperature & UV. EC 529 IP-X4 splashproof rating

Dimensions (H x W x D) : 236 x 188 x 149 mm (9.3 x 7.4 x 5.8 in)

Net Weight (ea) : 2.3 kg (5 lb)

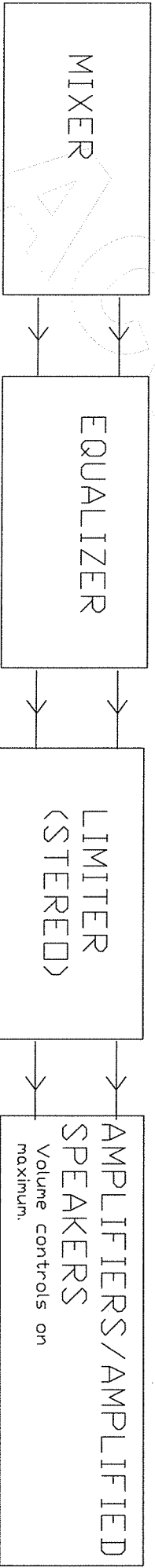
Shipping Weight (ea) : 5 kg (11 lb)

Included Accessories : InvisiBall Assembly

Optional Accessories : MTC-25V: For vertical columnar orientation of up to 3 loudspeakers extension of the woofer surround that MTC-25/23H: For horizontal arraying of two speakers. Three brackets array up to six loudspeakers in a 360° array.  
 MTC-28/25CM: Ceiling-mount adapter.  
 MTC-25SSG: Stainless Steel Grille for harsh environments. Available in silver, black (-BK) or white (-WH) MTC-25MMG: WeatherMax™ Stainless Steel Grille protects against driving precipitation. Available in black or white (-WH) MTC-PC2: Input panel cover protects input terminals in outdoor environments.



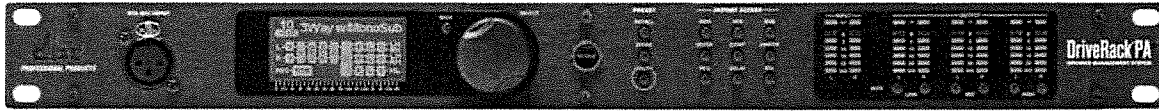
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NOTE- LIMITER AND EQUALIZER  
FUNCTIONS CAN BE COMBINED IN  
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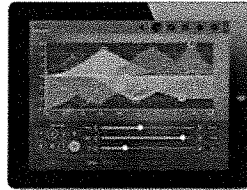
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Control your PA from all 4 major OSes

**AUTOEQ™**

New, improved AutoEQ algorithm ensures an extremely accurate, fast, and non-intrusive automatic EQ experience.

With the RTA Mic "listening" to your room, the new, updated DriveRack PA2 AutoEQ algorithm sets speaker levels and room EQ automatically in a matter of seconds. This means room adjustments can now be made very quickly, without subjecting the audience to annoying, lengthy broadcasts of pink noise.

**ENHANCED AFS™ FEEDBACK ELIMINATION**

Enhanced AFS™ algorithm for faster, more precise feedback elimination, without adversely affecting your system's tone.

Nothing turns audiences away like annoying and potentially painful audio feedback. Fortunately, dbx engineers have revisited their already-stellar Advanced Feedback Suppression algorithm and made it work even better. The DriveRack PA2 listens for and anticipates feedback and adjusts speaker output automatically before it even has a chance, while never altering your sound.

**UPDATED WIZARD SETUP FUNCTIONS**

Updated Wizards make initial set up easy, while ensuring speaker tunings and other settings are up-to-date.

Wizard functions on the DriveRack PA2 guide you through easy, step-by-step processes to help you get the most from your loudspeaker system. Helps you easily configure level balancing, AutoEQ, Advanced Feedback Suppression, and provides access to built-in and constantly updating speaker tunings from most major speaker manufacturers.

**AVAILABLE INPUT PROCESSING**

- > dbx Compression
- > AFS™ (Advanced Feedback Suppression)
- > Graphic EQ
- > 8-Band Parametric EQ (adjusted when using the AutoEQ)
- > Subharmonic Synthesis

**AVAILABLE OUTPUT PROCESSING**

- > Crossover (supports full range, 2-way, and 3-way systems)
- > 8-Band Parametric EQs (used for speaker tunings)
- > dbx Limiting
- > Driver Alignment Delays

# DriveRack PA2

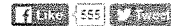
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- > All New Setup Wizard
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- > 8-Band Parametric EQ (adjusted when using the AutoEQ) Input
- > Subharmonic Synthesis
- > Crossover (supports full range, 2-way, and 3-way systems)
- > 8-Band Parametric EQs (used for speaker tunings) Output
- > dbx Limiting
- > Driver Alignment Delays





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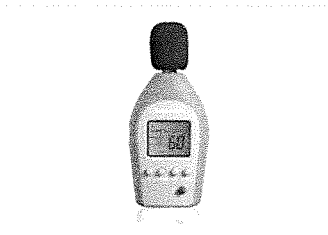
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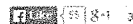


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- You can fine-tune your PA or stereo systems audio response to match the acoustic environment

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### Shipping

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By phone: 1-800-843-7422

### Manufacturer Warranty

- Parts: 12 month
- Labor: 12 month



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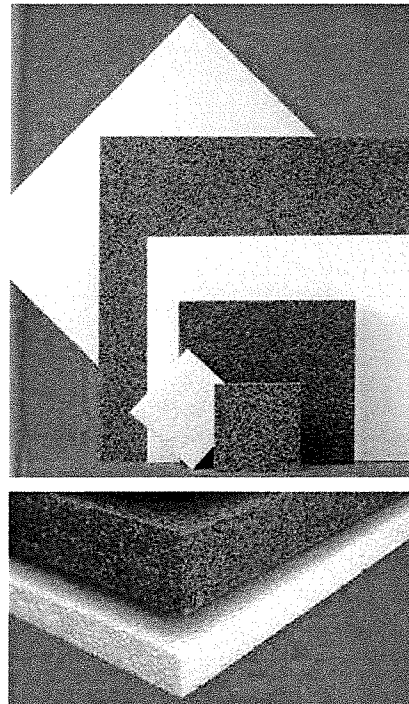
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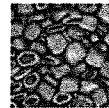


## SOUND SILENCER™


Porous Expanded Polypropylene (P.E.P.P.) Acoustical Wall and Ceiling Tile Panels

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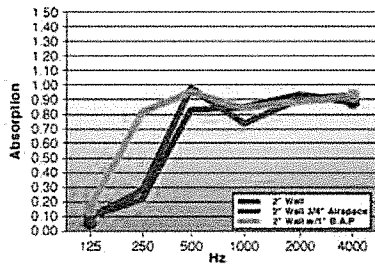
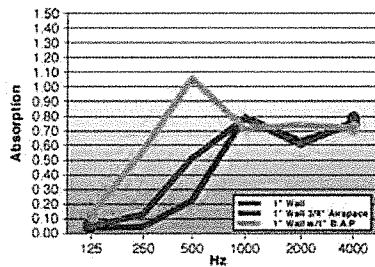
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	<a href="#">Installation</a>		<a href="#">Product Photo's</a>
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**MATERIAL:** Semi Rigid Porous Expanded Polypropylene Acoustical Bead Foam (P.E.P.P.).  
**PATTERN:** Non Abrasive, Slightly Textured, Porous  
**FEATURES:** Lightweight, Impact Resistant, Moisture, Bacteria & Fungi Resistant, Tackable Surface  
**APPLICATIONS:** Gymnasiums, Auditoriums, Classrooms, Swimming Pools, Ice Arenas, Clean Rooms, Food Processing Plants, Food Prep Areas, Cafeterias & Restaurants, Manufacturing Plants, Car Washes, Rooftop and Machine Enclosures, Gun Ranges, Dog Kennels, Locker Rooms.  
**THICKNESS:** 1" & 2"  
**SIZES:** Nominal 2' x 2', 2' x 4'; Custom Sizes Available  
**COLORS:** White, Charcoal  
**FLAMMABILITY:** ASTM E84, Class A. 1": Flame Spread: 3, Smoke Developed: 84. 2": Flame Spread: 5, Smoke Developed: 113  
**INSTALLATION:** ASI S.T.O.P. Noise Acoustical Adhesive, Mechanical Fasteners

**\*Note to all installers**  
 Sound Silencer™ PEPP is a thermal molded product and although tough to see one side of the panel will have injection and mold release marks these are circular marks that range in size and indent depth. These marks denote the back side of the panel so panels should be installed with these marks facing the wall or ceiling for best possible aesthetical outcome.

Sound Silencer™ - Sound Absorption / Noise Reduction							
Mount	125Hz	250Hz	500Hz	1KHz	2KHz	4KHz	NRC
1" Wall Amtg	0.05	0.06	0.21	0.80	0.65	0.75	0.45
1" Wall w/ 3/4" Airspace	0.06	0.13	0.51	0.79	0.62	0.79	0.50
1" Wall w/ 1" B.A.C.	0.11	0.58	1.07	0.71	0.74	0.72	0.80
2" Wall Amtg	0.07	0.21	0.81	0.85	0.93	0.88	0.70
2" Wall w/ 3/4" Airspace	0.10	0.29	0.99	0.74	0.90	0.93	0.75
2" Wall w/ 1" B.A.P.	0.17	0.81	0.97	0.85	0.89	0.92	0.90
1" Ceiling E400	0.46	0.59	0.42	0.49	0.76	0.86	0.55
2" Ceiling E400	0.51	0.52	0.52	0.77	0.89	0.98	0.70
1" Wall C423 12" spacing	0.04	0.07	0.20	0.83	0.81	1.00	0.50
2" Wall C423 12" spacing	0.09	0.21	0.82	1.11	1.11	1.12	0.80

Sound Silencer™ - Sound Transmission Loss (STC)							
	125Hz	250Hz	500Hz	1KHz	2.5KHz	5KHz	STC
1"	6	5	7	8	10	15	9
2"	9	8	10	10	17	22	13
1" - w/5/8" Gypsum both sides	27	27	29	31	32	45	32



Click PDF icon to download printer friendly file format of product specs.

ASTM C423 – Sound Absorption 8 Panels – 1" PEPP Arranged in 2 x 4 Fashion with 12" spacing between all panels

ASTM C423 – Sound Absorption 8 Panels – 2" PEPP Arranged in 2 x 4 Fashion with 12" spacing between all panels



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January 24, 2018

Ms. Jessica Sherifan  
Mancini Duffy  
275 Seventh Avenue  
New York, NY 10001

Ref: **9 Orchard Street Hotel**  
**Acoustical Details and Comments**  
**C&A Project #30996**

Dear Jessica:

The following report summarizes the outstanding acoustical coordination items and details for the 9 Orchard Street Hotel project. The following comments and recommendations are based on previous discussions held to date either during coordination meetings or previous correspondence, industry best practices, Bulletin 33 drawings, and details sent directly to Cerami. A summary of the previously established acoustical criteria is provided in Appendix A.

**Back-to-Back Toilets**

E13 partitions are currently shown between back-to-back guestroom toilets. This partition type consists of two (2) layers of gypsum on each side of separate stud rows with batt insulation in each stud row. The partition extends full height from slab to slab.

This partition construction is acoustically acceptable. However, we recommend a note be added to the drawings stating that all plumbing shall be kept on the side of the partition of which the plumbing services (i.e. no crossing between stud rows).

*This same E13 partition type is recommended at all locations where sinks and other plumbing abut adjacent guestrooms, such as between Guestroom 305 and 304.*

**Back-to-Back TVs**

Typical guestroom demising partitions are Type F4, consisting of two (2) layers of gypsum on each side of full height metal studs with batt insulation. Resilient clips will be provided on one side of the studs. Wall mounted TVs will be recessed into the partitions, resulting in two less layers of gypsum at the niche. In order to minimize any loss of acoustical performance, a mass loaded vinyl sound barrier material will be installed behind the TVs within the niche. The mass loaded vinyl should be as or similar to Kinetics Noise Control's KNM-100RB. Refer to the attached sketch showing the recommended extent of the mass loaded vinyl.

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### **Guestroom Pocket Doors**

While noise levels within guestrooms is not normally addressed for noise control, we understand that noise from bathrooms within guestrooms to the living/sleeping areas is a concern. Pocket doors are difficult to effectively treat acoustically, however the attached sketch provides conceptual details for increasing the sound transmission capabilities of the proposed pocket doors. It should be noted, however, that even with the recommended treatment sound transmission should still be expected.

### **Wardrobe/Sink Partition Type**

Partitions separating bathroom sinks from wardrobes within guestrooms are shown as Type C22A which consist of a single layer of gypsum on each side of full height metal studs with batt insulation, and a layer of 3/4" plywood blocking on one side. Given that the sound transmission from the bathroom to the living/sleeping area will be controlled more by the pocket door (as described in the previous section), this partition construction is acoustically acceptable.

### **Acoustic Treatment in Guestrooms**

Guestrooms are not typically treated beyond achieving the desired acoustical isolation from demising partitions, entry doors, and floor/ceiling assemblies. Further, furnishings are typically sufficient for controlling the interior acoustical environment of the guestrooms. Therefore, we have no specific recommendations for acoustical treatment of the guestrooms beyond what has already been recommended or recommended in this report.

### **In-Wall Speaker Location and Detail**

As an alternate to the standard TV speakers or sound bars, Cerami suggested using actuator type speakers instead. These actuators consist of small metal cylinders that are installed against a surface. When these actuators receive an audio signal, they act as "tuning forks" and radiate against the partition's surface which in turn acts as a speaker face. These actuators are fully concealed within the partition and due to the way in which they transmit sound, should not require a high input signal. For actuator speakers, we recommend SolidDrive's SD1.

Because the SolidDrive actuator is concealed and omni-directional, it offers a great amount of flexibility for installation location (i.e. it does not need to be on the same wall as the TV). Some sample locations where the actuators may be installed include:

- Within partitions behind headboards;
- Within the ceiling plenum;
- Under nightstands.

### **Event Space Ceiling Details**

It is our understanding that DLJ wishes to maximum the height of the event spaces, therefore the recommended sound barrier ceiling assembly depth should be shortened. Cerami previously provided a conceptual detail for the low-profile sound barrier ceiling and beam enclosure, however they are attached again for reference.



# Cerami

Beyond the sound barrier ceiling, secondary window assemblies will be required at existing windows to increase the sound transmission between the event spaces and lower floors. Refer to the attached sketch for conceptual details. Lastly, acoustical doors such as by IAC should be utilized at all even lounge entries.

Even with the recommended sound barrier ceiling, acoustical doors, and secondary windows, we caution that sound levels from the event spaces could still be audible in the adjacent spaces, primarily during loud social events such as wedding parties due to the overall volume of these events (i.e. DJs or live bands). A concrete isolated slab would help with transmission to the floor below, but the performance of the sound barrier ceiling is already maximized and cannot be increased. Therefore, transmission to the 3<sup>rd</sup> floor guestrooms is still a concern and should be expected during extremely loud events. Given the construction limitations, we strongly recommend incorporating an electronic limiter into the built-in A/V system. This limiter would electronically monitor and control the maximum output achieved by the system, thereby reducing the overall noise levels within the event spaces.

Beyond the specific conditions discussed above, we also include the following comments and recommendations based on the Bulletin 33 architectural drawings:

## Sub-Cellar

The Speakeasy is adjacent to Mechanical Room SC01. Partition Type G is shown between these spaces. The mechanical drawings do not indicate any large pieces of equipment, however should any large air handlers, chiller, or fans, etc be located within this MER, then upgrading the partition may be required. However, the door shown between these two spaces should be fitted with adjustable seals on all sides. An automatic drop seal may also be required in any large units or equipment will be located in the MER.

## Guestroom Floor/Ceiling Assemblies

Typical slab construction between floors is understood to be 4" normal weight concrete with gypsum ceilings below, separated by a 5" airspace at typical guestrooms. To ensure compliance with the airborne noise requirement of FSTC-54, minimum 3" thick batt insulation is required within the ceiling plenum.

Guestroom floors consist of hardwood floors on two (2) layers of 3/4" plywood, with a 2mm thick GenieMat RST acoustical underlayment. We note that the underlayment thickness needs to be increased from 2mm to 5mm thick in order to comply with the previously established criteria of FIC-54. The same underlayment should be used at the 7<sup>th</sup> floor terraces above guestrooms.

## Doors

In order to achieve the previously established acoustical performance for entry doors, all guestroom entry doors should be specified with acoustical seals at the heads, jambs and automatic drop seals at door bottoms, as previously recommended. This is approximately equivalent to Door Hardware Sets 1C and 2.

The door hardware schedule is still a work in progress, however the following spaces should have acoustical seals generally in line with door hardware Sets 1C or 2:

# Cerami

- club lounges
- service elevator lobbies
- public washrooms
- dining and meeting rooms
- ballrooms
- BOH/room service and banquet service doors
- mechanical rooms.

## Event Space Operable Partitions

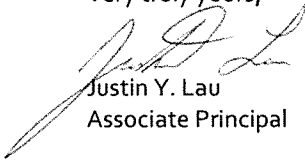
As previously noted, complying with the project criterion of FSTC-54 for operable partitions cannot be achieved with a single operable partition which are typically limited to a field performance of approximately 42. Therefore, strictly achieving the desired criteria would require (2) parallel operable partitions. In addition, a full height GWB header is required above the ceiling consisting of (2) rows of studs with (2) layers of GWB on the outside of each stud row with batt insulation in the stud cavities.

## Finishes

The sub-cellar Speakeasy, ground floor restaurants, and event spaces are all shown with a gypsum ceiling. During peak occupancy, a hard ceiling can result in loud noise levels which in turn can cause customers to raise their voices to speak over the background noise within the spaces. As such, use of an acoustical ceiling at minimum is recommended to control interior room acoustics.

This concludes our comments at this time. Should you have any questions, comments, or concerns please do not hesitate to contact us.

Very truly yours,



Justin Y. Lau  
Associate Principal

Enclosures

cc: Rudy Espiritu / Mancini Duffy  
Carlos Fornos / Mancini Duffy  
Natalie Jessip / Mancini Duffy  
Rocio Sanchez Seijas / Mancini Duffy  
Lisa Stern / G&T  
Thomas Gleason / Cerami

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**APPENDIX A – ACOUSTICAL TERMINOLOGY AND CRITERIA**

It is our understanding that ownership is targeting an acoustical environment similar to Four Seasons. Cerami has reviewed the Four Seasons Design Standards (FSDS) Acoustical chapter and summarize the pertinent requirements for this project:

**Airborne Sound Transmission**

Sound separation between two adjoining spaces due to airborne sound is quantified by the Sound Transmission Class (STC) ratings of the demising assembly. A higher STC rating corresponds to more noise reduction through the assembly. As per the Four Seasons Design Standards, the applicable installed ratings (Field STC, or FSTC) are as follows:

Space Type	Minimum FSTC Rating
Guestrooms	
- Partitions (all)	FSTC 54
- Doors (all)	FSTC-39
Meeting and dining rooms, Ballrooms partitions	FSTC-54
Operable partitions	FSTC-54

While no airborne sound transmission requirements were provided between vertically adjacent spaces, we assume the same minimum rating would be required for all floor/ceiling assemblies as the partitions.

**Impact Sound Transmission**

The FSDS does not specify acoustical performance requirements for impact noise transmission between vertically adjacent spaces. However, NYC Building Code requires a minimum rating of IIC-50 (Impact Isolation Class, as tested in a lab environment) or FIIC-45 for field tested assemblies between residential units.

Given that NYC Building Code also has minimum ratings for airborne sound transmission of STC-50/FSTC-45 and the FSDS is 10-points above that, we would recommend the same difference be applied to the impact rating. Therefore, the recommended minimum impact rating between guest/public spaces should be FIIC-54.

**Background Noise Levels**

In describing interior background noise levels, we refer to the Noise Criterion (NC) ratings as established in ASHRAE, which are single number ratings for the noise levels associated with building MEP systems. Refer to the following table for the maximum allowable background noise levels for each space type, as per the FSDS:

Space Type	Background Noise Level
Guestrooms and suites	NC-30/35 (low/medium speed)
Ballroom, conference rooms and executive offices	NC-30
Public spaces, general offices, main dining, lobby lounge	NC-35
Kitchen, laundry, staff cafeteria	NC-40

## 6. Traffic Study Report - Equity Environmental Engineering



*Prepared For:*  
DLJ Real Estate Capital Partners  
1123 Broadway - 2nd Floor  
New York, NY 10016

# 9 Orchard Street SLA Traffic and Access Study

Community Board District 3

EquityEnvironmental.com

9/27/18

500 International Drive, Suite 150,  
Mount Olive, NJ 07828

Equity Environmental has reviewed the traffic and parking generation associated with the proposed 9 Orchard Development, currently under construction in the Lower East Side neighborhood of Manhattan Community District Three. Based on our understanding of the Hotel venue's operations and the area's land use and transportation context, we believe that it can operate at this location without adversely affecting traffic, parking or community character. This evaluation is based on our study of the site area and the existing fabric and activity of the neighborhood and an individualized analysis of the traffic generating characteristics for each proposed licensed venue within 9 Orchard as well as a cumulative analysis of these venues based on similar uses in the area and hotels with multiple F&B options and private event planning in one location. At the end of this report, a summary of strategies and approaches for managing traffic and access at 9 Orchard is provided to assist facilitating arrivals and departures to the venues proposed while better integrating Hotel operation within the context of the neighborhood fabric. In addition, a summary of recommendations is also provided relating to the existing traffic and pedestrian environment.

### Venue

Nine Orchard, as shown in **Figure 1**, with frontages on Orchard Street, Canal Street, and Allen Street, is planned as a 116 key hotel featuring a variety of accessory food and beverage settings as well as Private Event Rooms seeking State Liquor Authority Licensure. Each individual venue space, by design, has a unique entry-egress location as shown in **Figure 3**. As described in detail below, the facility would feature a Sub-Cellar Cocktail Lounge with access from Allen Street, a Neighborhood Diner & Bar with sidewalk seating accessed at the first floor from the corner of Allen Street and Canal Street, a Hotel Dining Room on the first floor accessed from the sites frontage on Canal Street, a Hotel Lobby Lounge accessed at the corner of Canal Street and Orchard Street, a Hotel entry accessed at Orchard Street between Canal Street and Division Street, and three Private Rooms, two on the second floor and one on the fourteenth floor – all accessed via Allen Street from a bank of elevators in the interior of the building.

## 2. EXISTING CONDITIONS

### Area Context

The Lower East Side neighborhood in which 9 Orchard is to operate features an eclectic mix of residential and commercial spaces with a variety of retail, service and eating/drinking establishments as well as performing arts venues. The site is zoned C6-2G, a zone intended to foster density and wide-range of land uses requiring a central location. The proposed hotel is a permitted use within this zoning district. The site is located at 9 Orchard Street between Canal Street and Division Street. This highly walkable neighborhood, shown in **Figure 1**, features a vibrant commercial streetscape with high-quality restaurants and eclectic bar venues, boutique retail and residential uses with wide sidewalks; well served by transit, bike lanes and bike share stations, and on-street and off-street parking. The area has active morning traffic and commercial activity with a moderate afternoon period and an active nightlife scene during the week and a bustling and growing weekend nightlife culture.

### Streets, Sidewalks and Traffic

The project site is bound by Orchard Street to the east, Allen Street to the West, Division Street to the South and Canal Street to the North. Orchard Street, the propose Hotel drop-off location, is a one-way, one-lane northbound roadway. Access to the Hotel drop-off would be via Canal Street to Division Street and onto Orchard Street. The sidewalk width on Orchard in front of the project site is between 9 and 10 feet, and the roadway width from curb to curb is 25.5-feet wide. Allen Street is a landscape median separated primary arterial Boulevard with two through traffic lanes in each direction and curbside parking and a bollard protected interior bike lane. Sidewalks along Allen Street are approximately 10 feet wide and operate at a level of service A at the project area. Canal Street is a primary arterial roadway for most of its length in Manhattan, connecting Brooklyn via the Manhattan Bridge to New Jersey via the Holland Tunnel. Adjacent to the project site, which is east of the Manhattan Bridge approaches, Canal Street functions more as a local road with one lane east and west bound and on street parking available in each direction, with a designated off-curb bike lane between on-street parking and through traffic lanes. Proximate to the project

site, sidewalks are approximately 10-feet and are ADA accessible. A block from the project site, Ludlow Street transitions to Division Street and has one westbound traffic lane and on-street parking on both the north and south sides of the street. Sidewalks on Division Street are ten-feet wide and commercial activity is very heavy during the daytime hours.

A review of average annual daily traffic (AADT) recorded by NYS Department of Transportation was evaluated for major road segments abutting the project site. The latest available data regarding vehicular traffic (2014) from East Houston to Canal Street identified an AADT of 22,612 cars were found to traverse Allen Street, a reduction of nearly 5,000 trips from 2004. From West Street to Allen Street, approximately 37,000 cars traverse Canal a slight decrease of 1000 trips from 2004 during the same period. Allen Street has seen significant streetscape improvement during this period and Canal Street has added both pedestrian pocket park and bike lanes in the segment adjacent to the site from Essex Street to Allen Street.

**Parking**

Orchard St directly in front of the project site is a no parking zone 8AM – 6PM Monday-Friday, across the street from the project site is a no-standing anytime zone, and no parking Monday-Saturday 7:30 AM-8 AM next to the site at Canal Street. Division Street, from Ludlow to Allen Street has a no-parking zone from 8 AM to 6 PM Monday-Friday on the north side and truck loading only between 8AM-6PM except Sunday on the south side of the street. The area of Allen Street directly adjacent to the project site has 1-hour metered parking between 9 AM-7 PM except Sunday and nighttime parking restriction Monday, Wednesday and Friday from midnight to 3 AM. On-street parking is available proximate to and within short walking distance to the project site particularly during peak hours of operation, which would occur after the parking restrictions identified above. Absent construction at the proposed venue, vehicular traffic on this section of Orchard Street generally functions well, particularly during the proposed projects peak evening hours, however illegally parked Postal Trucks often block portions of the Street. There are several off-street parking facilities in the vicinity, as detailed in the following table and shown in Figure 2.

**Table 1: Off-Street Parking within Vicinity of Project Site**

Number-keyed to map	Address, Corporation Name	Parking Spaces
1	26 Forsyth St, Bridge View Auto Service Center	42
2	59 Allen St, 59 Allen Street Garage Corp.	200
3	61 Chrystie St, T&K Parkin, Inc.	54
4	89 Chrystie St, MTP Operating Corp.	116
5	49 Henry St, Henry Operating Corp.	114
6	38 Henry St, 10 St. Parking Corp.	150

Based on discussions with the operators of these facilities, these facilities are busiest during daytime business hours and there is ample capacity available during the proposed venue’s peak hours of operation

**Transit**

The East Broadway station of the F train is accessible two blocks to the east at the corner of Canal Street and East Broadway, and the B and D trains are accessible on Grand Street and Chrystie Street about a five-minute walk to the

north of 9 Orchard. The M15 bus operates on Allen Street, with a stop at Division Street, and two stops on Allen Street, both half of a block from the project site. The M09 is two blocks to the east on Essex Street, while the M103 is available on Bowery about 4 blocks west from 9 Orchard.

#### Bicycle Share

Multiple Citibike stations are within close proximity of Nine Orchard Street – at Pike Street and East Broadway, at Forsyth Street and Canal Street, and at Allen Street and Hester Street.

#### Neighborhood Reconnaissance

On June 26<sup>th</sup>, 2018 – a site area walk with a resident adjacent to the proposed 9 Orchard Hotel was held to identify existing traffic and parking conditions as well as discuss the interface of the proposed project with the neighborhood. A photo tour of the area is provided below in **Photo Key 1-4**. The following areas of concern or issues were identified;

- *Canal St from Allen to Essex with a focus on Allen to Orchard. (Intercity buses, "rogue" mobile produce box trucks, postal trucks and delivery box trucks)*
- *Allen St from Canal St to Hester St (intercity buses and rogue mobile produce box trucks). 59 Canal Street currently has an intercity and long-haul regional bus operation running.*
- *Division St including the turn from Canal St on to Division St and then turning from Division St onto Orchard and how that plays out on to Canal (postal trucks and delivery Box trucks). During walk, use of Post Office Employee parking permits was noted all along Division Street related to the Post Office at 128 East Broadway. In addition, Postal Trucks were observed parked in the middle of the drive lane and blocking access to Orchard Street.*
- *Canal turning right onto Essex....there has been some negative impact of traffic patterns with the closing of traffic in Strauss Sq.*
- *Bike lanes from Essex Street to Allen Street are poorly defined and conflict with tight road profile with parked and moving vehicles and particularly the presence of mail trucks and delivery vehicles loading and unloading and casually parked into the roadway*
- *The triangular plaza at Ludlow Street and Canal is not safely designed to prevent pedestrian and vehicular impacts with pedestrians sitting and walking in the area.*
- *The intersection of Ludlow Street and Canal Street is a heavy pedestrian crossing area and is a partially uncontrolled intersection. At night visibility is poor in this area as large numbers of pedestrians cross this area.*



Figure 1: Project Location Map



Legend

-  9 Orchard Street
-  Bus Stops
-  Subway Entrances
-  Bus Routes
-  Subway Routes
-  Parks

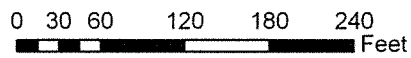
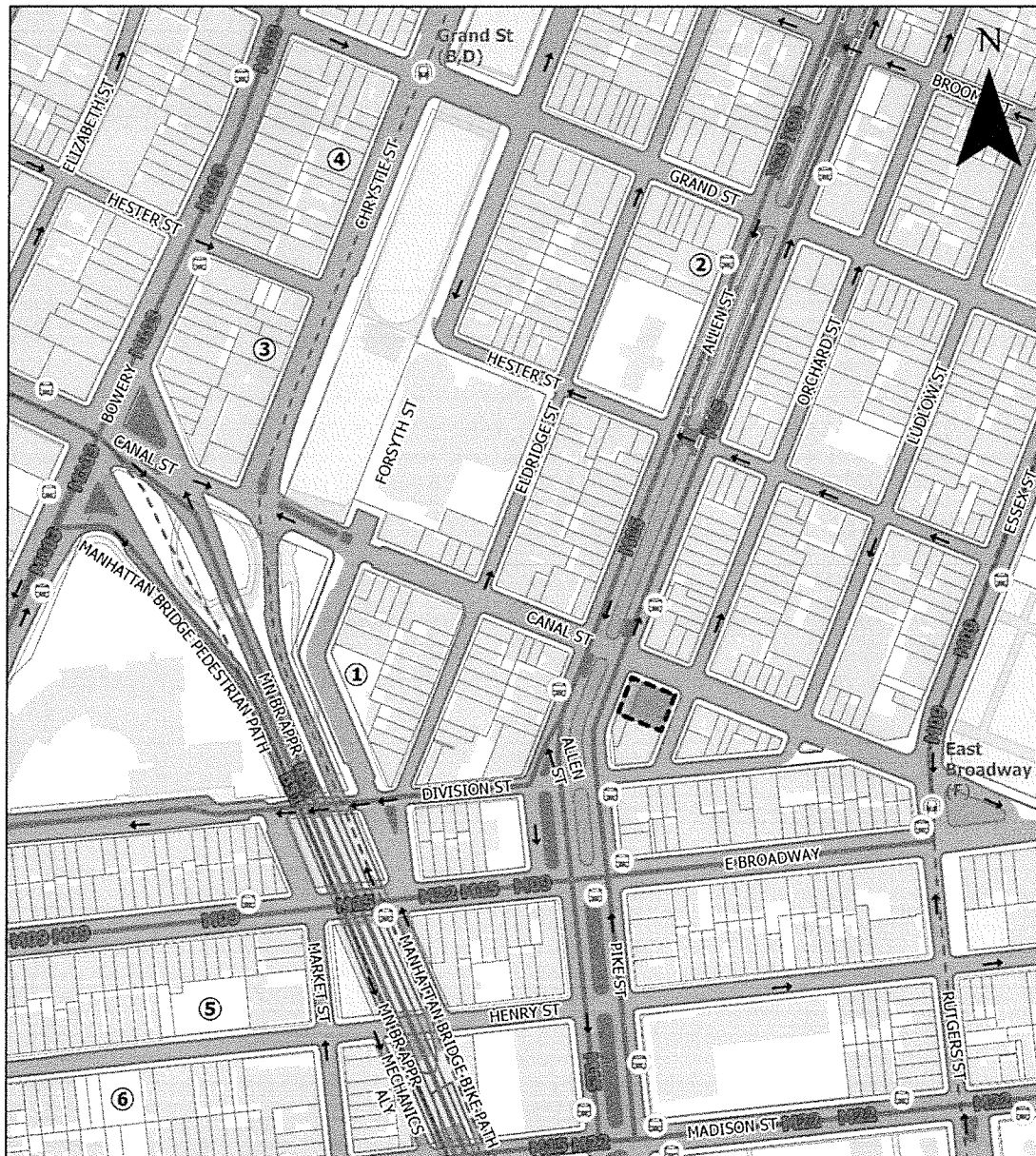







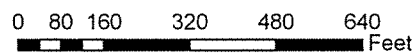


Figure 2: Transit & Parking Assets Map



Legend

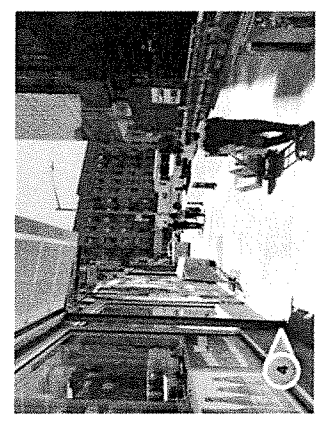
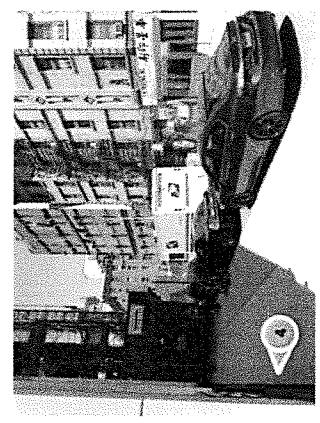
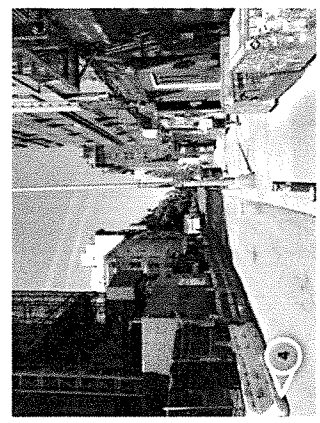
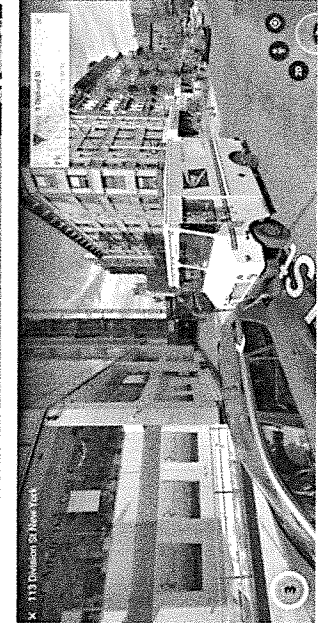
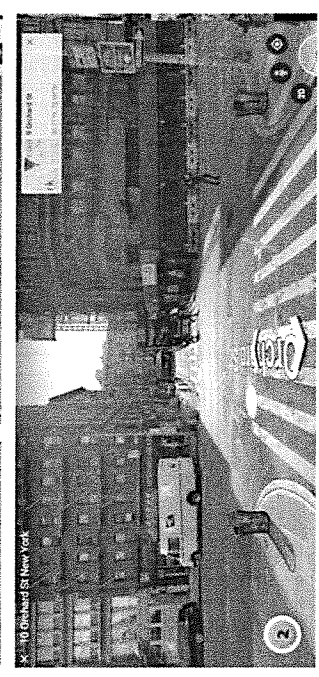
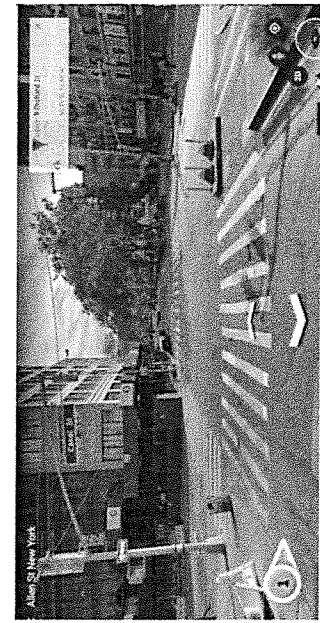
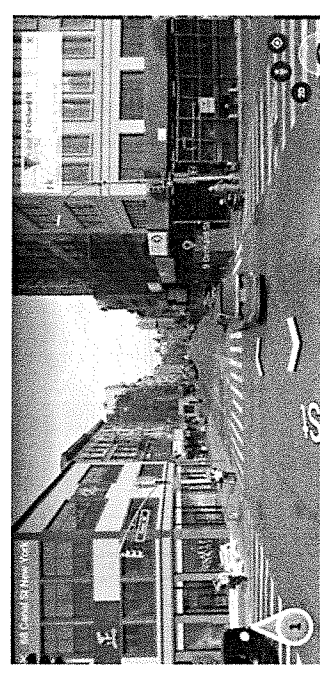
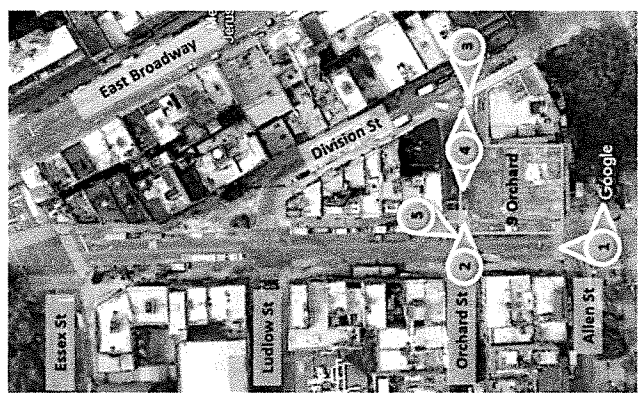
-  9 Orchard Street
-  Subway Entrances
-  Off-Street Parking
-  Subway Routes
-  Bus Stops
-  Parks
-  Bus Routes



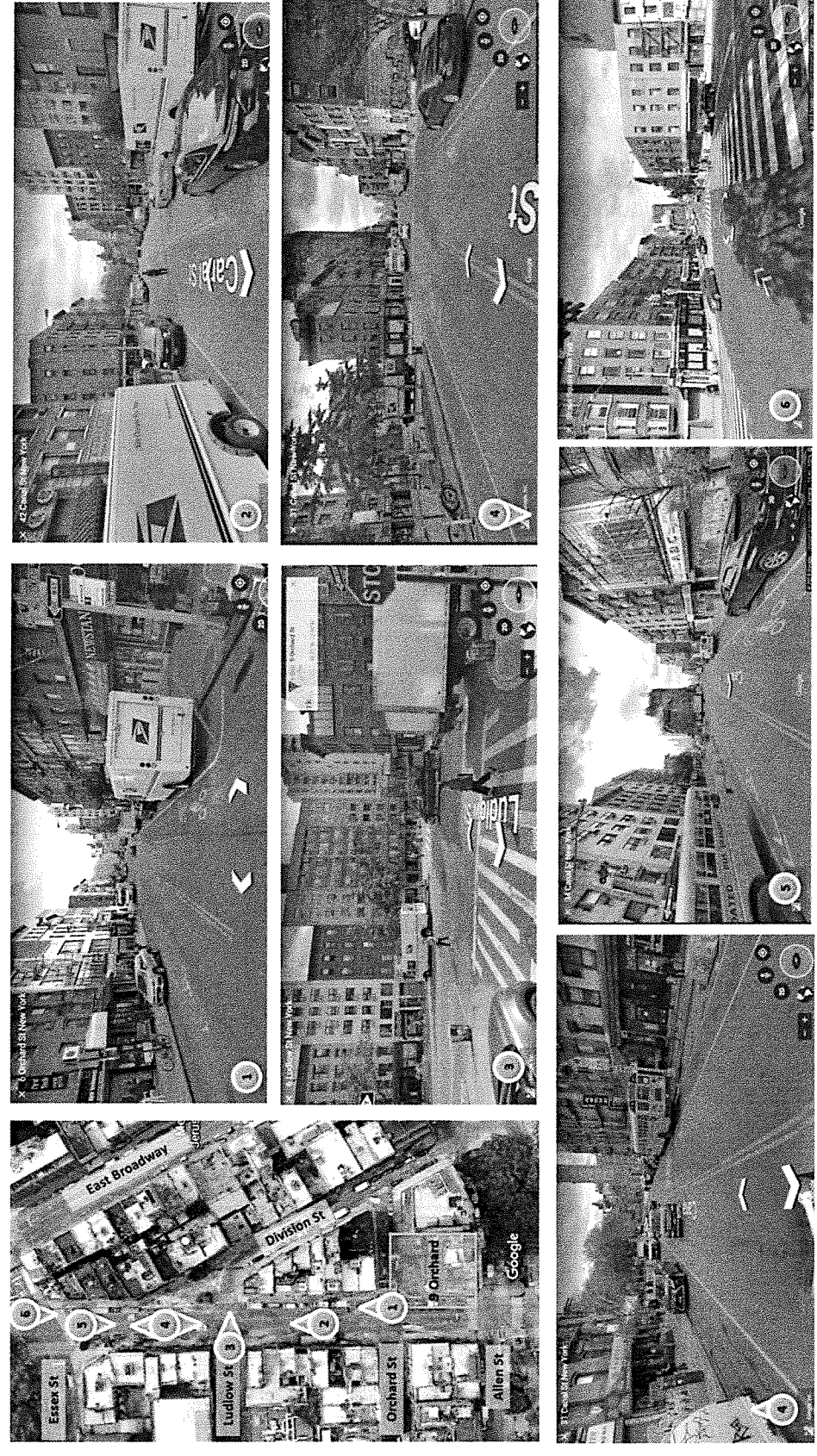
Photokey 1: Study Area Context



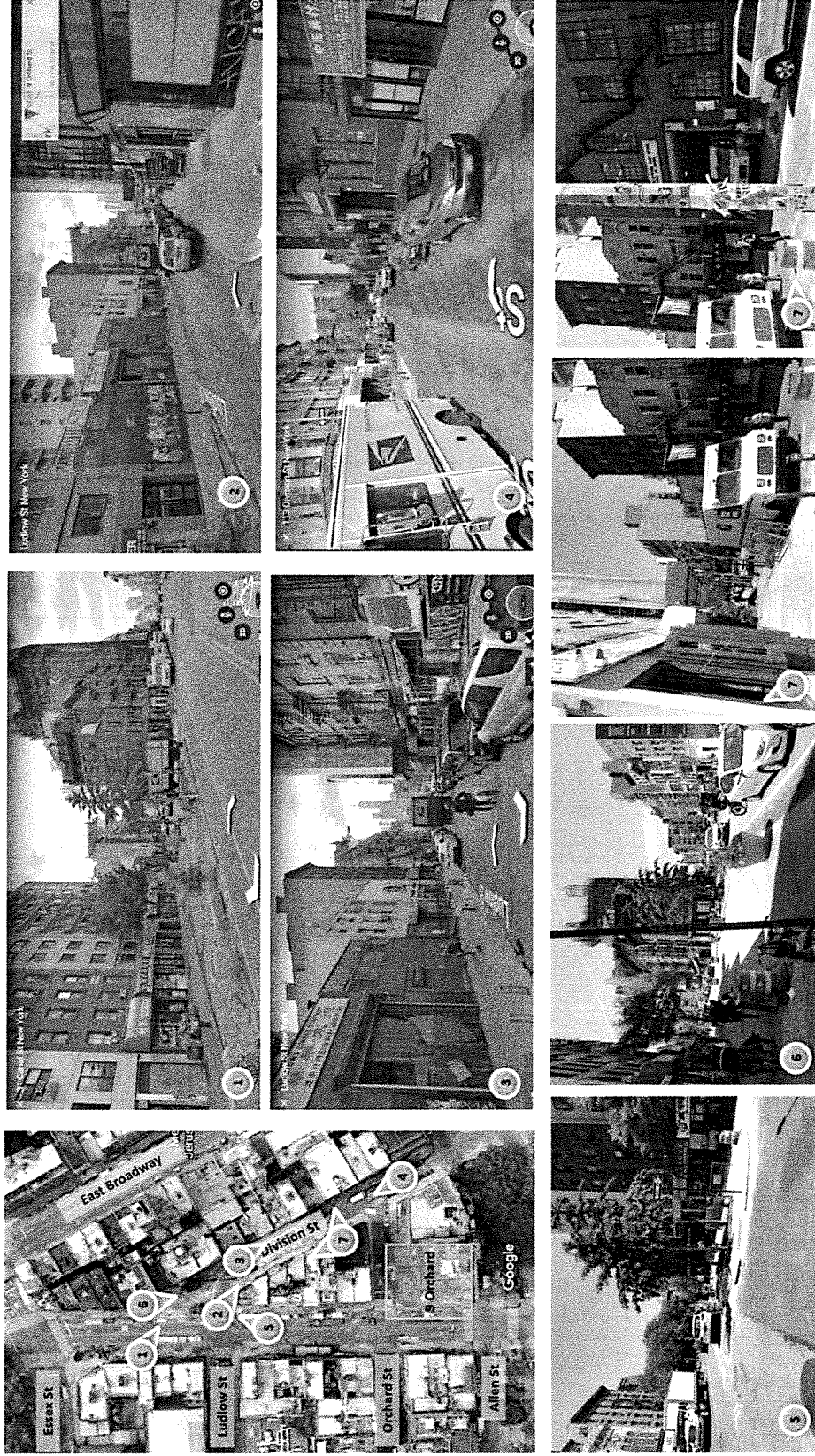
Photokey 2: Orchard Block Context



Photokey 3: Canal Street Context



Photokey 4: Division Street Context



### 3. Proposed Venues

The project will feature multiple food and beverage services seeking licensure. The hotel would feature a Sub-Cellar Cocktail Lounge on the sub-cellar level with access from Allen Street, a Neighborhood Diner & Bar with sidewalk seating, accessed at the first floor from the corner of Allen Street and Canal Street, a Hotel Dining Room on the first floor accessed from the site’s frontage on Canal Street, a Hotel Lobby Lounge accessed from the corner of Canal Street and Orchard Street, a Hotel entry accessed at Orchard Street between Canal Street and Division Street, and three Private Rooms, two located on the second floor and one on the 14th floor – all accessed via Allen Street from a bank of elevators in the interior of the building. These spaces and their hours of operation, and seating capacity are described below and summarized in **Table 2 and Diagram 1** below.

**Table 2: Venue Programming**

Components	SF	Capacity (seated and standing)	Regular Hours of Operation							Bar Info	
			Total	Mon	Tues	Wed	Thur	Fri	Sat		Sun
Cocktail Lounge	1,080	28		4am	4am	4am	4am	4am	4am	4am	Service Bar Only
Neighborhood Diner & Bar (Indoor)	1,039	97		4am	4am	4am	4am	4am	4am	4am	52 feet
Neighborhood Diner & Bar (Outdoor)		24		10pm	10pm	10pm	10pm	10pm	10pm	10pm	
Hotel Dining Room	1,148	78		2am	2am	2am	2am	2am	2am	2am	None
Hotel Lobby Lounge	1,046	65		4am	4am	4am	4am	4am	4am	4am	27 feet
Private Room (Large)	1,665	175		4am	4am	4am	4am	4am	4am	4am	Mobile Bar Only
Private Room (Small)	598	70		4am	4am	4am	4am	4am	4am	4am	Mobile Bar Only
Rooftop Private Room (Indoor)	2,997	52		4am	4am	4am	4am	4am	4am	4am	15 feet
Rooftop Private Room (Outdoor)		186		12pm	12pm	12pm	12pm	12pm	12pm	12pm	
	9,553	775									

- The cellar would feature a Sub-Cellar Cocktail Lounge with seating for 28. The lounge would be open until 4AM
- The first floor would feature a Neighborhood Diner & Bar accessed via Allen Street that has an indoor capacity of 97 and will operate until 4AM. The Neighborhood Diner & Bar would have outside seating for 24 until 10PM. The 1<sup>st</sup> floor would also feature a Hotel Lobby Lounge with an entrance on the corner of Orchard Street and Canal Street. Also, on the first floor would be a Hotel Dining Room with access from Canal Street. The Hotel Lobby Bar would have a seated capacity of 44 and standing for 21, the Hotel Dining Room seating for 78. The Hotel Lobby Lounge would be open until 4am and the Hotel Dining Room would be open until 2am.
- The 2<sup>nd</sup> floor would feature two Private Rooms; the Large Room would have a capacity of 100 seats and 175 standing only and, the small Private Room would have a seated area of 40 and a capacity of 70 standing. These spaces would be available for private use until 4AM. The intent is to provide a space for vetted functions; such as corporate events, gallery exhibits, private dining, and community use that is convenient to public transit.
- The 14<sup>th</sup> Floor would feature a Private Room, composed of an outdoor space and an indoor space with a combined seated capacity of 150 and combined standing capacity of 238. The outdoor space would be open until midnight. The indoor space will be open until 4am Monday through Sunday. These spaces would be available for private use until 4AM. The intent is to provide a space for vetted functions; such as corporate events, gallery exhibits, private dining, and community use that is convenient to public transit.
- Floors 3-12 would contain 116 hotel rooms

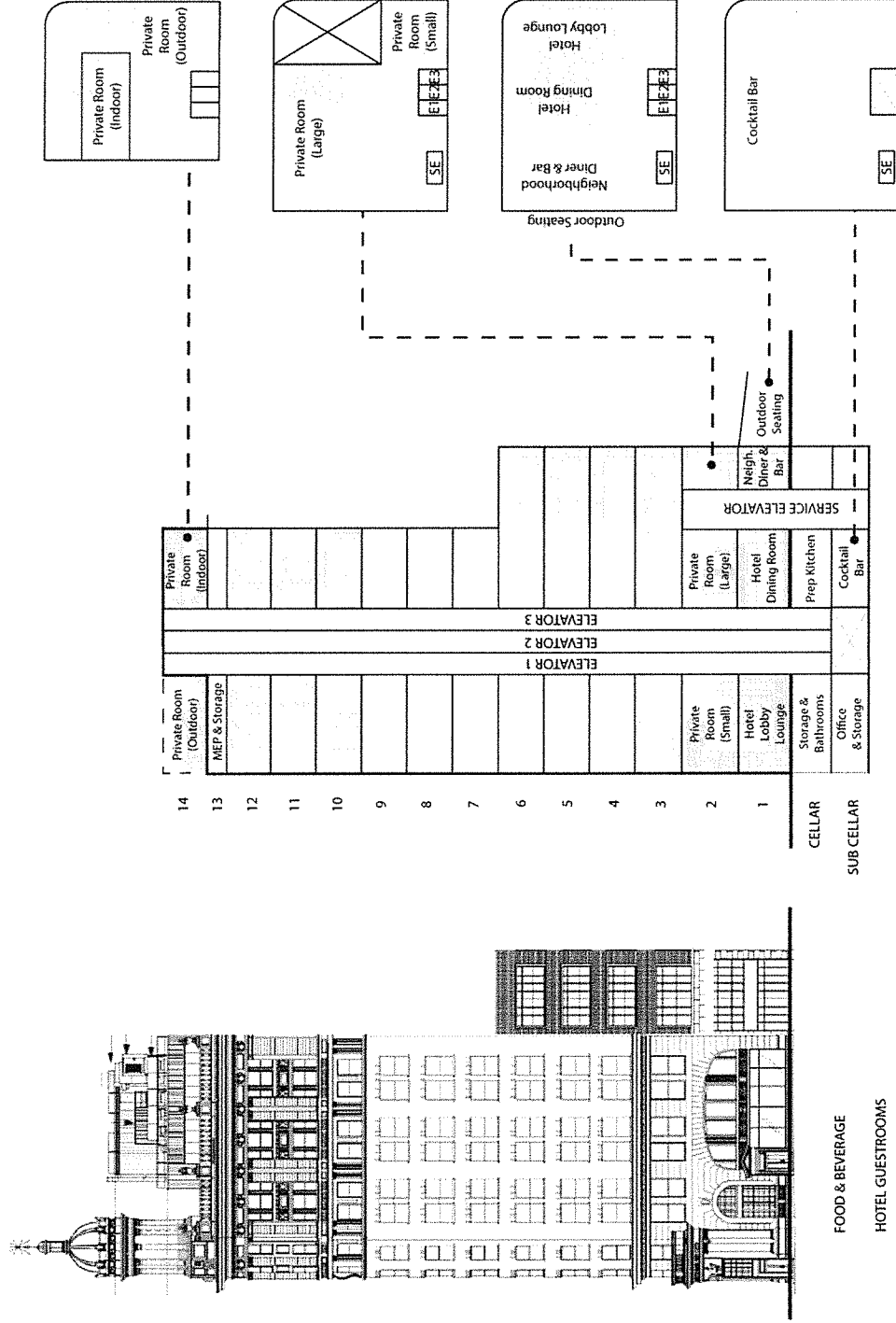


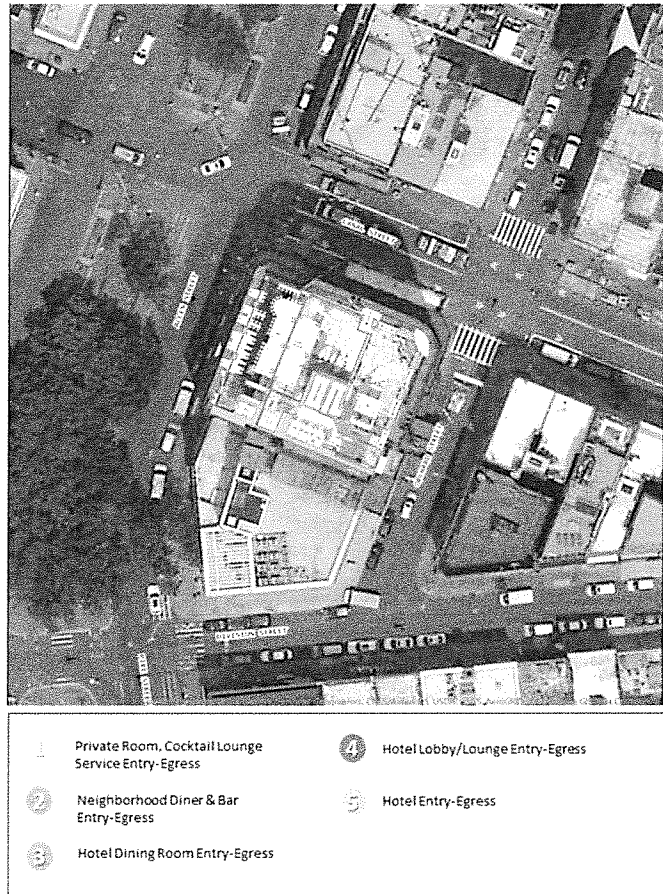
Diagram 1: Food and Beverage Space Locations with Nine Orchard



Venue Traffic and Access Analysis

While 9 Orchard’s licensed spaces can accommodate a total of 775 patrons (seated and standing) at one time in all locations, the various venues have different hours of peak activity and many of the uses would have a significant number of internal trips by hotel guests and patrons of other spaces within the facility that would not require access from the outside. The assessment below evaluates each venue program individually under a “worst case” or maximum utilization and turnover condition in order to evaluate the “potential possible impact” on traffic operations in the area under the prime impact operating period from 6PM-4AM. These results were then cumulatively considered so that the entire traffic generation of 9 Orchard is considered in a context of peak access from overlapping events in order to assist in scenario planning for the most demanding of traffic and access during the most sensitive of hours to the community. The worst-case conditions would only occur no more than 4-5 times a year or slightly more than 1% of operating days during a year. Normal weekday traffic generation would run between 40% of the forecast provided below and an average Friday or Saturday would generate approximately 70% of the peak traffic generation identified below. Each proposed venue, by design, has unique intended patronage characteristics which result in different forecasted modes of arrival and different arrival and departure patterns.

Figure 3: Arrival and Departure Locations for Proposed Venues



Characteristics of each space within 9 Orchard were based on observations of similar area establishments and detailed historical surveying of similar applications. The neighborhood was observed from 6 PM to 4 AM on Friday July 13<sup>th</sup>, 2018 and on Saturday, September 27, 2018. Google analytic data related to area establishments and similar hotel venues was assessed for peak arrival times by day of week, hours of arrival and duration of visit. These observed and factored data were utilized to build arrival and departure models for each of the proposed licensed spaces and each arrival and departure model was then broken down into a mode of arrival split to identify the number of private cars, cabs/car service, and pedestrian trips associated with each venue at the project site. Finally, peak hour arrival and departure accumulations by mode and street frontage were determined – to serve as a basis of assessment for potential traffic impact and identify operational measures for optimal functioning within the context of the neighborhood.

The assessment below assumes private car and cab/car service occupancy to be 2.2 patrons per cab. Each space has a differing assumption on percentage of hotel vs external guests (identified in model worksheet for each space - provided below). A linked trip adjustment is provided for cab/car service for each space – which is provided as a measure of those cabs used for drop-off that would be used for pick-up without generating a new vehicular arrival (also identified in model worksheet for each space -provided below). Private car trips are counted as pedestrian arrivals at the door as the models below assume that these vehicles would seek private parking accommodations.

### Sub-Cellar Cocktail Lounge Space

Patrons at for the Sub-Cellar Cocktail Lounge would access the cellar located space via entry on Allen Street which would lead to a stair downstairs as Shown in Figure 4. Operations could occur at this location from 5PM to 4AM. Peak Operating Period would occur at 12-1AM as shown in Table 3.

### Assessment

The Sub-Cellar Cocktail Lounge would generate 35% of its patrons from cab/car-service which would drop-off at Allen Street, 10% would take private auto, and 55% would walk or use transit and walk to site. For the peak 12-1AM period, this would equal 24 departures and arrivals. Of this total; 3 private auto, 4 cab/car service and 17 walk arrival and departures would occur during this period. A total of 80 patrons (or a 2.8X turnover rate for the 28 seats and a total of 80 patrons from 6PM to 4AM (assumes 2.2 person per private auto or car service) is forecasted.

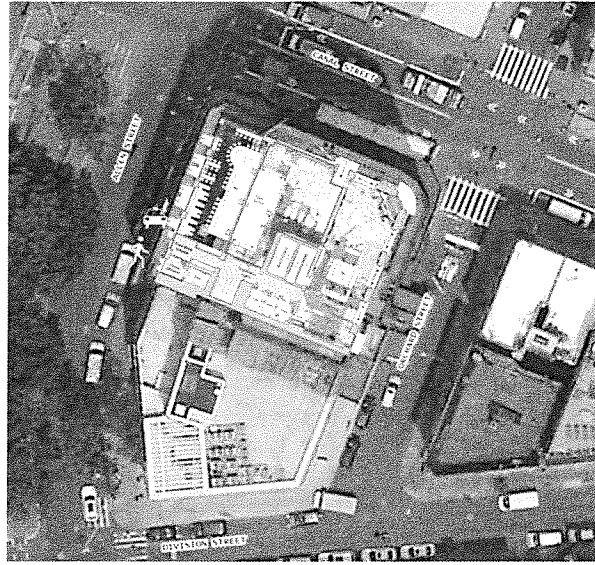


Figure 4: Sub-Cellar Cocktail Lounge, Event Space and

	Sq. Ft	Full Occupancy	Percentage External Arrivals & Departures	Hours of Operations	Peak Hours	Mode Split	Operating Periods	6-7PM	7-8	8-9	9-10	10-11	11-12	12-1AM	1-2	2-3	3-4
								Arrivals	Departures	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures	Arrivals	Departures
Sub-Cellar Cocktail Lounge	1080	28	0.7	5:00pm-4:00am Monday-Sunday	12-1AM Friday and Saturday	1.5-hour average stay	Accumulation Factor	0.3	0.4	0.4	0.5	0.6	0.5	0.6	0.5	0.2	0.1
						Private Auto - 2.2	10%	0	2	4	5	6	5	20	20	13	5
						Linked Trip Adjustment	70%	1	1	1	1	2	1	3	3	2	1
						Cab/Car Service Drop-off (2.2 patrons per cab)	35%	4	7	8	10	12	10	22	21	12	5
						Walk/Secondary Walk	55%	1	1	1	2	2	2	4	3	2	1
						Patrons entering and exiting by hour		3	5	7	8	10	8	17	16	9	4
								5	7	9	11	14	11	24	23	13	5

Table 4: Sub-Cellar Cocktail Lounge Weekend Arrival and Departure Simulation

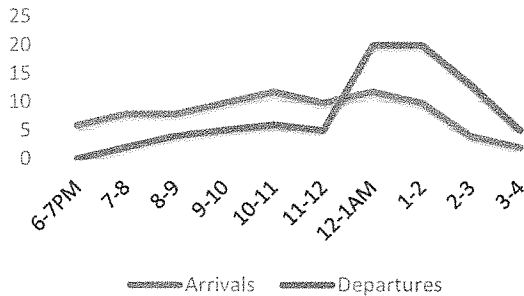
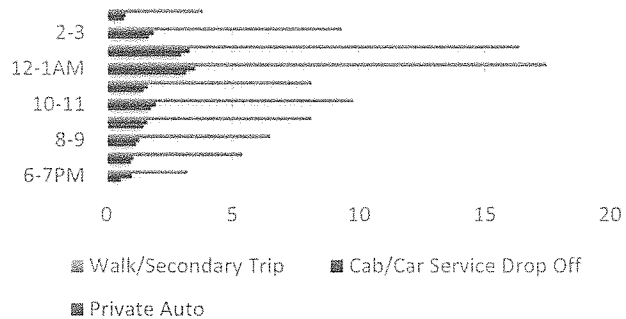


Table 5: Sub-Cellar Cocktail Lounge Weekend Forecasted Mode Arrivals/Departures by Hour



### Neighborhood Diner & Bar

Patrons arriving at the Neighborhood Diner & Bar would access the first-floor space via entry on the Corner of Allen St and Canal Street as shown in Figure 5. Operating period would be from 8 AM to 4 AM, with prime operations occurring between 6 PM to 1 AM. Peak Operating Period would occur at 10-11 PM as shown in Table 6.

### Assessment

The Neighborhood Diner & Bar would generate 25% of its patrons from cab/car-service which would drop-off at corner of Canal Street and Allen Street, 5% would take private auto, and 70% would walk or use transit and walk to site. For the peak 10-11 PM period, this would equal 92 departures and arrivals. Of this total; 5 private auto, 8 cab/car service and 78 walk arrivals and departures are forecast during this period. A total of 446 patrons is forecasted (or a 3.6X turnover rate for the 121 indoor and outdoor seats from 6PM to 4AM (assumes 2.2 person per private auto or car service).

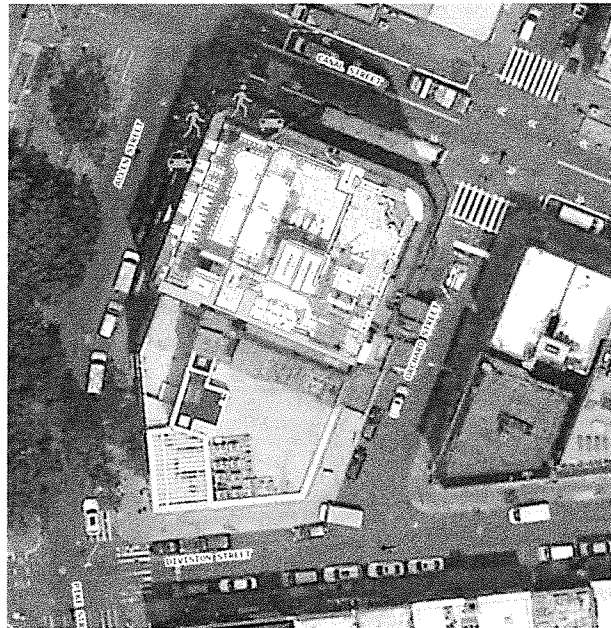


Figure 5: Neighborhood Diner & Bar Entry

Table 6: Neighborhood Diner & Bar Access Model

Sq. Ft	Full Occupancy	Percentage External Arrivals & Departures	Hours of Operations	Peak Hours	Mode Split	Operating Periods	6-7PM	7-8	8-9	9-10	10-11	11-12	12-1AM	1-2	2-3	3-4	
Neighborhood Diner & Bar	1,039	121	90%	8:00am-4:00am Monday - Sunday	10-11 Friday and Saturday	1.5 hours											
						Accumulation Factor											
						Arrivals	0.4	0.4	0.5	0.5	0.6	0.5	0.5	0.4	0.2	0.1	
						Departures	44	44	54	54	65	54	54	44	22	11	
						Private Auto - 2.2	5%	1	1	2	2	5	2	2	1	1	
						Linked Trip Adjustment	70%	34	41	50	65	78	68	70	62	43	24
						Cab/Car Service Drop-off (2.2 patrons per cab)	25%	6	5	7	7	9	8	8	7	5	3
Walk/Secondary Walk	70%	34	41	59	65	78	68	70	62	43	24						
Patrons entering and exiting by hour							41	47	68	75	92	78	80	71	50	28	

Table 7: Neighborhood Diner & Bar Weekend Arrival and Departure Simulation

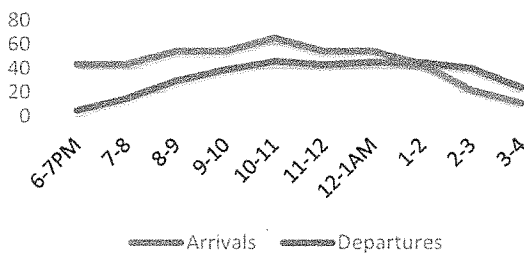
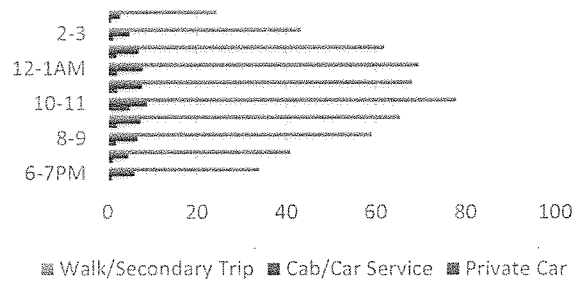


Table 8: Neighborhood Diner & Bar Arrivals & Departures by Hour



### Hotel Dining Room Space

Patrons arriving at the Hotel Dining Room would access the first-floor space via entry on Canal Street as shown in Figure 6. Operating period would be from 7 AM to 2 AM, with prime operational period occurring between 6 PM to 12 PM. Peak Operating Period in terms of entry and egress would occur at 9-10 PM as shown in Table 9.

### Assessment

The Hotel Dining Room would generate 50% of its patrons from cab/car-service – which would drop-off on Canal, 10% would take private auto, and 40% would walk or arrive from transit and walk to site. For the peak period, this would equal 44 departures and arrivals during the 9-10 PM period, of this total 3 private auto, 12 cab/car service and 29 walk trips during this period. A total of 187 patrons is forecasted (or a 2.4X turnover rate for the 78 seats from 6 PM to 2 AM (assumes 2.2 persons per private auto or car service).

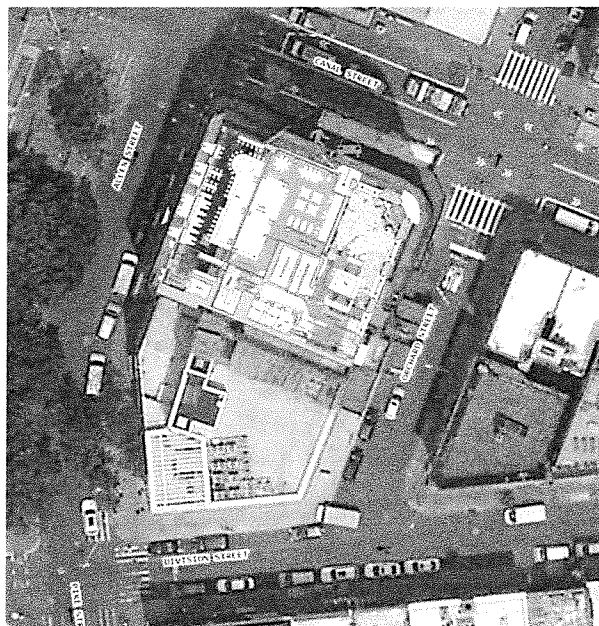


Figure 6: Hotel Dining Room Entry Location

Sq. Ft	Full Occupancy	Percentage External Arrivals & Departures	Hours of Operations	Peak Hours	Mode Split	Operating Periods	6-7PM	7-8	8-9	9-10	10-11	11-12	12-1AM	1-2	2-3	3-4				
							Accumulation Factor										Arrivals		Departures	
Hotel Dining Room	1,148	78	70.00%	7:00am-2:00am Monday - Sunday	9-10 Friday and Saturday	2.5-hour average stay														
						Arrivals	20	35	38	33	27	14	14	5	0					
						Departures	5	15	30	40	32	30	20	11	6					
						Private Auto - 2.2	10%	1	2	3	3	3	2	2	1	0				
						Linked Trip Adjustment	70%	15	25	28	21	22	17	12	4					
						Cab/Car Service Drop-off (2.2 patrons per cab)	50%	4	8	11	12	9	7	5	3	1				
Walk/Secondary Walk	40%	10	20	27	29	24	17	13	7	2										
Patrons entering and exiting by hour							15	30	41	44	36	26	20	10	4	0				

Table 10: Hotel Dining Room Weekend Arrival and Departure Simulation

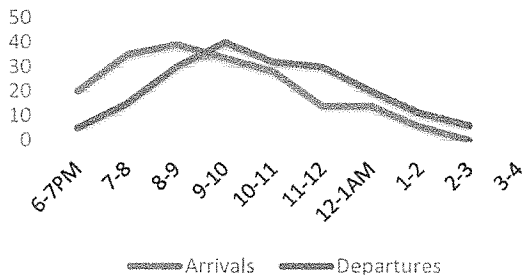
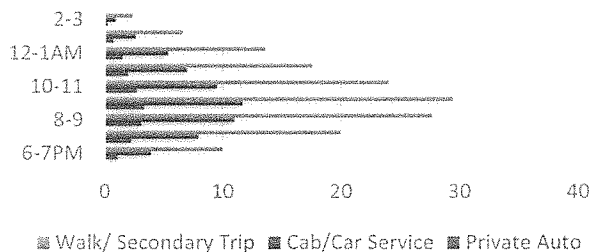


Table 11: Hotel Dining Room Arrivals & Departures by Hour



### Hotel Lobby Lounge

Patrons arriving at the Hotel Lobby Lounge would access the first-floor space via entry on corner of Canal Street and Orchard Street as shown in Figure 7. Operating period would be from 7 AM to 4 AM. Peak Operating Period would occur at 10-11PM as shown in Table 12.

### Assessment

The Hotel Lobby Lounge would have 50% of its guest generated from internal hotel trips and shared trips to and from restaurant. It would generate 30% of its patrons from cab/car-service – which would drop-off at corner of Canal Street and Orchard Street, 5% would take private auto, and 60% would walk or arrive from transit and walk to site. For the 10-11PM period, this would equal 27 departures and arrivals. Of this total; 1 private auto, 3 cab/car service and 23 walk arrival and departures would occur during this period. A total of 130 arrivals and departures from 6PM to 2AM (assumes 2.2 person per private auto or

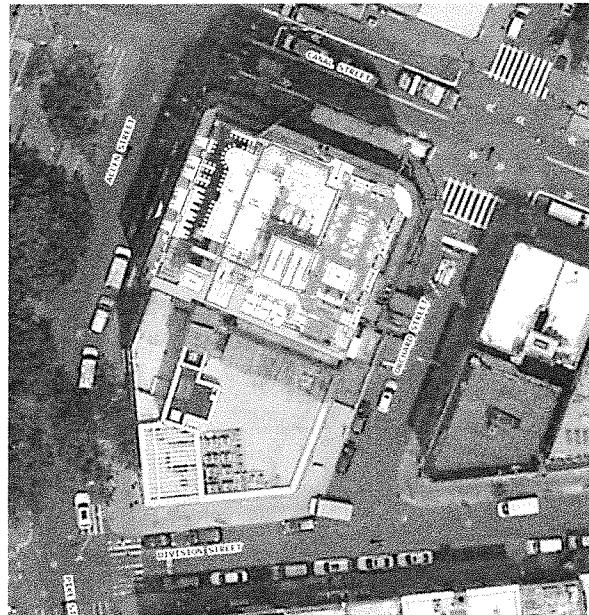


Figure 7: Hotel Lobby Lounge Entry Location

Table 12: Hotel Lobby Lounge Access Model

Sq. Ft	Full Occupancy	Percentage External Arrivals & Departures	Hours of Operations	Peak Hours	Mode Split	Operating Periods	6-7PM	7-8	8-9	9-10	10-11	11-12	12-1AM	1-2	2-3	3-4	
							Accumulation Factor	Arrivals	Departures	Private Auto - 2.2	Linked Trip Adjustment	Cab/Car Service Drop-off (2.2 patrons per cab)	Walk/Secondary Walk	Patrons entering and exiting by hour			
Hotel Lobby Lounge	1,046	65	50.00%	7:00am-4:00am Monday - Sunday	8-9 pm Monday-Thursday, 10-11 Friday and Saturday	2.5-hour average stay	0.3	0.4	0.5	0.5	0.6	0.5	0.5	0.4	0.2	0.1	
						Arrivals	10	13	16	16	20	16	16	13	7	3	
						Departures	5	10	15	15	18	18	15	15	12	7	
						Private Auto - 2.2	0	1	1	1	2	1	1	1	0	0	
						Linked Trip Adjustment	6%	9	14	19	19	23	21	19	17	11	6
						Cab/Car Service Drop-off (2.2 patrons per cab)	30%	1	2	3	3	3	3	2	2	1	
						Walk/Secondary Walk	60%	9	14	19	19	23	21	19	17	11	6
Patrons entering and exiting by hour	10	16	22	22	27	24	22	20	13	7							

Table 13: Hotel Lobby Lounge Weekend Arrival and Departure Simulation

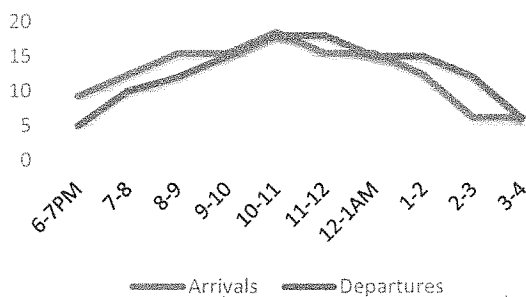
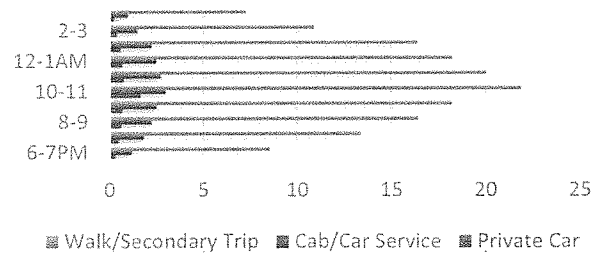


Table 14: Hotel Lobby Lounge Weekend Forecasted Mode Arrivals/Departures by Hour



Private Rooms 2<sup>nd</sup> Floor

Patrons arriving to attend an gathering a one of the Private Rooms would all access via entry on Allen Street as shown in Figure 8. Operating period would be from 7-AM to 4-AM, with prime weekend evening operations assumed from 8 PM to 1 AM. Morning and afternoon events area also expected to be common. Private Rooms have specific departure and arrival windows to which most patrons would adhere. This report has modelled an evening-oriented event to coincide with peak operations in the rest of the building. The Large Private Room would have a full occupancy of 175, while the Small Private Room would have an occupancy of 70. Under these assumed conditions, peak operating arrival period for 2<sup>nd</sup> floor Private Rooms is forecasted at 8-9 PM with a total of 111 combined arrivals during that period as shown in Table 15. Peak operating departure period for the second-floor Private Rooms is forecasted at 12 PM - 1 AM with a total of 67 departures during that period.

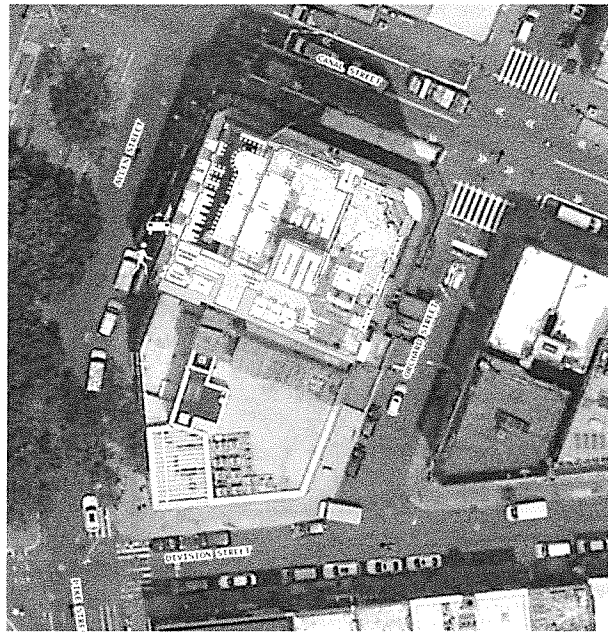


Figure 8: Private Room Entry

Table 15: Second Floor Private Rooms

	Sq. Ft	Full Occupancy	Percentage External Arrivals & Departures	Hours of Operations	Peak Hours	Mode Split	Operating Periods	6-7PM	7-8	8-9	9-10	10-11	11-12	12-1AM	1-2	2-3	3-4			
								Arrivals	Departures											
Private Room (Large)	1,665	175	na (max assumed)	7:00am-4:00am Monday - Sunday	7-10 pm weekday, 10pm-1am Friday and Saturday		accumulation	0.15	0.65	0.2	0.05	0.1	0.2	0.4	0.2	0.05	0			
								Arrivals	26	114	35	0	0	0	0	0	0	0	0	0
								Departures	0	0	0	9	18	35	70	35	9	0	0	
								Private Auto - 2.2	15%	2	8	2	1	1	2	5	2	1	0	
								Linked Trip Adjustment	30%	24	103	32	8	16	32	63	32	8	0	
								Cab/Car Service Drop-off (2.2 patrons per cab)	40%	5	21	6	2	3	6	12	6	1	0	
								Walk/Secondary Walk	45%	12	51	16	4	8	16	32	16	4	0	
Patrons entering and exiting by hour	18	80	25	7	12	24	48	24	6	0										
Private Room (Small)	598	70	na (max assumed)	7:00am-4:00am Monday - Sunday	7-10 pm weekday, 10pm-1am Friday and Saturday		Accumulation	0.15	0.65	0.2	0.05	0.1	0.2	0.4	0.2	0.05	0			
								Arrivals	11	46	14	0	0	0	0	0	0	0		
								Departures	0	0	0	4	7	14	28	14	4	0		
								Private Auto - 2.2	15%	1	3	1	1	0	1	2	1	0		
								Linked Trip Adjustment	30%	10	42	13	3	6	13	25	13	3		
								Cab/Car Service Drop-off (2.2 patrons per cab)	40%	2	8	2	1	1	2	5	2	1		
								Walk/Secondary Walk	45%	5	21	6	2	3	6	13	6	2		
Patrons entering and exiting by hour	7	31	10	3	5	10	19	10	2	0										

Table 16: Large Private Room Max-Occupancy Arrivals/Departures

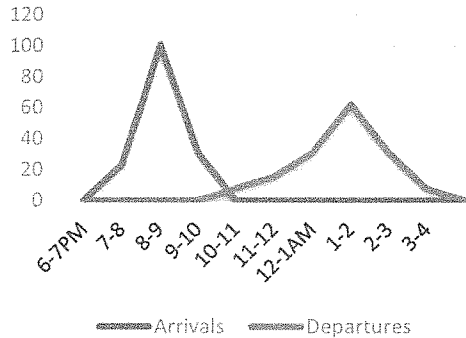


Table 17: Large Private Room Max-Occupancy Forecasted Mode Arrivals/Departures by Hour

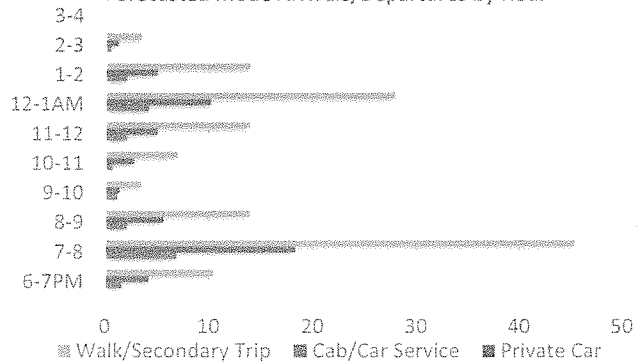


Table 18: Small Private Room Max-Occupancy Arrivals/Departures

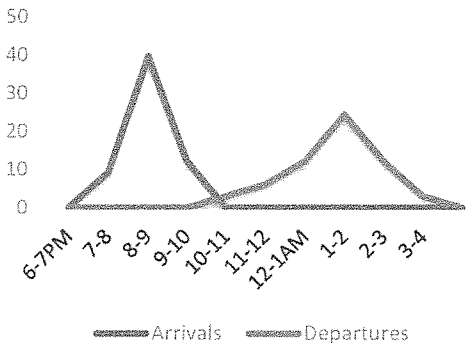
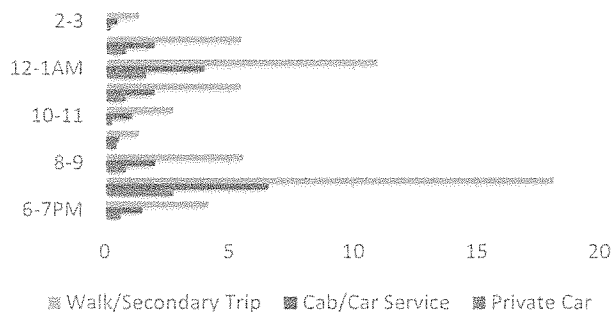


Table 19: Small Private Room Max-Occupancy Forecasted Mode Arrivals/Departures by Hour



**2<sup>nd</sup> Floor Private Room Assessment**

Based on the above forecast model, for the purposes of evaluating a worst-case scenario, the second-floor large and small Private Rooms are assumed to have no patronage generated from guests inside the hotel. These Private Room spaces would generate 40% of their patrons from cab/car-service – which would drop-off and pick-up on Allen Street, 15% would take private auto, and 45% would walk or arrive from transit and walk to site. For the peak arrival period from 7-8PM, this would equal 111 arrivals. These arrivals are estimated to be by the following mode; 11 private auto, 30 cab/car service (assumes 2.2 per vehicle) and 72 walking. Departures for peak period 12PM – 1AM are estimated at 67. During this peak period, departures are estimated to be by the following mode; 7 private auto, 17 cab or car service (assumes 2.2 per vehicle), and 45 walk trips.

Private Room, Rooftop

Patrons attend an event at the Rooftop Private Room would all access via entry on Allen Street as shown in Table 12. Operating period for the Rooftop Private Room would be from 7-AM to 4-AM. Afternoon and morning events area also expected to be common. The outdoor portion of the rooftop space would close at midnight. Event spaces have specific departure and arrival windows to which the majority of patrons would adhere. To provide a conservative analysis, this report has modelled an evening-oriented event to coincide with peak operations in the rest of the building. Rooftop events were considered with a slightly later peak arrival and departure model. Under these assumed conditions, peak operating arrival for evening Private Room event scenario is forecasted at 8-9PM with a total of 98 arrivals between both spaces during that period as shown in Table 8. Peak operating departure period for the Rooftop Private Room is forecasted at 1-2AM with a total of 65 departures during that period.

**Table 20: Rooftop Private Room Access Model**

Rooftop Private Room	Sq. Ft	Full Occupancy	Percentage External Arrivals & Departures	Hours of Operations	Peak Hours	Mode Split	Operating Periods	6-7PM	7-8	8-9	9-10	10-11	11-12	12-1AM	1-2	2-3	3-4
	2,977	238	na (max assumed)	7:00am-4:00am Monday - Sunday	9-12 pm weekday, 11pm-2am Friday and Saturday		<b>Accumulation Factor</b>	0	0.2	0.6	0.2	0.05	0.1	0.3	0.4	0.1	0.0
							<b>Arrivals</b>	0	48	143	48	0	0	0	0	0	5
							<b>Departures</b>	0	0	0	12	24	71	95	24	12	0
						Private Auto - 2.2	15%	0	3	10	7	1	2	5	6	2	1
						Linked Trip Adjustment	90%	0	3	129	43	11	71	64	86	21	11
						Cab/Car Service Drop-off (2.2 patrons per cab)	40%	0	8	23	0	2	4	12	16	4	2
						Walk/Secondary Walk	45%	0	22	65	21	5	11	32	43	11	5
						<b>Patrons entering and exiting by hour</b>		0	33	98	29	8	16	49	65	16	8

Table 21: Rooftop Private Room Max-Occupancy Arrivals/Departures Simulation

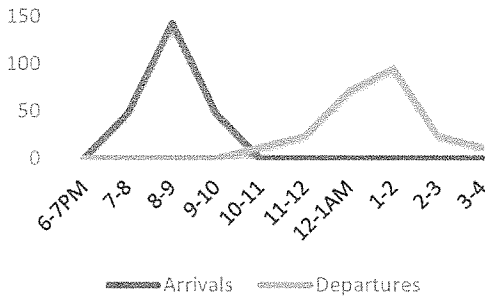
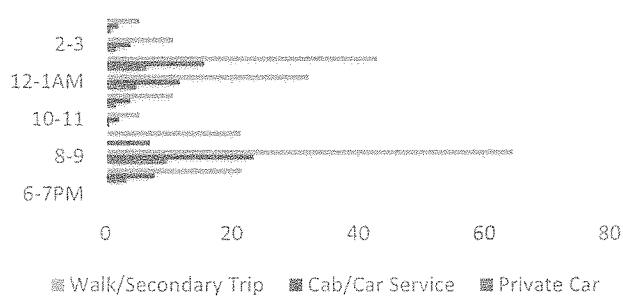


Table 22: Rooftop Private Room Max-Occupancy Forecasted Mode Arrivals/Departures by Hour



Rooftop Space Assessment

Based on the above forecast model, for the purposes of evaluating a worst-case scenario, the Rooftop Private Room space is assumed have no patronage generated from guests inside the hotel. This event space is expected to have 40% of patrons arrive via cab/car-service which would drop-off and pick-up on Allen Street, 15% would take private auto, and 45% would walk or arrive from transit and walk to site. For the peak arrival period from 8-9PM, this would equal 98 arrivals. These arrivals are estimated to be by the following mode; 10 private auto, 23 cab/car service (assumes 2.2 per vehicle) and 65 walking. Departures for peak period of 1AM – 2PM are estimated at 65. During this peak period, departures are estimated to be by the following mode; 6 private auto, 16 cab or car service (assumes 2.2 per vehicle), and 43 walk trips.



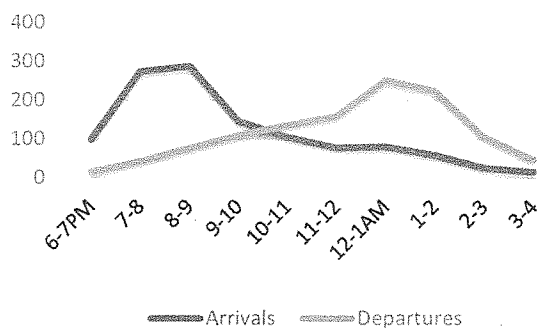
### 9 Orchard Cumulative Arrivals and Departures by Mode

To assess all spaces proposed for licensure, the peak access/egress activity period considering accumulated arrivals and departures from all access points 1-5 (Figure 3) for each space on a peak Friday or Saturday between 8 and 9 PM and between 12 midnight and 1 AM as shown in Table 23. As noted previously, the individual access model of each space evaluated – considers a max occupancy/maximum space turnover to provide a conservative worst-case operational scenario. The purpose of this form of analysis is to provide an operational stress test, to consider and evaluate a condition that would create maximum traffic generation and require optimal facility management to minimize potential impacts on the neighborhood. Each of the spaces has unique arrival and departure peaks associated with the nature of the clientele served. Each space, by design has different access points as shown above and have differing peaks of drop-off and pedestrian flows in and out of the building. Where the above sections demonstrated how each individual space uniquely generated patron traffic by mode and hour of arrival, the purpose of this section is to understand how all the individual proposed licensed spaces accumulate traffic collectively over hours of operation from 6PM to 4AM and to identify those peak periods when the building is most active in terms of access and egress. Cumulatively, as shown in Table 19, the primary mode of arrival will be walk trips during cumulative peak arrival and departure periods from 8-9 PM and 12-1 AM as well as each hour period from 6 PM to 4 AM. Cab/ car service drop-offs and pickups account for approximately 40% of all patron arrivals and departures (this assumes approximately 2.2 person per auto). So, although 386 individual patrons are arriving or departing from 8-9 PM, only 54 cab or car service trips are generated at all street frontages, carrying approximately 119 patrons. The number of arrivals and departures of cabs or car services is also reduced in absolute numbers as cars that drop off patrons often are utilized by those departing (referred to as linked trip in tables above) – this phenomenon is even more pronounced during peak periods of activity. Further, because about 15-20 percent of the use of all spaces is from internal trips related to the hotel, the absolute number of external arrivals and departures is reduced by approximately 50-60 patrons collectively.

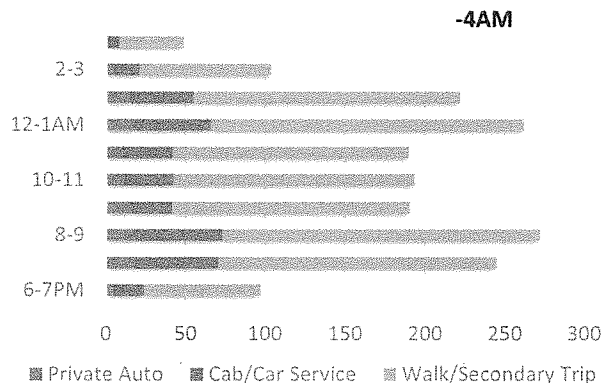
**Table 23: Cumulative Licensed Spaces Access Model**

Mode Split	Operating Periods	6-7PM	7-8	8-9	9-10	10-11	11-12	12-1AM	1-2	2-3	3-4
		Arrivals	116	307	309	161	124	94	96	72	32
	Departures	15	42	79	111	139	169	270	235	107	48
Private Auto - 2.2		6	19	20	17	13	11	19	16	6	3
Cab/Car Service Drop-off (2.2 patrons per cab)		19	52	54	25	30	31	47	39	15	6
Walk/Secondary Walk		73	174	198	148	150	147	196	167	82	40
Patrons entering and exiting by hour		97	245	272	190	193	190	262	222	104	49

**Table 24: Total Forecasted Patron Arrivals/Departures by Hour 6PM-4AM**



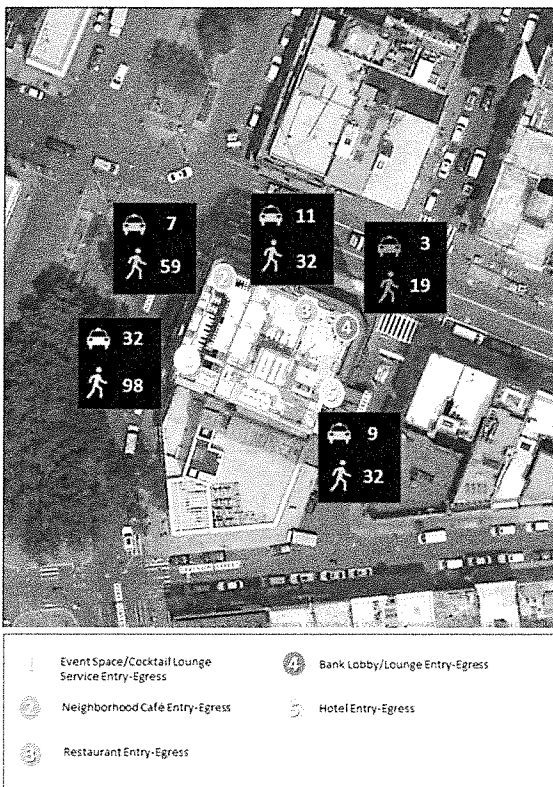
**Table 25: Total Forecasted Patron -4AM**



**Facility Access Management: For the 8-9PM Peak Cumulative Arrival/Departure Period**

As Table 23 (above) shows, all 9 Orchard licensed spaces, when cumulatively assessed, would generate the most pedestrian and vehicular traffic at 8-9PM (early peak) period, 54 vehicles<sup>1</sup> and 242<sup>2</sup> pedestrian arrivals and departures would occur at the Allen and Canal Street frontages of the hotel’s proposed licensed spaces. When hotel patron pick-up and drop-offs are considered on Orchard Street, this number rises to 64 unique vehicular arrivals and 274 pedestrian arrivals/departures curbside during 8-9 PM period. When averaged over an hour, 1 uber or cab will arrive per minute at any of the three frontages. If the street frontages are evaluated based on the intensity of traffic generated at each access point by mode during this 8-9 PM period as shown in Figure 9, the vehicular traffic generated cumulatively is dispersed and potential impact significantly mitigated through access management to each of the proposed spaces.

**Figure 9: Cumulative Peak 8-9 PM Arrival/Departure Period at Venue Entry Location**



**Orchard Street Frontage**

**Location 5** is the entry/egress to the Hotel. During this one hour, approximately 9 vehicle and 32 pedestrian arrivals and departures would occur at this location.

*As noted above, this location is directly adjacent to sensitive residential land uses, a curbside steward is recommended for this entry to monitor the street and facilitate entry for hotel guests and redirect non-hotel guests to the proper entry points.*

**Allen Street Frontage**

**Location 1** is the entry/egress for 2<sup>nd</sup> floor and rooftop Private Rooms and for the cellar Sub-Cellar Cocktail Lounge. During this one hour, based on the access models developed for these spaces, 32 vehicle and 98 pedestrian arrivals and departures would occur at this location from 8-9PM.

*Access for approximately 196 patrons from 8-9PM from the curb to three separate Private Rooms and the Sub-Cellar Cocktail Lounge would need directed access management by staff at this location.*

**Location 2** is the entry/egress for the Neighborhood Diner & Bar. During this one hour, based on the access model for this space, 7 vehicle and 59 pedestrian arrivals and departures would occur at this location from 8-9PM.

Vehicular drop-offs and pickups at the Allen Street frontage would total 39 vehicles between Location 1 and 2.

*Active staff curbside monitoring is recommended from 7PM to close to facilitate the movement of vehicles and cars and a cab stand to accommodate no more than two vehicles is recommended at this location.*

**Canal Street Frontage**

**Location 3** is the entry/egress for the Hotel Dining Room. During this one hour, approximately 11 vehicle and 32 pedestrian arrivals and departures would occur at this location from 8-9 PM.

**Location 4** is the entry/egress for the Hotel Lobby Lounge. During this one hour, approximately 3 vehicle and 19 pedestrian arrivals and departures would occur at this location from 8-9 PM.

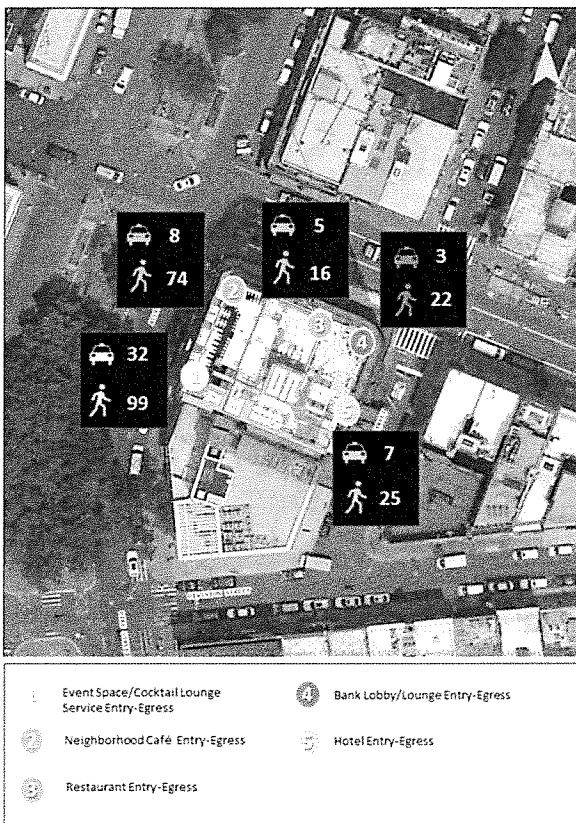
*Approximately 14 vehicular pick-up and drop-offs would occur at or near this segment of Canal Street. The curbside should be surveilled at 15-minute intervals to prevent idling of vehicles to assure maintenance of traffic flow at this location.*

<sup>1</sup> Assumes private car trips parking off site at garage or on street lot and walking to 9 Orchard  
<sup>2</sup> Assumes private car passengers as pedestrians at the door

**Facility Access Management: For the 12 Midnight-1AM Peak Cumulative Arrival/Departure Period**

As Table 23 (above) shows, all 9 Orchard licensed spaces, when cumulatively assessed, would generate at 12 Midnight-1 AM (late peak) period, periods 48 vehicles and 211 pedestrians at Allen and Canal Street frontages of proposed licensed spaces. When hotel patron pick-up and drop-offs are considered on Orchard Street, this number rises to 54 unique vehicular arrivals and 236 pedestrian combined arrivals/departures during this period. If averaged over an hour, 1 uber or cab will arrive/depart about every 1.15 minutes at one of the three frontages of 9 Orchard. If the street frontages are evaluated based on the intensity of traffic generated at each access point by mode during this period as shown in Figure 10, the vehicular traffic generated is dispersed and potential impact significantly mitigated through access management to each of the proposed spaces.

**Figure 10: Cumulative Peak 12 Midnight - 1 AM Arrival/Departure Period at Venue Entry Location**



**Orchard Street Frontage**

**Location 5** is the entry/egress to the Hotel. During this one hour, approximately 7 vehicle and 25 pedestrian arrivals and departures would occur at this location.

*As this location is directly adjacent to sensitive residential land uses, a regular curbside steward is recommended for this entry to monitor the street and facilitate entry for hotel guests and redirect non-hotel guests to the proper entry points.*

**Allen Street Frontage**

**Location 1** is the entry/egress for 2<sup>nd</sup> floor and rooftop Private Rooms and for the cellar Sub-Cellar Cocktail Lounge. During this one hour, based on the access models developed for these spaces, 32 vehicle and 99 pedestrian arrivals and departures would occur at this location from 12 Midnight – 1 AM.

*Ingress and egress for approximately 167 patrons from 12PM - 1 AM from the curb to three separate even venues and the Sub-Cellar Cocktail Lounge would need directed access management by staff at this location. Particularly at this late hour moving patrons in and out the venues and managing departing patrons away from the entry is critical. In addition, actively managing patrons loitering or smoking outside and controlling reentry at this point is needed at this hour through close.*

**Location 2** is the entry/egress for the Neighborhood Diner & Bar. During this one hour, based on the access model for this space, 8 vehicle and 74 pedestrian arrivals and departures would occur at this location from 12 Midnight-1AM

Vehicular drop-offs and pickups at the Allen Street frontage would total 40 vehicles between venues.

**Canal Street Frontage**

**Location 3** is the entry/egress for the Hotel Dining Room. During this one hour, approximately 5 vehicle and 16 pedestrian arrivals and departures would occur at this location from 12PM-1AM.

**Location 4** is the entry/egress for the Hotel Lobby Lounge. During this one hour, approximately 3 vehicle and 22 pedestrian arrivals and departures would occur at this location from 12Midnight-1AM.

*Approximately 8 vehicular pick-up and drop-offs would occur at or near this segment of Canal Street. Access management at this location should continue the protocol outlined above for 8-9PM.*

## 4. Traffic and Venue Access Management Recommendations

The above analysis has evaluated the neighborhood context and the 9 Orchard Hotel food and beverage venues seeking licensure. This section proposes recommendations based on these evaluations, which when considered individually and collectively may help both improve the existing operations of neighborhood pedestrian and vehicular traffic while integrating the proposed 9 Orchard venues into the residential and commercial fabric.

### Existing Condition Recommendations

As noted in the existing conditions section above, several concerns were identified related to vehicular and pedestrian traffic as well as land uses within proximity of 9 Orchard. Obviously, the current construction related to 9 Orchard has complicated circulation and altered temporarily, vehicular and pedestrian movements. Resolution of these existing issues would improve the operation of the neighborhood and assist in the integration of 9 Orchard with the neighborhood. **Figure 11** provides a color keyed map of where the issues are located, and a companion narrative describes the issue and in some cases a recommendation for further action or consideration.



**Figure 11: Existing Condition Issues**

#### 1. Unregulated Intercity Commercial Bus Stop at 59 Canal Street

**Issue:** Bus operations at this frontage run from 9:30 AM till as late as 10 PM at night. Buses idle at this location blocking visibility and bring significant number of pedestrians spilling onto the street during arrivals and departures. Given the narrow thoroughfare, bus operations present a traffic and pedestrian hazard.

**Recommendation:** Determine whether current operation is running in accordance with permit. Seek options to relocate this bus stop.

#### 2. USPS Operations on Division Street

**Issue:** USPS postal vehicles are parked throughout the neighborhood, often blocking portions of Division Street and Orchard St. USPS postal workers use parking medallions to park all day on street on Division St.

**Recommendations:** Seek proper enforcement of on-street parking regulations to remove unauthorized employee parking in on-street parking spaces. Work with community board and City Council representative to coordinate a discussion with postmaster at this location to discuss operations and improved management of postal vehicle movements.

#### 3. Uncontrolled East-West leg of Canal St and Ludlow St Intersection

**Issue:** Location has poor visibility due to on-street parking and large pedestrian volumes combined with bicycle and vehicular movements create a safety hazard. There is no pedestrian crossing across Canal Street at this location or Orchard Street requiring pedestrian to cross against traffic.

**Recommendations:** Create a four way stop-sign controlled intersection and provide high-visibility crosswalk.

#### 4. Plaza at Division St and Canal Street

**Issue:** The plaza is a temporary improvement from complete streets DOT program and does not provide continuous sidewalk access. It is a lost opportunity.

**Recommendation:** Complete the pocket park, provide curb and sidewalk along all edges and a location for bike storage. Provide more shade trees, sitting areas and public art, information kiosk..etc.

#### 5. Bike Lanes Have Poor Visibility

**Issue:** Bike lane markings are faded, and travel lanes are tight creating a hazard due to adjacent parked cars and through traffic.

**Recommendation:** provide colored travel lane and new high visibility bike markings.

#### 6. Canal Streetscape lacks street trees

**Issue:** The lack of street trees (there are a total of five including those at the plaza at Ludlow and Canal Street) creates a very car oriented pedestrian experience.

**Recommendation:** Coordinate free street tree plantings for businesses along Canal Street through NYC Parks Department. Work with neighborhood to provide street improvement program. Regular street trees calm traffic and provides a buffer between the road and sidewalk.

9 Orchard Traffic and Access Management Recommendations

As noted in the traffic and access assessment for each of the proposed licensed venues at 9 Orchard, several strategies were mentioned that can proactively mitigate potential impacts related to pedestrian and vehicular arrivals and departures generated by these venues. This section identifies facility access management and curbside control recommendations that can assist in minimizing traffic impacts to neighbors while enhancing efficient operation and interface with adjacent land uses. It should be noted that the findings of this report are only an estimate or forecast of how 9 Orchard might perform and that the most important recommendation is for both individual venues and overall building management to communicate and adapt to real world operational situations. The overriding goal of this study is to provide a method of evaluating patron arrivals and departures that can guide staffing and security approaches under the varying conditions of future operations. The recommendations below include management and staff protocols, fixed signage, street and curbside access controls, technology-based wayfinding/access guidance, and the notion of continuous operational evaluation and improvement.

1. Curb Access, Coordination and Signage Controls

- a. Coordinate with DOT to provide Hotel Loading and Unloading Zone running frontage of 9 Orchard to hotel guest arrival and departure access
- b. Coordinate with DOT to provide Truck Loading Only Zone 7AM – 7PM on Allen Street to provide hotel service, delivery and event set up for commercial trucks. This will keep deliveries, garbage pickup and commercial generated traffic outside of residential neighborhood
- c. Coordinate with DOT, TLC to evaluate the feasibility of a No-Standing Taxi/ For Hire Vehicle Stand from 7PM -2AM on Allen Street at same location as Truck Loading Only Zone. This will provide a location for cab pick-ups and drop-offs to reduce impact of potential double-parked cars on Allen Street and reduce drop-offs along Canal Street.
- d. Maintain no-standing anytime on East side of Orchard St
- e. Coordinate trash pick-up with area commercial/restaurant uses. This will allow for coordinated scheduling of trash removal with area uses to provide for limited impact of these operations on neighborhood.
- f. In coordination with DOT, study the feasibility of reversing Orchard Street direction between Canal Street and Division Street to reduce use of Division Street for Hotel Access.



Figure 12: Proposed Changes to Curbside Parking Regulations

2. Active Access Management

- a. Staffed managed entry and egress at event/Sub-Cellar Cocktail Lounge entry location on Allen Street from 8 PM-4 AM during any event nights.

- i. To prevent patron sidewalk queuing and to assure prompt departure and to manage distribution of patrons to venues, the Private Room/Sub-Cellar Cocktail Lounge entry on Allen Street. ID's should be handled at the interior if pedestrian queuing occurs on the sidewalk.
  - b. Active curbside monitoring of Allen Street at peak arrival and departure periods from 8-10 PM and from 12 PM -2 AM Friday and Saturdays.
    - i. To prevent vehicular queuing, idling and to quickly transition patron arrivals and departures to keep street clear and traffic moving, staff should be deployed to manage pedestrian and traffic movements at the curbside during peak arrival and departure periods.
  - c. Periodic curbside monitoring on Canal Street during active arrivals and departure periods 8 - 9 PM and 12 PM - 1 AM Friday and Saturdays for Neighborhood Diner & Bar, Hotel Dining Room and Hotel Lobby Lounge patrons.
    - i. To assure efficient movement of curbside access, flow of traffic along Canal in front of 9 Orchard and prevent pedestrian queuing or loitering.
  - d. Hotel entry steward should be provided during peak hotel check-in times and from 8PM to 2AM  
To prevent non-hotel guest from accessing hotel entry curbside access. Further, hotel entry steward will assist in monitoring street activity related to the hotel and to assure smooth flow of traffic along Orchard Street.
3. Access Technology and Social Media
- a. Event, and fixed venue access and ticketing/reservations should include active social media and active proximity messaging to provide details on arrival and departure options, including directions for access, links to uber that directs drivers and patrons to Allen Street or Canal Street. Messaging protocol should provide information to patrons on where to hail Uber or TLC cabs, and provide links to private parking lots, directions and schedules for public transit access.
    - i. Uber guidance systems should be investigated such as YEXT, which direct arrivals and departures to different frontages of a business. Yext's software plugs Uber's API into their mobile apps, sites and emails. Clicking on the button opens the Uber app—or prompts people to download it—and shows patrons what street frontage a venue at 9 Orchard is to be accessed. Venues at 9 Orchard can then specify an exact address or location on a map where they want the person dropped off or picked up.
    - ii. Signage should be placed at key locations in the interior of the building indicating that hailing ride services should occur at Allen Street or Canal Street to prevent car services from arriving on Orchard Street.
  - b. In order to maximize the site's locational advantages and ensure that patron traffic flows smoothly, the venue operators should make efforts to provide patrons with timely information on parking, traffic conditions including construction, and phone numbers for local cab/limo companies. This information can be provided on the facility's Web site, either directly or via links to transportation providers' Web sites, via e-mail or social media (Twitter, Facebook, etc.) Additionally, facility management could notify taxi fleet operators of their event schedule, so drivers will know when they could expect to pick up fares exiting the facility.
4. Post Operation Traffic/Access Assessment
- a. Evaluate arrivals and departures after 6 months of operation and adapt access management approaches based on findings. The above recommended curbside and access area management strategies should be adjusted based on these findings and neighbors' input, and event level access plans developed based on experience.

## 5. Conclusion

The layout of 9 Orchard was designed to minimize the accumulation of vehicles at one street frontage. Interior venue access was designed to direct patrons to the building with an understanding of the context of that entry point and adjacency to potentially sensitive residential areas. As described in the report, the most intense access point into 9 Orchard is on Allen Street, where entry to event spaces on the second floor and roof top are provided and where access to the Sub-Cellar Cocktail Lounge and neighborhood Diner & Bar is also available. This access was intentional as Allen Street is a wide commercial street with a landscaped median and where noise related to traffic and pedestrian access would have a minimal impact on neighborhood residents and where traffic can be accommodated after normal rush hour traffic subsides in the evenings. Further, with deference to the adjacent residential uses present on Orchard Street, only access to hotel guests will be provided in order to minimize vehicular traffic and pedestrian based noise during evening hours. It is further noted that although a number of individual venues are planned for 9 Orchard, none of these venues is particularly large, rather each space is intimate, and each space has separate entry and egress. Given the size of each venue, the separation of access, and the ability to individually manage each venue as is warranted, the potential combined impact on the neighborhood is greatly reduced. Finally when introducing the access management recommendations above, calling for a combination of staffed monitoring and control of entry and curbside access at critical points in coordination with fixed curbside signage and drop-off controls and the latest technological approaches to interactive venue access information via social media and messaging technology, it is this study's conclusion that 9 Orchard can successfully operate in and positively contribute to the neighborhood without adversely impacting traffic operations in the area. The key to assuring this conclusion is to continually and thoughtfully evaluate the operations at 9 Orchard and adapt strategies that minimize adverse impacts while striving to enhance neighborhood character and vitality.

## 7. Security Plan - All Season Protection



# 9 Orchard Street Security Plan

September 26th 2018

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Prepared by: ASP  
204 W 84th St, New York NY 10024  
Phone: 212-877-6707 Fax: 212-877-6717  
[www.AllSeasonProtection.com](http://www.AllSeasonProtection.com)

## **About:**

ASP is a licensed, bonded and insured full service Security Company specializing in the hospitality industry. We currently provide security services to well over 100 eating and drinking establishments including hotels located within NYC. ASP is committed to providing its clients with expertly trained personnel to protect their patrons, as well as their businesses and assets. ASP continues to grow, gaining an impressive and respectable reputation throughout New York City and is highly recommended by many city and state agencies.

## **Goals:**

- To create a safe and secure environment within 9 Orchard Street for all patrons as well as all surrounding neighbors.
- To provide a level of control and safety for all arriving and departing guests of 9 Orchard Street
- To mitigate any noise or inappropriate conduct directed at the immediate neighbors and leaseholds by patrons upon entry or departure from 9 Orchard Street.
- To diffuse all situations as they occur. Security staff will provide a strong presence by blending integrity and professionalism with advanced techniques of physical security, protection and detection. Current practices of the industry will be augmented with the law enforcement strategies and tactics.

## **Introduction:**

A strategy of deterrence will be adopted as to minimize the impact of additional traffic to the community while ensuring the benevolent effects of revenue and business. A policy of zero tolerance will be enacted against narcotics and other contraband. Proactive measures will be utilized (as training is available and techniques are safe). A policy of full disclosure/full cooperation will be in effect towards law enforcement personnel and other city officials. Additionally, full cooperation and coordination with neighboring businesses will act as a force multiplier of security for the community, businesses, patrons and employees.

## **Uniforms for all Security:**

Security Uniforms: All Security Staff will be required to wear a black suit, white shirt and black tie. An identifying pin is to be worn on the suit lapel. All security will be easily identifiable to guests, law enforcement and emergency services etc.

## **Structure:**

Hours of Operation:

- The cellar would feature a cocktail lounge with seating for 28. The lounge would be active until 4AM
- The first floor would feature a Neighborhood bar accessed via Allen Street that seats 86 and would operate until 4AM. The Neighborhood bar would have outside seating until 10PM.
- The 2nd floor would feature event space A + B. Event Space A – large space, would have a capacity of 100 seats and 175 standing only. Event Space B – small space would have a seated area of 40 and a capacity of 70 standing. These spaces would be available for private use until 4AM.
- The 14th Floor would feature two outdoor spaces and an indoor space with a seated capacity of 160 and a standing capacity of 238. The outdoor spaces would be active until midnight. The indoor space will be active until 4am Monday through Sunday.

(Hours of operation may vary based on additional private events and or predetermined hours agreed upon between operators and SLA/community board)

### **Security Supervisor Tasks:**

- Directly coordinate with Hotel's General Manager about hotel issues as they arise, and work on immediate resolution of said issues.
- Responsible for all security and safety of the entire hotel premises, and proper training of support security staff hired. Ensure proper compliance of all security staff with hotel policy, safety procedures, and protocol for enforcement of said rules and procedures.
- Be a liaison between law enforcement personnel and city officials.
- Be the point person for venue events based on security needs and event requirements.
- Maintain a contact information list of all security personnel working each shift. Provide the list to any City entity, as requested. This list will be maintained in hotel records in an electronic format for easy access by law enforcement personnel, or other City entities.
- Schedule security camera monitoring by the security team.
- Maintain security camera data, and make these recordings accessible to law enforcement personnel as requested.
- Undertake regular rigorous security and safety assessments and reviews and report to Hotel's General Manager.

## Responsibilities:

All Security shall maintain order within 9 Orchard Street and its immediate surroundings and prevent any activity, which would interfere with the quiet enjoyment of their property and nearby residents.

All Staff will be knowledgeable to all security positions and the requirements each different position entails.

A traffic agents will be posted on Canal Street and Allen Street on all nights of operation as to deter any idling cars and/or alleviate any traffic congestion. At the conclusion of each evening of operation, security guards will be shifted to the front of the location (Orchard Street) to assist in the orderly dispersal of patrons waiting for cabs or exiting the premises.



**It is the duty of every member of the team to protect the establishment, its patrons and employees from any and all perceived and real threatening situations.**

**Additional security team members will be scheduled on an as needed basis and determined by 9 Orchard Street operators and management.**

**Communication:**

Each security staff member will carry a hand held radio. Surveillance attachments (ear piece/microphone) will be utilized. Management and Security Head Staff of the hotel will constantly monitor all radio traffic. All security personnel and hotel management shall be in constant radio contact to ensure proper deployment and support in case of an emergency.

**EMERGENCY RESPONSE**

In the event of an emergency, all security staff will assist in the following:

- Ensure safe egress of all patrons/guests.
- Coordinate via radio with the Security Supervisor to ensure appropriate patron behavior and capacity in hallways, on elevators, and in stairwells.
- Coordinate via radio with all security staff to ensure all personnel are aware of incidents or emergency evacuation needs.

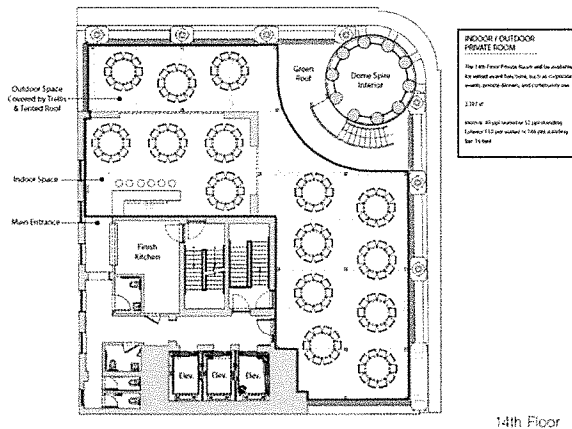
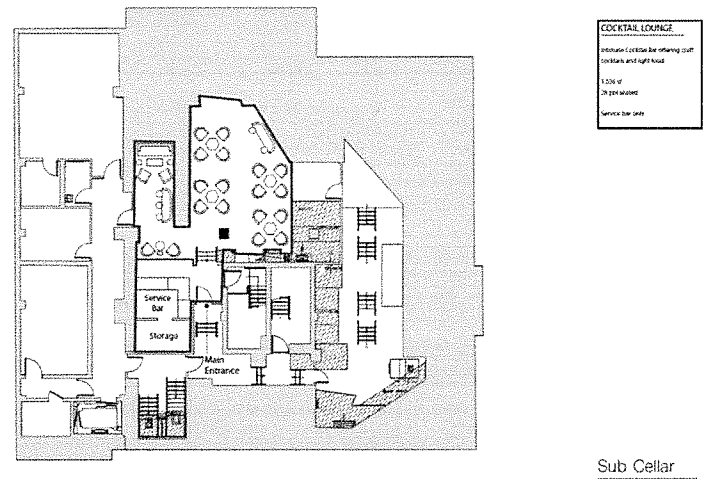
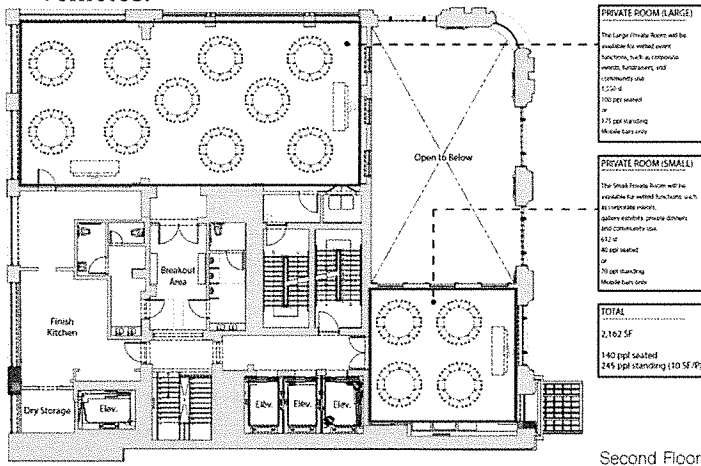
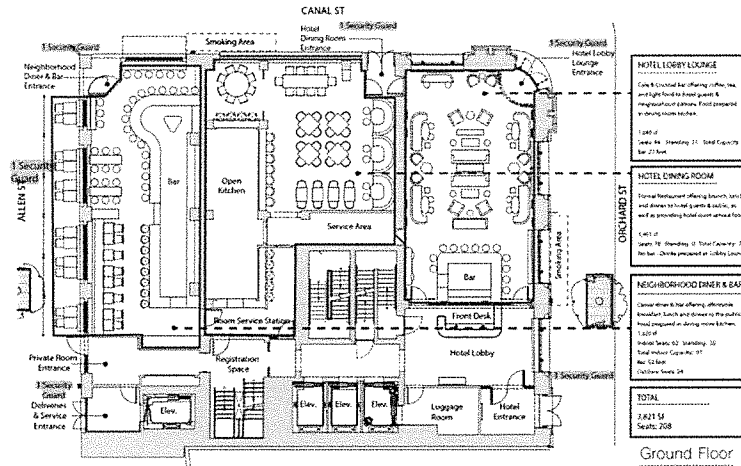
**Electronic Security:**

ASP will always utilize along with management the accessibility of an extensive CCTV (Closed Circuit Television) system integrated with an alarm network, which will be fed into a control room. This camera system will be provided coverage of all interior as well as all exterior areas, including all entrances and all exits to and from the premises. The camera system will be activated and in use during all hours of operation. Advanced digital recording will store all data from the CCTV and alarm systems. All data will be maintained for no less than a 30-day period. All tapes shall be made available to the any law enforcement agencies upon their request.

# Security Personnel Agreement:

Verbal skills and proper utilization of force will be our primary tools of conflict resolution. Calm, exacting and professional behavior will give our neighbors and clientele the strong perception of a good positive security presence, while retaining the ability to use strength of our bodies **ONLY** when presented with extreme situations. ASP will work directly with the local precinct of the NYPD and local community board 3 to immediately implement any and all recommendations brought forward by either party.

It is the responsibility of all guards who will be stationed on Allen St, Orchard St. and Canal St. to keep all sidewalks clear and passable for all residents. In addition traffic agents will be posted on the same streets to ensure all lanes are clear of double parked cars and to prevent any idling vehicles.



## 8. Lighting Plan



FACADE LIGHTING CONCEPT  
NORTH ELEVATION



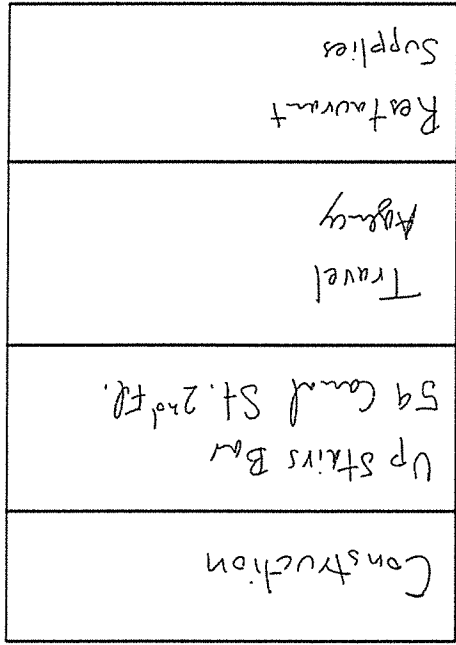
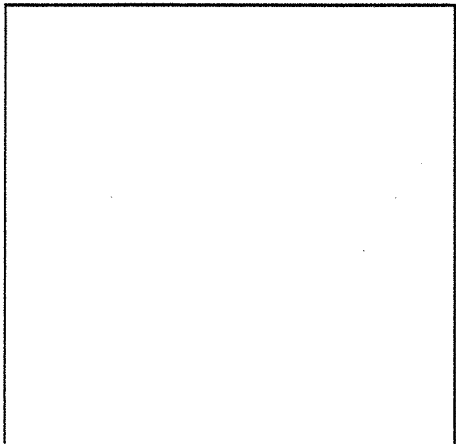
FACADE LIGHTING  
CONCEPT  
WEST ELEVATION

Architectural elevation drawing of a building facade with lighting annotations. The drawing shows a multi-story building with a central section featuring a grid of windows and a prominent dome on the left. The facade is annotated with circled numbers 1 through 8, indicating specific lighting locations. On the left side, there are vertical lines with arrows pointing to specific levels, likely representing floor heights or lighting fixture positions. On the right side, there are horizontal lines with arrows pointing to specific levels, likely representing window heights or lighting fixture positions.



Architectural elevation drawing of a building facade with lighting annotations. The drawing shows a multi-story building with a central section featuring a grid of windows and a prominent dome on the left. The facade is annotated with circled numbers 1 through 8, indicating specific lighting locations. On the left side, there are vertical lines with arrows pointing to specific levels, likely representing floor heights or lighting fixture positions. On the right side, there are horizontal lines with arrows pointing to specific levels, likely representing window heights or lighting fixture positions.

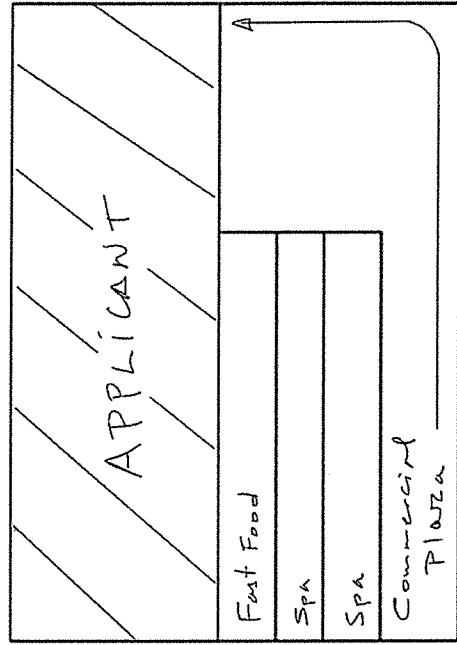
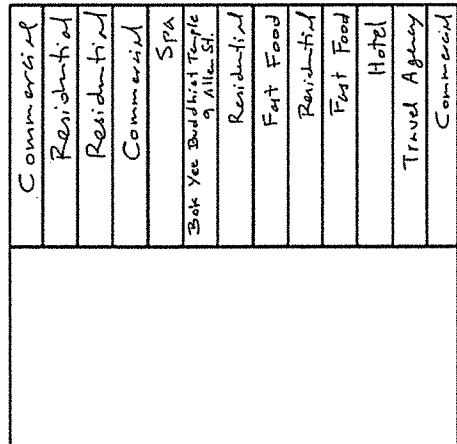
## 9. Area Survey



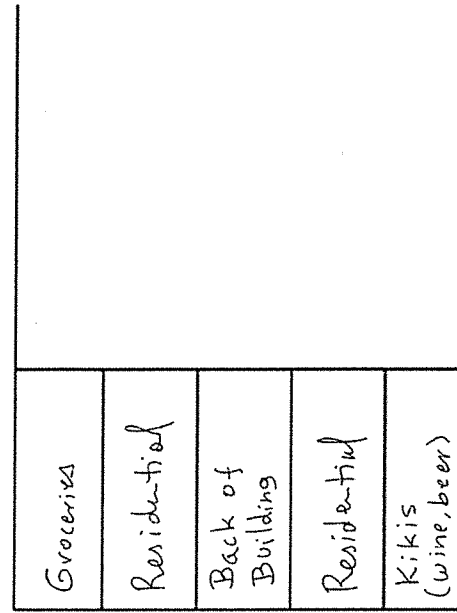
Block Plot  
54-60 Canal Street  
AKA 9 Orchard Street  
New York, NY

NOT TO SCALE

Canal Street



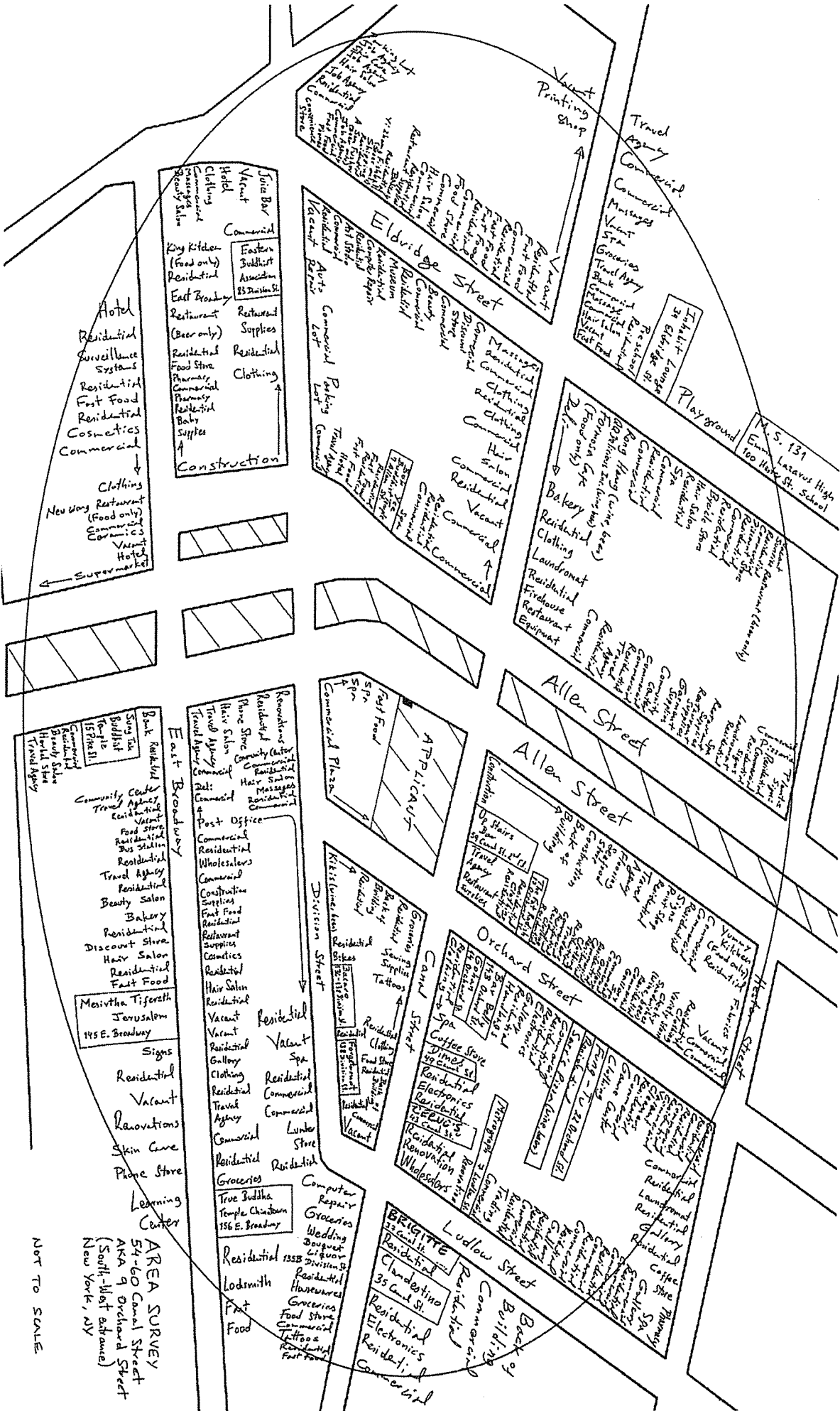
Allen Street



Orchard Street

Division Street





AREA SURVEY  
 54-60 Canal Street  
 AKA 9 Orchard Street  
 (South-West entrance)  
 New York, NY

NOT TO SCALE

## Proximity Report for Location:

August 21, 2018

9 Orchard St, New York, NY, 10002

### Churches within 500 Feet

Name	Approx. Distance
Congregation K'hal Adath Jeshurun	355 ft

### Schools within 500 Feet

Name	Address	Approx. Distance
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### On-Premise Licenses within 500 Feet

Name	Address	Approx. Distance
SWAT PRODUCTION INC	59 CANAL ST 2ND FL	105 ft
DIMES BIG TIME LLC	49 CANAL ST	145 ft
BACARO NYC INC	136 138 DIVISION STREET	170 ft
SWEET RANGER INC	14B ORCHARD ST	170 ft
SILKSTONEONE LLC	17 ORCHARD STREET	175 ft
PLAN A GROUP LLC	138 DIVISION ST	175 ft
LOVE & HAPPINESS LLC	14A ORCHARD ST	180 ft
KINGS PALACE NYC LLC	43 CANAL ST	200 ft
SCARR PIZZA LLC	22A ORCHARD ST	260 ft
FUNG TU LLC	22 ORCHARD ST	270 ft
METROGRAPH LLC	7 LUDLOW ST	300 ft
ZVAH INC	37 CANAL STREET	325 ft
35 CANAL CAFE LLC	35 CANAL STREET	345 ft
KR & LEO INC	39 ELDRIDGE ST	495 ft





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NYC Department of Buildings
Property Profile Overview

9 ORCHARD STREET

MANHATTAN 10002

BIN# 1003795

CANAL STREET 54 - 58
ORCHARD STREET 5 - 9

Health Area : 7400
Census Tract : 16
Community Board : 103
Buildings on Lot : 1

Tax Block : 294
Tax Lot : 8
Condo : NO
Vacant : NO

View DCP Addresses... Browse Block

V Pre - BIS PA V

Cross Street(s): DIVISION STREET, CANAL STREET
DOB Special Place Name:
DOB Building Remarks:
Landmark Status: L - LANDMARK Special Status: N/A
Local Law: NO Loft Law: NO
SRO Restricted: NO TA Restricted: NO
UB Restricted: NO
Environmental Restrictions: N/A Grandfathered Sign: NO
Legal Adult Use: NO City Owned: NO
Additional BINs for Building: NONE

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: HB-HOTELS

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.

Table with columns: Total, Open, Elevator Records. Rows include Complaints, Violations-DOB, Jobs/Filings, ARA / LAA Jobs, Total Jobs, Actions, and various permit records like Permits In-Process / Issued, Illuminated Signs Annual Permits, etc.

OR Enter Action Type: [input]
OR Select from List: Select... [dropdown]
AND Show Actions [button]

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