

**NINE ORCHARD F&B SUBTENANT LLC,  
NO F&B MANAGEMENT LLC &  
ORCHARD STREET RESTAURANT MANAGEMENT LLC  
D/B/A CORNER BAR; SWAN ROOM  
9 ORCHARD STREET  
NEW YORK, NY 10002**

MANHATTAN COMMUNITY BOARD 3  
SLA COMMITTEE MEETING  
JUNE 16, 2025

QUESTIONNAIRE FOR AN ON-PREMISES LIQUOR LICENSE APPLICATION (TRANSFER)

- MAP AND LIST OF LICENSES 2 BLOCKS EACH DIRECTION
- FLOOR PLANS
- MENUS
- PHOTOGRAPHS OF PREMISES
- SOUND STUDY/SOUND SYSTEM
- TRAFFIC STUDY
- SECURITY PLAN
- PRIOR STIPULATIONS WITH CB3 (2018)
- PRIOR STIPULATIONS WITH CB3 RE DOT SEATING (2025)

**BERNSTEIN REDO SAVITSKY PC**  
1177 Avenue of the Americas, 5<sup>th</sup> floor  
New York, NY 10036  
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[www.brpclaw.com](http://www.brpclaw.com)



THE CITY OF NEW YORK  
MANHATTAN COMMUNITY BOARD 3  
59 East 4th Street - New York, NY 10003  
Phone (212) 533-5300  
www.cb3manhattan.org - mn03@cb.nyc.gov

Andrea Gordillo, Board Chair

Susan Stetzer, District Manager

**Community Board 3 Liquor License Application Questionnaire**

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

**The following items and questionnaire package are due by date listed in email invite:**

- ☐ Schematics, floor plans or architectural drawings of the inside of the premise.
- ☐ A proposed food and or drink menu.

**The following items are due by noon Wednesday before the meeting:**

- ☐ 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:  
<https://www1.nyc.gov/site/manhattancb3/resources/community-groups.page>  
(this is not required but strongly suggested if a relevant group exists)
- ☐ Proof of conspicuous posting of notices at the site for 7 days prior to the meeting (please include newspaper with date in photo or a timestamped photo).

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:** June 2, 2025

Is location currently licensed? ☒ Yes ☐ No    Type of license: On-Premises Liquor License

If alteration, describe nature of alteration: n/a

Previous or current use of the location: Restaurant - application is for transfer of current liquor license

Corporation and trade name of current license: Orchard Street Restaurant Management LLC d/b/a Corner Bar; Swan Room

**APPLICANT:**

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

Cross streets: Corner of Canal Street and Orchard Street with Allen Street to the west

Name of applicant and all principals: Nine Orchard F&B Subtenant LLC, NO F&B Management LLC and Orchard Street Restaurant Management LLC

Lawrence McGuire, Thomas Moorman, Elizabeth Lambert, Michael Mullen, Neal Peskind

Trade name (DBA): Corner Bar; Swan Room

**PREMISE:**

Type of building and number of floors: 14 floor hotel - Ground floor, 2nd floor and 14th floor, with dedicated elevator

Does premise have a valid Certificate of Occupancy, including for any back/side yard or roof use?

☒ Yes ☐ No What is maximum NUMBER of people permitted 803

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): C6-2G

**PROPOSED METHOD OF OPERATION:**

What are the proposed days/hours of operation? (Specify days and hours each day and hours of outdoor space, if applicable) Ground fl space on Allen and Canal: 7am-Midnight, Sun-Wed; 7am-2am, Thurs-Sat

Ground fl space facing Canal, lobby lounge, 2nd fl and 14 fl interior spaces 7am-2am Daily; 14th exterior space 7am-Midnight Daily

Will any other business besides food or alcohol service be conducted at premise, i.e., retail? ☐ Yes ☒ No

If yes, please describe what type: Restaurant with event/meeting spaces

Number of indoor tables? 68 (maximum) Total number of indoor seats? 439 (maximum)

How many stand-up bars/bar seats are located on the premise (number, length, and location) 3  
30'10" 1st fl (corner) with 14 seats; 27' 1st fl (lobby) with 12 seats; 15' 14th fl with 6 seats

(A **stand-up bar** is any bar or counter -with seating or not- where you can order, pay for, and receive alcohol)

Does premise have a full kitchen? ☒ Yes ☐ No

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

Is food available for sale? ☒ Yes ☐ No If yes, describe type of food and submit a menu See menus attached

What are the hours the kitchen will be open? 7am-2am

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

How many employees will there be? 66

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

Will there be TVs/monitors? ☒ Yes ☐ No (If Yes, how many?) TBD, no more than 2

Will premise have music? ☒ Yes ☐ No

If Yes, what type of music? ☒ Live musician\* ☒ DJs ☒ Streaming services/playlists

If other type, please describe \* live music 3-4 instrument ensembles

What will be the music volume? ☒ Background (conversational) ☒ Entertainment\* (live music venue

level) Please describe your sound system: Entertainment level as permitted in the stipulations; See attached prior sound study and sound system information

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? Private parties/meetings  
as typical for event spaces located within a hotel

If promoted events, please explain the nature in which you plan to promote? Social media / online ads / outside promoters? n/a

How do you plan to manage vehicular traffic and crowds on the sidewalk caused by your establishment? Please attach plans. (Please do not answer "we do not anticipate congestion.") See prior traffic study attached and applicable stipulations currently in place

Will there be security personnel? ☒ Yes ☐ No (If Yes, how many and when) 1-6  
Depending on events at the property; see security plan attached

How do you plan to manage noise inside and outside your business so neighbors will not be affected? Please attach plans. See attached sound study, traffic study and security plan

Is sound proofing installed? ☒ Yes ☐ No *Laminated glass has been used on all windows and mechanical equipment is enclosed with sound insulating materials*  
If not, do you plan to install sound proofing? ☐ Yes ☒ No

Are there current plans to use the Open Restaurants program for the sale or consumption of alcoholic beverages outdoors? (includes roof & yard) ☒ Yes ☐ No If Yes, describe and show on diagram:  
Will apply to continue same sidewalk and/or roadway cafe as current licensee; portion of 14th floor is outdoor

**APPLICANT HISTORY: *SEE ATTACHED***

Has this corporation or any principal been licensed for sale of alcohol 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. Note: failure to disclose previous experience or information hampers the ability to evaluate this application.

Does any principal have other businesses in this area? ☒ Yes ☐ No If Yes, please give trade name, address and describe the business \_\_\_\_\_

Has any principal had SLA reports or action within the past 5 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.



**Lawrence McGuire and Thomas Moorman** are currently interested in the following New York license:

Swiss White International LLC  
d/b/a Rays  
177 Chrystie Street  
New York, NY 10002  
Manhattan Community Board 3

**Neal Peskind and Michael Mullen** are currently interested in the following New York license:

Orchard Street Restaurant Management LLC  
d/b/a Corner Bar; Swan Room  
9 Orchard Street  
New York, NY 10002  
Manhattan Community Board 3

## **Neal Peskind**

Mr. Peskind has more than 30 years of experience in real estate and hospitality from asset management and investment advisory to development, operations, corporate strategy, and finance. Since his arrival at BetaWest in 1998, Mr. Peskind has been involved in asset management for over \$1 billion of hotel, apartment, office, and retail assets. During his career, he has had primary asset management experience overseeing more than 50 hotels with over 12 separate management companies, 35 apartment communities, several operating companies, and other commercial property types as well. Prior to joining BetaWest, Mr. Peskind was Senior Vice President at Jupiter Asset Company, where he supervised the company's asset management operations of office investments, apartments, and hotels.

He is a licensed attorney with a BSBA degree in Finance and Banking from the University of Missouri, and a Juris Doctor degree from the University of Michigan Law School. Mr. Peskind has been a member of Hospitality Asset Management Association for more than 12 years and has been a presenter and speaker at numerous industry events.

## **Mike Mullen**

Mr. Mullen has more than 20 years of real estate experience in accounting, financial analysis and reporting, asset management, due diligence, and dispositions. Since joining BetaWest in 2000, Mr. Mullen has been responsible for the financial oversight of more than \$1 billion real estate assets. Mr. Mullen is also responsible for the financial reporting of global real estate. Prior to joining BetaWest, Mr. Mullen spent more than six years with Ernst & Young serving a variety of public and private real estate clients as a consultant and auditor. He is a CPA with a B.S. in Accounting from Arizona State University, and an MBA from the University of Colorado.

McGuire Moorman Hospitality was founded by Austin, Texas-based chefs Larry McGuire and Tom Moorman in 2009. In 2021, MMH changed their name to MML Hospitality with the addition of hotelier and partner, Liz Lambert. The industry-leading team continues to create and manage some of Austin's most successful restaurants. Today, MML Hospitality enters an exciting time of development and creativity with the addition of hotel projects as well as a wider range of hospitality, retail, and design projects across the country.

#### **LAWRENCE MCGUIRE**

With more than two decades of experience in the hospitality industry, Larry co-founded MML Hospitality and is deeply involved in both the strategic and operational sides of the business. He oversees new business, finance and development while staying hands on with day-to-day operations. His approach blends a sharp attention to detail, a commitment to quality, and an emphasis on creating unique spaces that reflect and enhance their neighborhoods. Alongside MML's portfolio of restaurants, Larry has co-developed notable hotel and real estate projects, including Hotel Saint Vincent in New Orleans and the on-going Herzog & de Meuron-designed Sixth&Blanco mixed use project in Austin, which will feature a 57-key MML hotel. Larry is also the management partner of ByGeorge, a luxury retail brand locations in Austin & New Orleans, as well as co-leading Lambert McGurie Design.

#### **THOMAS MOORMAN**

Originally hailing from San Antonio and raised on a cattle ranch in nearby Brady, Texas, Tom's journey into hospitality began with a culinary education at the New England Culinary Institute. From there, he honed his skills at renowned restaurants such as Mesa Grill in New York and Toque in Montreal. In 2004 Tom teamed up with Larry McGuire to open Lamberts Downtown Barbeque, marking the beginning of their successful partnership at MML. At MML, Tom drives the group's operations, overseeing financial performance, facilities and the culinary creative process for new concepts.

#### **ELIZABETH LAMBERT**

A West Texas native, Liz Lambert transitioned from law to hospitality, transforming a rundown motel on South Congress into the iconic Hotel San Jose, a key part of Austin's cultural scene. She co-founded Jo's Coffee and later established Bunkhouse Group, where she led the creation of several highly regarded hotels. In 2021, Liz joined MML Hospitality as a partner, focusing on creative direction, hotel projects, and company culture, while continuing to co-lead Lambert McGuire Design. Her work has been featured in The New York Times, Vogue, and Travel + Leisure. Liz's visionary approach has solidified her reputation as a tastemaker in modern hotel design.

## **Hotel**

Hotel Saint Vincent - New Orleans  
1507 Magazine Street  
New Orleans, LA

## **Restaurants**

Clark's Oyster Bar - Menlo Park  
780 Santa Cruz Ave  
Menlo Park, CA

Clark's Oyster Bar - Montecito  
1212 Coast Village Rd  
Montecito, CA

Clark's Oyster Bar - Houston  
3807 Montrose Blvd  
Houston, TX

Clark's Oyster Bar - Austin  
1200 West 6th Street  
Austin, TX

Clark's Oyster Bar - Aspen  
517 East Hyman Avenue  
Aspen, CO

Swedish Hill - Aspen  
637 E Hyman Ave  
Aspen, CO

Swedish Hill  
1128 West 6th Street  
Austin, TX

Swedish Hill  
1804 S. 1st Street  
Austin, TX 7

Swedish Hill - Westlake  
3663 Bee Caves Road, #4A,  
Westlake Hills, TX

Louis Swiss Bakery  
400 Aspen Airport Business Center  
Aspen, CO

Howards Bar and Club  
1130 W 6th St  
Austin, TX

Rosie's Wine Bar  
1130 W 6th St  
Austin, TX

Las Montañas Mexican Restaurant  
205 South Mill Street  
Aspen, CO

Ski Shores Cafe  
2905 Pearce Road  
Austin, TX

Pecan Square Café  
1200 B West 6th Street  
Austin, TX

Favorite Pizza  
801 West 6th Street  
Austin, TX

Sammie's Italian  
801 West 6th Street  
Austin, TX

Neighborhood Sushi  
1716 South Congress Avenue  
Austin, TX

Lou's Austin  
1900 E. Cesar Chavez St.  
Austin, TX

Lou's Austin  
1608 Barton Springs Rd.  
Austin, TX

Joann's Fine Foods  
1224 South Congress Avenue  
Austin, TX

Pool Burger  
2315 Lake Austin Blvd.  
Austin, TX

June's All Day  
1722 South Congress Avenue  
Austin, TX

Jeffrey's Restaurant & Bar  
1204 West Lynn Street  
Austin, TX

Josephine House  
1601 Waterston Avenue  
Austin, TX

Elizabeth St. Café  
1501 South 1st Street  
Austin, TX

Elizabeth St. Café  
1507 Magazine St.  
New Orleans, LA

Perla's Seafood & Oyster Bar  
1400 South Congress Avenue  
Austin, TX

Lamberts Downtown Barbecue  
401 West 2nd Street  
Austin, TX

**LOCATION:**

How many licensed establishments are within 1 block? Approximately 20

How many On-Premise (OP) liquor licenses are within 500 feet? 15 (not including licenses at applicant property)

Is the premise within 200 feet on the same street of any school or place of worship? ☐ Yes ☒ No\*

*\*None that are exclusive within the meaning of the 200' Law*

**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, but it is not required. 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. My license type is: ☐ beer & cider ☐ wine, beer & cider ☒ liquor, wine, beer & cider

2. ☐ I will operate a full-service restaurant, specifically a (type of restaurant)

\_\_\_\_\_ restaurant, or

☒ I will operate a Restaurant within a hotel with meeting/event spaces,

☒ with a kitchen open and serving food during all hours of operation OR ☐ with less than a full-service kitchen but serving food during all hours of operation OR ☐ Other

\_\_\_\_\_

**\*Except:**

Ground Fl Space  
on Allen and Canal,  
7am-Midnight,  
Sunday-Wednesday;

3. My hours of operation will be:

Mon 7am-2am\*; Tue 7am-2am\*; Wed 7am-2am\*;

Thu 7am-2am\*; Fri 7am-2am\*; Sat 7am-2am\*;

Sun 7am-2am\*. (I understand opening is "no later than" specified opening

14<sup>th</sup> Fl Exterior  
7am-Midnight Daily

hour, and all patrons are to be cleared from business at specified closing hour.)

4. ☐ I will not use outdoor space for commercial use (including Open Restaurants) OR

☒ I will close all outdoor dining allowed under the temporary Open Restaurants program and any other subsequent uses by 10:00 P.M. all days and not have any speakers or TV monitors outdoors

5. ☒ I will employ a doorman/security personnel: See security plan attached

6. ☐ I will install soundproofing, Laminated glass has been used on all windows and mechanical equipment is enclosed with sound insulating materials

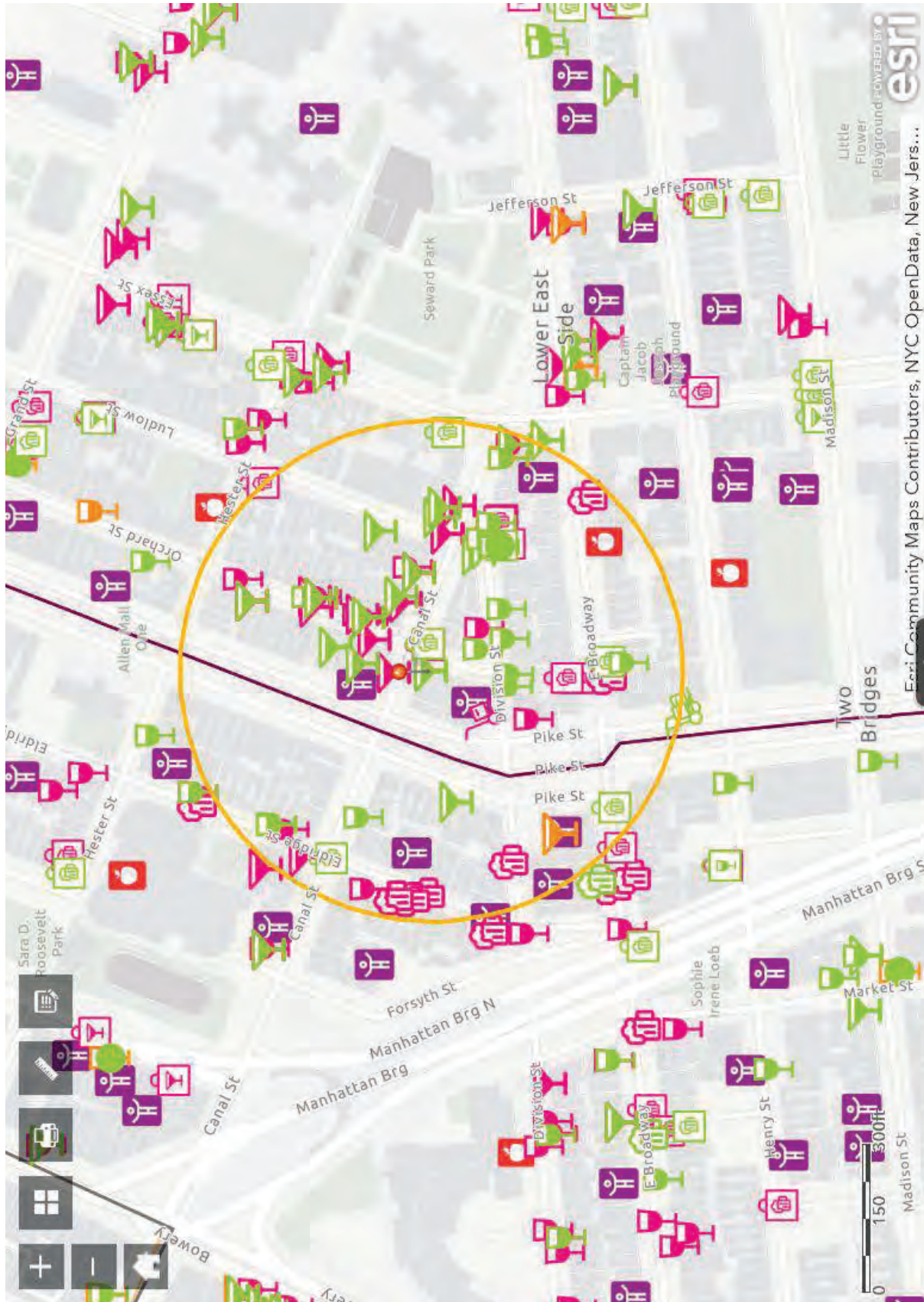
7. ☒ I will close any front or rear façade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified performances or televised sports. ☐ I will have a closed fixed façade with no open doors or windows except my entrance door, which will close by 10:00 P.M. or when amplified sound is playing, including but not limited to DJs, live music and live nonmusical performances, or during unamplified performances or televised sports.
8. I will not have ☐ DJs, ☐ live music, ☒ third-party promoted events, ☐ any event at which a cover fee is charged, ☐ scheduled performances, ☐ more than \_\_\_\_\_ DJs per \_\_\_\_\_, ☐ more than \_\_\_\_\_ private parties per \_\_\_\_\_
9. ☐ I will play ambient recorded background music only.
10. ☒ I will not apply for an alteration to the method of operation or for any physical alterations of any nature without first coming before CB 3.
11. ☐ I will not seek a change in class to a full on-premises liquor license without first obtaining approval from CB 3.
12. ☒ I will not participate in pub crawls or have party buses come to my establishment.
13. ☒ I will not have unlimited drink specials, including boozy brunches, with food.
14. ☐ 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 8pm.
15. ☐ I will not have wait lines outside. ☒ I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
16. ☒ I will conspicuously post this stipulation form beside my liquor license inside of my business.
17. ☒ Residents may contact the manager/owner at the number below. Any complaints will be addressed immediately. I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: Peter McGuire

Phone Number: 512-577-4926

## MAP AND LIST OF LICENSES 2 BLOCKS EACH DIRECTION





**ACTIVE LICENSES WITHIN 500' RADIUS (EXCLUDING APPLICANT PREMISES)**

PRAMUKH 345 INC	55.18 ft
CHINATOWN GREEK FOOD SERVICES LLC	111.89 ft
SWAT PRODUCTION INC	137.77 ft
DIMES BIG TIME LLC	159.90 ft
NOODLE INVESTORS INC	164.45 ft
FIVEDUDE LLC	165.66 ft
SWEET RANGER INC	165.84 ft
DULCE RANGER LLC	165.84 ft
SGRILL PLAN A GROUP LLC	169.79 ft
DIVISION GRILL LLC	193.86 ft
ORCHARD 17 RESTAURANT CORP	196.56 ft
KINGS PALACE NYC LLC	199.08 ft
BACARO NYC INC	248.97 ft
TREASURE CLUB INTERNATIONAL INC	263.89 ft
TORTILLAS AND CAVIAR LLC	265.12 ft
PLAN A GROUP LLC	269.12 ft
SCARR PIMENTEL	280.21 ft
YEE FUNG CORP	283.19 ft
PARKSIDE 3 NYC LLC	283.91 ft
KSSWINE LLC	283.91 ft
TWO WITCHES LLC	287.12 ft
METROGRAPH LLC	298.48 ft
FRENCH 37 LLC	306.57 ft
CAFE ROUND K INC	321.68 ft
KSSWINE LLC	326.17 ft
35 CANAL CAFE LLC	327.00 ft
TIN DUC FOOD MARKET INC	346.87 ft
SCARR PIZZA LLC	382.98 ft
ASOKO GROUP LLC	395.06 ft
HIGHLINE DELI II CORP	427.52 ft
SONG BO YUAN INC	430.44 ft
NEW RONG HANG RESTAURANT INC	434.83 ft
CHINATOWN SUPERMARKET OF MANHATTAN INC	450.19 ft
CRISPY DUCK AND NICE WINE LLC	452.84 ft
SHAN FU STORE INC	475.42 ft
COFFEEMEN'S LLC	482.18 ft

This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

**Proximity Report For:****Location** 9 Orchard St, New York, New York, 10002**Geocode** Latitude: 40.71479  
Longitude: -73.99206**Report Generated On** 5/28/2025**Active On Premises Liquor Licenses within 750 feet**

Name	Address	Distance
ORCHARD STREET RESTAURANT MNGMT LLC & TOURBILLON9 License ID: 0340-22-111142 Legacy Serial No.: 1321457	9 ORCHARD ST NEW YORK, New York 10002	0 ft
ORCHARD STREET HOTEL MANAGEMENT LLC License ID: 0343-22-131989 Legacy Serial No.: 1321433	9 ORCHARD ST NEW YORK, New York 10002	0 ft
SWAT PRODUCTION INC License ID: 0370-23-159857 Legacy Serial No.: 6002205	59 CANAL ST 2ND FL NEW YORK, NY 10002	138 ft
DIMES BIG TIME LLC License ID: 0340-23-138499 Legacy Serial No.: 1283328	49 CANAL ST NEW YORK, New York 10002	160 ft
SWEET RANGER INC License ID: 0370-24-110022 Legacy Serial No.: 6018129	14B ORCHARD ST CANAL & HESTER NEW YORK, New York 10002	166 ft
DULCE RANGER LLC License ID: 0340-25-105130 Legacy Serial No.: 6054622	14A ORCHARD ST NEW YORK, New York 10002	166 ft
ORCHARD 17 RESTAURANT CORP License ID: 0340-21-120760 Legacy Serial No.: 1336756	17 ORCHARD ST NEW YORK, New York 10002	197 ft
KINGS PALACE NYC LLC License ID: 0340-21-120448 Legacy Serial No.: 1301225	43 CANAL ST NEW YORK, New York 10002	199 ft
BACARO NYC INC License ID: 0340-23-131423 Legacy Serial No.: 1167961	136 138 DIVISION STREET ORCHARO ST & LUDLOW ST NEW YORK, New York 10002	249 ft
TREASURE CLUB INTERNATIONAL INC License ID: 0370-24-130236 Legacy Serial No.: 6038907	22 ORCHARD ST NEW YORK, New York 10002	264 ft
TORTILLAS AND CAVIAR LLC License ID: 0340-23-163378 Legacy Serial No.: 6005711	3 ALLEN ST NEW YORK, New York 10002	265 ft

Active On Premises Liquor Licenses within 750 feet		
Name	Address	Distance
PLAN A GROUP LLC License ID: 0340-22-103623 Legacy Serial No.: 1261297	138 DIVISION ST NEW YORK, New York 10002	269 ft
METROGRAPH LLC License ID: 0340-22-115012 Legacy Serial No.: 1291701	7 LUDLOW ST NEW YORK, New York 10002	298 ft
FRENCH 37 LLC License ID: 0340-22-108391 Legacy Serial No.: 1339882	37 CANAL ST NEW YORK, New York 10002	307 ft
35 CANAL CAFE LLC License ID: 0370-23-165265 Legacy Serial No.: 6007664	35 CANAL STREET ESSEX & LUDLOW NEW YORK, NY 10002	327 ft
SCARR PIZZA LLC License ID: 0340-24-103607 Legacy Serial No.: 6011591	35 ORCHARD ST SOUTH STORE NEW YORK, NY 10002	383 ft
COFFEEMEN'S LLC License ID: 0340-23-139153 Legacy Serial No.: 1333959	26 CANAL ST NEW YORK, New York 10002	482 ft

## FLOOR PLANS



GROUND FLOOR

Tables: 39  
Seats: 149  
Barstools: 26

Bar #2 w/12 seats

Entrances

Kitchen

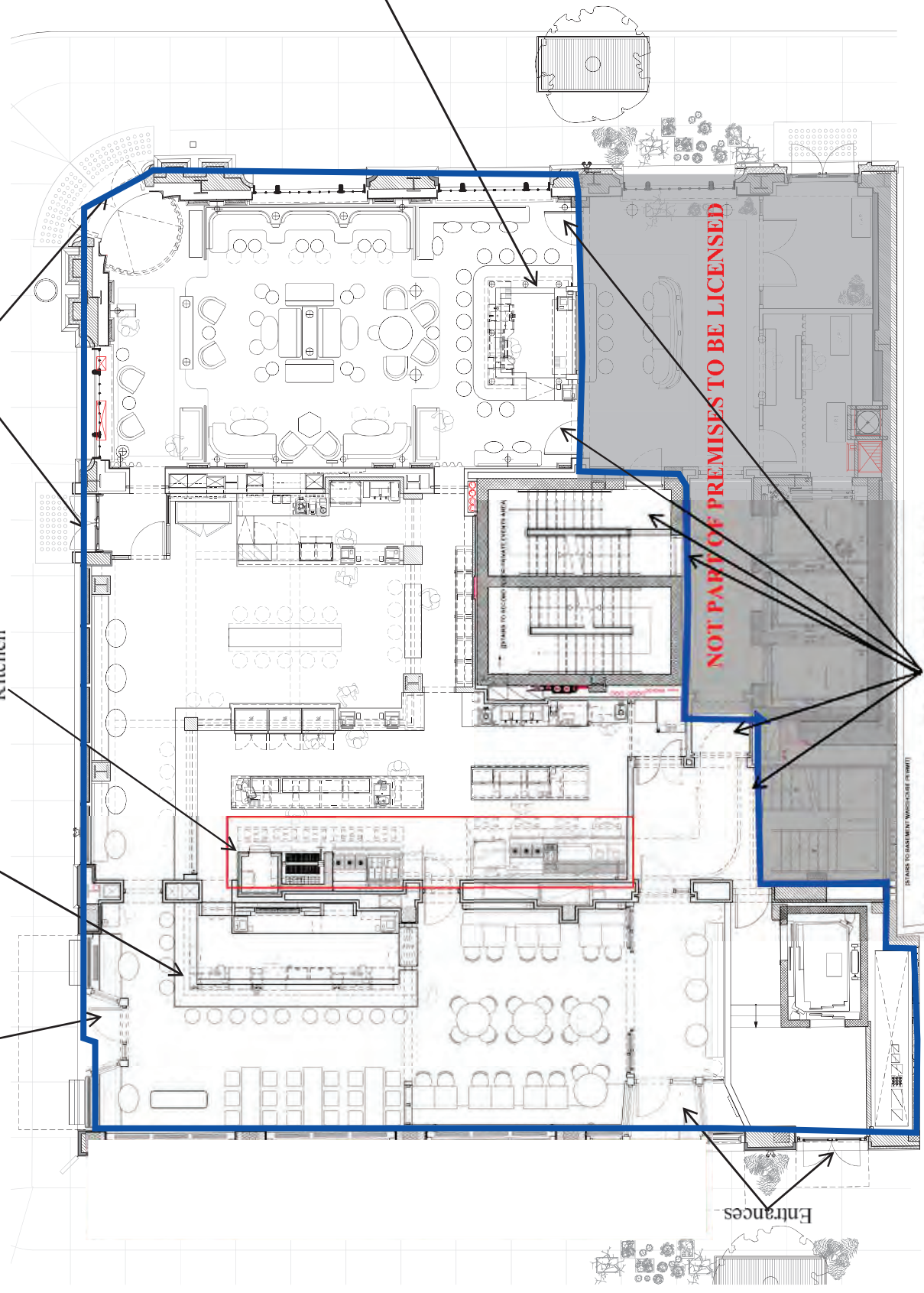
Bar #1 w/14 seats

Entrance

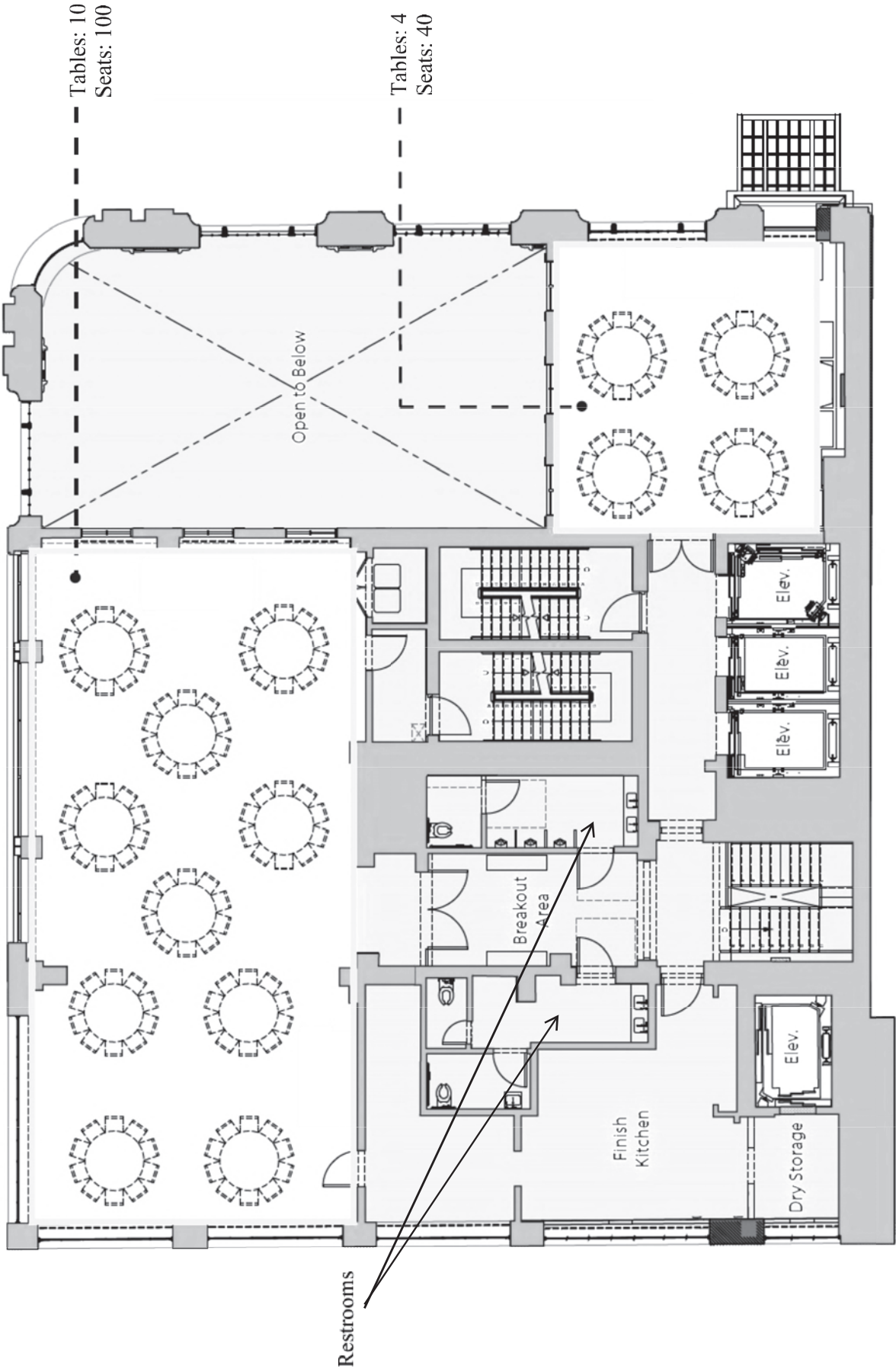
NOT PART OF PREMISES TO BE LICENSED

ENTRANCES TO AREAS NOT PART OF OP LICENSE (HOTEL UNDER SEPARATE LICENSE)

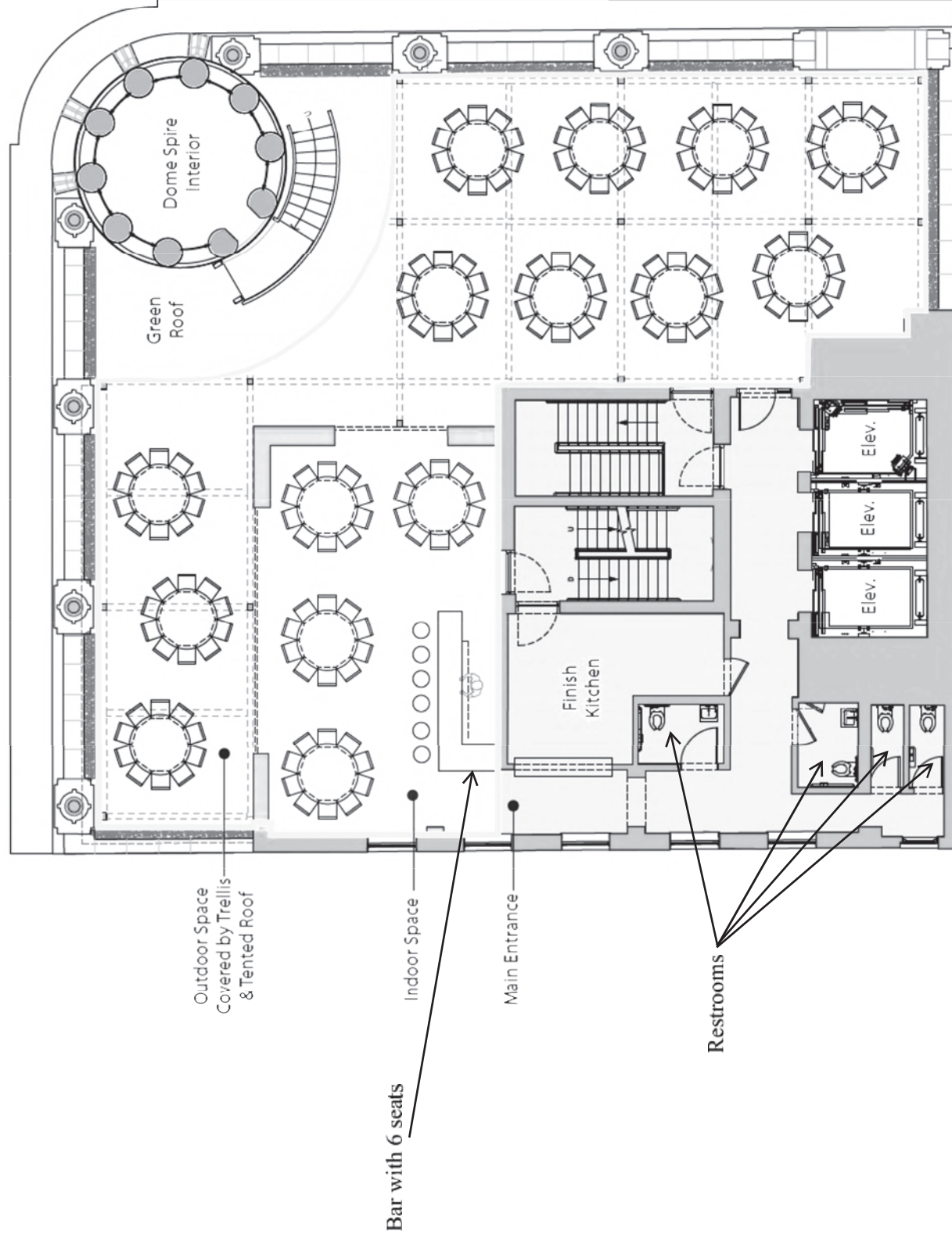
1.1EL - FLOOR PLAN  
SCALE: 1/4" = 1'-0"



SECOND FLOOR



# 14th FLOOR - INDOOR/OUTDOOR SPACE



Outdoor  
Tables: 11  
Seats: 110

Indoor  
Tables: 4  
Seats: 40

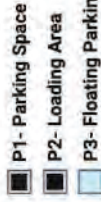


## SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Roadway Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

### Identify Permitted Parking Location:

- Identify the Parking Sign in front of or around the area where your roadway setup would be located.
- Roadway cafes can only be placed in:
  - Parking spaces, which include: metered and non-metered spaces, commercial parking, alternate side parking, angled parking, and seasonally restricted parking.
  - Loading areas, including loading only, truck loading, hotel loading, and no parking zones.
  - Floating Parking Lane- a parking lane that is separated from the curb by a protected bicycle lane that is adjacent to the curb.



## Roadway Cafe Site Plan Form

Applicant Name: \_\_\_\_\_

Restaurant Name: \_\_\_\_\_

FSEP Number: \_\_\_\_\_

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.

### Drawing Requirements

- Food service establishment frontage shown as:**
  - Line representing the establishment's space facing the sidewalk
  - Length
  - Label
- Street names:**
  - Labels on each street
- Sidewalk shown as:**
  - Line representing street curb
- Roadway shown as:**
  - Width of curbside lane
- Cafe perimeter shown as:**
  - Lines indicating perimeter
  - Length and width
- Set-up furniture (tables, chairs, etc.) shown as:**
  - Lines or symbols at approximate location within setup
- Elements (in Section 2 of this form) within 15 feet of cafe perimeter, shown as:**
  - Lines or symbols
  - Distance from cafe perimeter
  - Labels
- Utility coverings (water/gas valves, and pull boxes) shown as:**
  - Symbols representing the location within the setup
- North arrow**

Length of roadway cafe: 107.75 feet

Width of roadway cafe: 8 feet

## MENUS

# CORNER BAR

## BREAKFAST

**Fruit Plate 15**  
*assorted seasonal fruits*

**Stone Cut Oatmeal 16**  
*cashew milk, pecan,  
maple syrup*

**Granola 18**  
*assorted nuts, seeds, oats, berries,  
honey, greek yogurt*

**French Toast 24**  
*challah, berries,  
maple syrup*

**Bagel & Lox 26**  
*smoked salmon, cream cheese,  
capers, trout roe\**

**Nine Orchard Breakfast 27**  
*two eggs any style, bacon or avocado,  
hash browns, sourdough toast\**

**Breakfast Sandwich 21**  
*bacon, eggs, cheddar, latke,  
frissée salad*

**Eggs Benedict 25**  
*speck, sourdough,  
frissée salad, hollandaise\**

**Avocado Toast 21**  
*soft-boiled eggs, sourdough, herbs, chili*

**Omelette 21**  
*spinach, lemon-garlic chèvre,  
frissée salad\**

## SIDES

**Avocado 7**

**Bacon 12**

**Daily Pastry 6**

**Bagel & Creme Cheese 6**

**Hash Browns 12**

**Fresh Berries 12**

## JUICE

**Green 12**  
*spinach, green apple, cucumber, mint*

**Carrot 12**

**Orange 8**

**Grapefruit 8**

**Cranberry 6**

## COFFEE

**Coffee 5**

**Espresso 5**

**Americano 6**

**Cappuccino 6**

**Latte 6**

**Flat White 6**

**Cold Brew 6**

## TEA

**English Breakfast 6**

**Earl Grey 6**

**Jade Spring Green 6**

**Chamomile 6**

**Oolong 6**

**Chai 6**

**Iced Tea 5**

**Matcha 7**

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# CORNER BAR

## BRUNCH

**Nine Orchard Breakfast 27**  
*two eggs any style,  
bacon or avocado,  
hash browns, sourdough toast\**

**Eggs Benedict 25**  
*speck, sourdough,  
frissée salad, hollandaise\**

**Omelette 21**  
*spinach, lemon-garlic chèvre,  
frissée salad*

**Breakfast Sandwich 21**  
*eggs, cheddar, bacon,  
frissée salad*

**Avocado Toast 21**  
*soft-boiled eggs, sourdough,  
herbs, chili*

**French Toast 24**  
*challah, berries, maple syrup*

**Loulou Belle Oysters 30**  
*half-dozen, mignonette\**

**Bagel & Lox 26**  
*smoked salmon, cream cheese,  
capers, trout roe\**

**Caesar Salad 22**  
*romaine, croutons, anchovies, parmigiano\**

**Green Salad 18**  
*cucumber, crispy quinoa, za'atar,  
citrus-tahini vinaigrette*

**Club Sandwich 21**  
*roasted turkey, bacon, over-medium egg,  
romaine, tomato, dijon aioli\**

**Ocean Trout Carpaccio 26**  
*shallots, capers, trout roe, meyer lemon\**

**Nine Orchard Burger 36**  
*dry-aged blend, smoked-onion aioli, cheddar,  
red onion, pickles, french fries\**

**Avocado 7**

**Daily Pastry 6**

**Hash Browns 12**

**Bacon 12**

**French Fries 15**

**Fresh Berries 12**

## JUICE

**Green 12**  
*spinach, green apple,  
cucumber, ginger*

**Carrot 12**

**Orange 8**

**Grapefruit 8**

**Cranberry 6**

## COFFEE

**Coffee 5**

**Espresso 5**

**Americano 6**

**Cappuccino 6**

**Latte 6**

**Flat White 6**

**Cold Brew 6**

## TEA

**English Breakfast 6**

**Earl Grey 6**

**Jade Spring Green 6**

**Chamomile 6**

**Mint 6**

**Oolong 6**

**Chai 6**

**Iced Tea 5**

**Matcha 7**

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## COCKTAILS

20

### DAY-DRINKING

20

#### Orchard Bellini

guava, vanilla,  
prosecco

#### Breakfast Martini

earl grey gin,  
apricot marmalade,  
lemon

#### Bloody Mary

vodka,  
house bloody mix,  
espelette, crudités

#### Café Martini

reposado tequila,  
mr. black, espresso,  
coffee salt

#### Spritz Blanc

bitter blanc, lo-fi dry, salted grapefruit, sparkling wine

#### Sakura Fizz

pink peppercorn vodka, cherry blossom, sour cherry, shiso, soda

#### Hotel Tropicale

zacapa rum, copalli cacao, chartreuse, almond, passionfruit, lime

#### Market Margarita

reposado tequila, rhubarb, strawberry shrub, basil, lime, pink salt

#### Garden Sour

mezcal, chateau, ancho verde, cucumber, fines herbs, lemon

#### Negroni Provençal

citadelle rouge gin, blueberry amaro, dolin blanc, herbs de provence

#### Pickle Martini

cornichon gin, giardino secco, centerbe, patino's pickle bitters

### SPIRIT-FREE

17

#### Solstice Spritz

aplós arise  
lyre's italian orange  
verjus  
sparkling grapefruit

#### Sansgarita

almave reposado  
pathfinder bitter  
strawberry shrub  
lime

#### Green Fizz

pentire seaward  
cucumber  
elderflower  
lime & tonic

## WINE

Sparkling	Laherte Frères, 'Ultradition' Extra Brut, Champagne, France NV	36	145
	Parigot & Richard, 'La Sentinelle' Extra Brut, Crémant, Burgundy, France NV	25	105
	Lise & Bertrand Jousset, 'Exile' Rosé Pétillant Naturel, Loire, France 2023	19	80
	French Bloom, 'Le Rosé 0% Alcohol', Languedoc, France NV	16	65
White	Riesling Hermann J. Wiemer, 'Flower Day', Finger Lakes, New York 2022	20	82
	Sauvignon Blanc Guy Baudin, Pouilly-Fumé, Loire Valley, France 2023	23	95
	Grillo Barraco, Fior di Bianco, Sicily, Italy 2023	19	80
	Chardonnay Arnot-Roberts, 'Watson Ranch', Napa Valley, California 2023	28	115
Orange	Sauvignon Blanc Scholium Project, 'The Prince in His Caves', Sonoma, California 2019	22	88
Rosé	Grenache Sulauze, 'Pomponette', Côtes de Provence, France 2024	19	80
	Frappato Biscaris, Terre Siciliane, Sicily, Italy 2022	18	75
	Pinot Noir Domaine Chevrot, Hautes-Côtes de Beaune, Burgundy, 2022	22	90
	Syrah Éric Texier, 'Brézème', Côtes-du-Rhône, Rhône Valley, France 2021	23	95
	Bordeaux Blend Clos de la Cure, Saint-Émilion Grand Cru, Bordeaux, France 2019	24	100
Premium Pours	Grüner Veltliner Prager, Smaragd, 'Achleiten', Wachau 2020	58	175
(from Coravin)	Chardonnay Morgen Long, Durant Vineyard, Willamette Valley 2020	55	165
	Cabernet Blend Château Giscours, Margaux, Bordeaux 2014	60	180
	Corvina Blend Giuseppe Quintarelli, 'Ca del Merlo', Veneto 2014	70	250

## BEER & CIDER

Return Brewing 'Polished' Pilsner, New York, NY	12	Doc's Cider, Hudson Valley, NY	12
Flagship 'Kill Von' Kolsch, Staten Island, NY	12	Good Time, Non-Alcoholic Pilsner, Elmsford, NY	11
Talea 'Fresh Coast' IPA, Brooklyn, NY	12	Good Time, Non-Alcoholic IPA, Elmsford, NY	11
Grimm 'Weisse' Hefeweissbier, Brooklyn, NY	12		

# CORNER BAR

## LUNCH

### Loulou Belle Oysters 30

*half-dozen, champagne mignonette\**

### Beef Tartare 28

*dijon, radish, cornichons, potato chips\**

### Avocado Toast 24

*soft-boiled egg, sourdough, herbs, chili, baby lettuces, lemon vinaigrette\**

### Ocean Trout Carpaccio 26

*shallots, capers, trout roe, meyer lemon\**

### Chicken Soup 24

*roasted bone broth, kreplach, seasonal vegetables*

### Green Salad 18

*cucumber, crispy quinoa, za'atar, citrus-tahini vinaigrette*

### Heirloom Grains 21

*roasted carrots, mizuna, almond dukkah, feta, dates*

### Caesar 22

*romaine, croutons, anchovies, parmesan\**

*add to any salad*

*roasted chicken breast 16*

*pan-seared steelhead trout 18*

### French Fries 15

*rosemary, dijon aioli*

### Club Sandwich 21

*roasted turkey, challah, bacon, over-medium egg, romaine, tomato, chips*

### Tuna Melt 23

*new york cheddar, challah, dill, manzanilla olives, chips*

### Bucatini Pomodoro 26

*san marzano tomatoes, basil, parmesan*

### Nine Orchard Burger 36

*dry-aged blend, smoked-onion aioli, bread & butter pickles,*

*red onion, new york cheddar, french fries\**

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## COCKTAILS

20

### DAY-DRINKING

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guava, vanilla,  
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earl grey gin,  
apricot marmalade,  
lemon

#### Bloody Mary

vodka,  
house bloody mix,  
espelette, crudités

#### Café Martini

reposado tequila,  
mr. black, espresso,  
coffee salt

#### Spritz Blanc

bitter blanc, lo-fi aperitif, salted grapefruit, sparkling wine

#### Sakura Fizz

pink peppercorn vodka, cherry blossom, sour cherry, shiso, soda

#### Hotel Tropicale

zacapa rum, copalli cacao, yellow chartreuse, almond, passionfruit, lime

#### Market Margarita

reposado tequila, rhubarb, strawberry shrub, basil, lime, pink salt

#### Garden Sour

mezcal, chateau, ancho verde, cucumber, fines herbs, lemon

#### Negroni Provençal

citadelle rouge gin, blueberry amaro, dolin blanc, herbs de provence

#### Monaco Old Fashioned

michter's rye, cognac, benedictine, chamomile, peychaud's

### SPIRIT-FREE

17

#### Solstice Spritz

aplós arise  
lyre's italian orange  
verjus  
sparkling grapefruit

#### Sansgarita

almave reposado  
pathfinder bitter  
strawberry shrub  
lime

#### Green Fizz

pentire seaward  
cucumber  
elderflower  
lime & tonic

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Talea 'Fresh Coast' IPA, Brooklyn, NY	12	Good Time, Non-Alcoholic IPA, Elmsford, NY	11
Grimm 'Weisse' Hefeweissbier, Brooklyn, NY	12		

# CORNER BAR

## DINNER

Half-Dozen Loulou Belle Oysters 30

*on the half-shell with champagne mignonette\**

or

*wood-fired with 'nduja butter, lemon, croutons*

Shrimp Cocktail 32

*horseradish cocktail sauce\**

Ocean Trout Carpaccio 26

*shallots, capers, trout roe, meyer lemon\**

Beef Tartare 28

*dijon, radish, egg yolk, cornichons, potato chips\**

Caesar 22

*romaine, croutons, anchovies, parmesan\**

Green Salad 18

*cucumber, crispy quinoa, za'atar, citrus-tahini vinaigrette*

French Fries 15

*rosemary, dijon aioli*

Cinco Jotas Jamón Ibérico 42

*croquetas, guindilla peppers, romesco sauce*

Grilled Mushrooms 27

*fried egg, vin jaune, puffed buckwheat*

Broccolini 16

*garlic, chili, basil, lemon vinaigrette*

Bucatini Pomodoro 26

*san marzano tomatoes, basil, parmesan*

Striped Bass 46

*ramps, english peas, butter beans, spring onion broth*

Grilled Whole Branzino 52

*olive oil aioli, salsa verde, meyer lemon*

Twice Cooked Pork 48

*grilled iberian shoulder, garlic sausage, cabbage, leeks*

Grilled Sasso Chicken 46

*swiss chard, ginger-scallion relish, oloroso sherry*

Hanger Steak 64

*french fries, au poivre sauce\**

28oz Dry-Aged Rib Eye 138

*fennel pollen, charred lemon, barigoule sauce\**

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## COCKTAILS

20

### MARTINIS

22

#### The Pickle

cornichon gin  
giardino secco  
centerbe  
patino's pickle bitters

#### The Olive

grey goose  
evoo vermouth  
olive bitters  
agrumato oil

#### The Orchard

new york apple gin  
pomme verte  
pommeau  
manzanilla

#### Spritz Blanc

bitter blanc, lo-fi aperitif, salted grapefruit, sparkling wine

#### Sakura Fizz

pink peppercorn vodka, cherry blossom, sour cherry, shiso, soda

#### Hotel Tropicale

zacapa rum, copalli cacao, yellow chartreuse, almond, passionfruit, lime

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reposado tequila, rhubarb, strawberry shrub, basil, lime, pink salt

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mezcal, chateau, ancho verde, cucumber, fines herbs, lemon

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citadelle rouge gin, blueberry amaro, dolin blanc, herbs de provence

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lyre's italian orange  
verjus  
sparkling grapefruit

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almave reposado  
pathfinder bitter  
strawberry shrub  
lime

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pentire seaward  
cucumber  
elderflower  
lime & tonic

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Talea 'Fresh Coast' IPA, Brooklyn, NY	12	Good Time, Non-Alcoholic IPA, Elmsford, NY	11
Grimm 'Weisse' Hefeweissbier, Brooklyn, NY	12		

# CORNER BAR

## HAPPY HOUR

2:30 PM-5:30 PM

Nine Orchard Burger & Fries  
20

*smoked-onion aioli,  
pickles, red onions, cheddar\**

Loulou Belle Oyster  
2 each

*on half-shell,  
champagne mignonette\**

Shrimp Cocktail 32

*horseradish cocktail sauce\**

Ocean Trout Carpaccio 26

*shallots, capers, trout roe, meyer lemon\**

Caesar 22

*romaine, croutons, anchovies, parmesan\**

Green Salad 18

*cucumber, crispy quinoa, za'atar, citrus-tahini vinaigrette*

French Fries 15

*rosemary, dijon aioli*

Bucatini Pomodoro 26

*san marzano tomatoes, basil, parmesan*

Club Sandwich 21

*roasted turkey, challah, bacon, over-medium egg, romaine, tomato, chips*

Cheese Plate 22

*walnut & cranberry toast, selection of three cheeses:*

*fourme d'ambert (cow)*

*stockinghall cheddar (cow)*

*brebrousse d'argental (sheep)*

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## DRINKS

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### HAPPY HOUR 14

#### Cocktails

Lo-Fi Spritz *lo-fi gentian amaro, doladira aperitif, prosecco, soda*

Rum Punch *rum blend, mango sorbet, almond, lime*

Orchard Margarita *blanco tequila, peach aperitif, lime, chili salt*

Negroni du Jour *fords gin, le moné aperitif, bitter bianco, thyme*

Martini *reyka vodka or fords gin, vermouth secco*

#### Wine

Sauvignon Blanc *Domaine de la Potine, Touraine, Loire Valley, France 2022*

Rosé of the Day *light & refreshing*

Sangiovese *Fattoria Rodáno, 'Poggialupi,' Tuscany, Italy 2022*

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## COCKTAILS

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Corner Bar Bloody Mary 20

*vodka, house bloody mix, espelette, crudités*

Sakura Fizz 20

*pink peppercorn vodka, cherry blossom, sour cherry, shiso, soda*

Garden Sour 20

*mezcal, chateau, ancho verde, cucumber, fines herbs, lime*

Monaco Old Fashioned 20

*michter's rye, cognac, benedictine, chamomile, peychaud's*

Solstice Spritz (Spirit-Free) 17

*aplós arise, lyre's italian orange, verjus, sparkling grapefruit*

Green Fizz (Spirit-Free) 17

*pentire seaward, cucumber, elderflower, lime, tonic*

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## BEER

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Return Brewing 'Polished' Pilsner, New York, NY 12

Flagship 'Kill Von' Kolsch, Staten Island, NY 12

Grimm 'Weisse' Hefeweissbier, Brooklyn, NY 12

Talea 'Fresh Coast' IPA, Brooklyn, NY 12

Good Time Non-Alcoholic Pilsner or IPA, Elmsford, NY 11

# CORNER BAR

## DESSERT

### Tiramisu 16

*mascarpone mousse, espresso*

### Mango Lime Sorbet 14

*olive oil, maldon salt*

### Strawberry Shortcake 16

*strawberry-basil ice cream*

### Crème Brûlée 14

*banana custard, jamaican rum*

### Affogato 12

*hazelnut mandel bread, vanilla ice cream*

### Cheese Plate 24

*fourme d'ambert (cow), stockinghall cheddar (cow), brebirousse d'argental (sheep); served with membrillo & walnut cranberry toast*

## COCKTAILS 20

### Café Martini

*reposado tequila,  
mr. black,  
espresso,  
coffee salt*

### Amari 23 Float

*house amari blend,  
vanilla gelato,  
dr. pepper,  
luxardo cherries*

### Grasshopper

*cognac,  
creme de cacao,  
branca menta,  
coconut cream*

## WINE

Château de Suduiraut, Lions de Suduiraut, Sauternes – Bordeaux, France 2013	16
Kiralyudvar, 'Cuvée Ilona,' Furmint, Tokaji – Tokaj, Hungary 2016	35
Warre's, Otima 10 Year, Tawny Port – Douro, Portugal	16
Rare Wine Co, 'Boston Bual,' Madeira – Madeira, Portugal	23
El Maestro Sierra, Pedro Ximenez, Sherry – Jerez, Spain	14

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# CORNER BAR

## AMARI

Light-Bodied		Robust & Spiced	
Cardamaro	16	Bordiga 'St. Hubertus'	16
Licore delle Sirene 'Canto Amaro'	16	Cinpatrazzo	16
Faccia Brutto 'Gorini'	16	Forthave 'Reserve II'	32
Majora	16	Matchbook 'Kite Crash'	16
Montenegro	16	St. Agrestis	16
Nardini	16	Alpino Style	
Nepeta	16	Braulio	16
Nonino	18	Bordiga 'Chiot'	16
Medium-Bodied		Bordiga 'Dilei'	16
Averna	16	Faccia Brutto 'Alpino'	17
Ciociaro	16	Esoteric & Eccentric	
Cynar	16	Branca Menta	16
Faccia Brutto 'Carciofo'	17	Heirloom Pineapple Amaro	16
Francoli 'Noveis'	16	Pasubio	16
High Wire Distilling Co.	16	Sfumato	16
Lucano	16	Fernet	
Lazzaroni	16	Fernet Branca	16
		Faccia Brutto Fernet	16
		Fred Jerbis	17

## BRANDY & EAU DE VIE

Nardini, Grappa - Veneto, Italy	17
Marolo 'Milla' Chamomile Grappa - Piedmont, Italy	26
Manoir de Grandouet - Calvados, France	17
Chateau Pellehaut 'Selection,' - Armagnac, France	18
Pierre Ferrand '1840' - Cognac, France	17
Hans Reisetbauer Carrot Eau de Vie - Austria	39
Hans Reisetbauer Cherry Eau de Vie - Austria	39

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*For our full spirits list, please inquire with your server*



## FOOD

### CAVIAR

76

*crème fraîche, chives, ruffles*

### Snacks 16

*marinated olives, mixed nuts, chips*

Half-Dozen Loulou Belle Oysters 30  
*on the half-shell with champagne mignonette\**

<sup>or</sup>  
*wood fired with 'nduja butter, lemon, croutons\**

### Shrimp Cocktail 32

*horseradish cocktail sauce\**

Ocean Trout Carpaccio 26  
*shallots, capers, trout roe, meyer lemon\**

Blistered Shishito Peppers 16  
*citrus vinaigrette, aleppo pepper, cotija cheese*

French Fries 15  
*rosemary, dijon aioli*

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## FOOD

Beef Tartare 26  
*dijon, radish, egg yolk, cornichons, potato chips\**

Cinco Jotas Jamón Ibérico 42  
*croquetas, guindilla peppers, romesco sauce*

Nine Orchard Burger 21  
*dry-aged blend, smoked-onion aioli, cheddar, pickles, red onion\**

## DESSERT

Cheese 24  
*membrillo, walnut cranberry toast*  
fourme d'ambert (cow), stockinghall cheddar (cow),  
brebrousse d'argental (sheep)

Tiramisu 16  
*mascarpone mousse, espresso cake, cocoa*

Mango Lime Sorbet 14  
*olive oil, maldon salt*

Strawberry Shortcake 16  
*strawberry-basil ice cream*

Crème Brûlée 14  
*banana custard, jamaican rum*

Affogato 12  
*hazelnut mandel bread, vanilla ice cream*

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## MARTINIS

### MARTINI SERVICE 125

Serves 3-5

*vermouth secco, lemon twists, pickled onions,  
olives, olive brine*

**Gin**

Monkey 47

**Vodka**

Grey Goose

### BESPOKE

*Your Choice of Vodka or Gin*

STYLE

50/50

*Classic Dry or Extra Dry*

*Dirty*

*Gibson*

GARNISH

*Lemon Twist*

*Castelvetrano Olives*

*Blue Cheese Olives*

*Pickled Pearl Onions*

### SIGNATURES 24

The San Sebastian

*Gin Mare, Txakolina vermouth, bay laurel,  
basque pepper brine, anchovy olive*

The Heirloom

*Grey Goose, clarified heirloom tomato,  
basil eau de vie, celery leaf*

Takishido #2 Martini

*Second Sip gin, Sake Ono, yuzu three ways,  
cucumber bitters, kinome leaf*

## COCKTAILS 24

Sbagliato Primavera

*Strawberry Campari, Cocchi Rosa, Heimat Rhubarb,  
Hendrick's gin, sparkling rosé*

Sea Spray Seltzer

*Milagro blanco tequila, sugar kelp, 'blue raspberry',  
sea salt, lime, strange water sparkling coconut*

Smoked Cobbler

*Michter's bourbon, smoked pineapple, Nixta elote, cherries,  
pasilla chile, lemon*

Spicy Goldfinch

*Siete Misterios mezcal, St. Agrestis 'Paradiso', Strega,  
apricot, lemon, saffron, chili*

Alla Verde

*Lalo blanco tequila, snap pea cordial, amontillado,  
lime, basil salt*

Le Jardin

*Citadelle Jardin gin, aquavit, carrot, dill, lime*

Negroni Messicana

*Yola mezcal, Xila, St. Agrestis 'Inferno', Giardino Rosso*

Umami Negroni

*Isolation Proof musbroom gin, Cynar, amontillado, white soy*



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## SWAN SONG COCKTAILS 24

- Hecho En Manhattan
  - Añejo tequila, marsala secco, coconut, mole bitters*
- Banana Sazerac
  - Jaywalk bonded rye, brown butter Cognac, oloroso, banana, absinthe*
- Midnight Reviver
  - Good Vodka, Mr. Black, espresso, sea salt*

## SPIRIT-FREE COCKTAILS 24

- Fragola Spritz
  - Pentire Coastal Spritz, strawberry shrub, lemon, Lyre's classico sparkling*
- Pompelmo Americano
  - Pathfinder bitter, Roots Divino rosso, sparkling grapefruit*
- Chinola Mule
  - Almave Blanco, passionfruit, lime, spicy ginger soda*
- Piña Daisy
  - Aplós Arise, Giffard NA pineapple liqueur, lime*

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## WINES BY THE GLASS

### CHAMPAGNE & SPARKLING

- Laherte Frères, *Ultradition*, Extra Brut, Champagne, France NV 36
- Mas de Daumas Gassac, Rosé Frizant, Languedoc, France 20
- French Bloom, *Le Blanc 0% Alcohol*, Languedoc, France NV 16

### WHITE

- Chenin Blanc Domaine Vincent Carême, Loire, France 2023 20
- Sauvignon Blanc Guy Baudin, Pouilly-Fumé, Loire, France 2022 23
- Chardonnay Arnot-Roberts, *Watson Ranch*, Napa Valley, California 2023 28

### ORANGE/ROSÉ

- Chenin Blanc Costador, *Metamorphika*, Catalunya, Spain 2022 23
- Grenache Sulauze, *Pomponette*, Côtes de Provence, France 2024 19

### RED

- Pinot Noir Domaine Chevrot, Hautes-Côtes de Beaune, Burgundy, France 2022 22
- Syrah Éric Texier, *Brézème*, Côtes-du-Rhône, Rhône Valley, France 2021 23
- Bordeaux Blend Clos de la Cure, Saint-Émilion Grand Cru, Bordeaux, France 2019 24

### BEER & CIDER

- Talea, "Al Dente", Italian-Style Pilsner, 16oz - *Brooklyn* 16
  - Hitachino Nest, Red Rice Ale, 12oz - *Japan* 16
  - Stone Brewing, IPA, 12oz - *California* 13
  - Doc's Cider, 12oz - *Brooklyn* 12
  - Good Time (non-alcoholic), Pilsner or IPA, 12oz - *New York* 11
-

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# SOMMELIER'S SHORTLIST

## CHAMPAGNE

- Francis Boulard, *Les Murgieres*, France 2019 (half-bottle) 130  
Pierre Moncuit, Brut, France NV 130  
Louis Roederer, *Collection 245*, France NV 175  
Veuve Clicquot, Brut, France NV 130  
Vincent Couche, *Sensation*, Blanc de Blancs, France 1999 (magnum) 545

## WHITE

- Emmerich Knoll, *Loibner*, Smaragd, Wachau, Austria 2020 125  
Génot-Boulanger, *Les Nosroyes*, Puligny-Montrachet, Burgundy, France 2021 280  
Kongsgaard, Napa Valley, California 2019 305

## ROSÉ

- Clos Canarelli, Corse Figari, Corsica, France 2022 120  
Hirsch Vineyards, Sonoma Coast, California 2021 110

## ORANGE

- Daniel Ricci, *Il Giallo di Costa*, Piedmont, Italy 2018 110  
Vodopivec, *Solo*, Friuli, Italy 2018 180

## RED

- Château Giscours, Margaux, Bordeaux, France 2014 180  
Arnaud Mortet, *Ma Cuvée*, Burgundy, France 2019 230  
Il Paradiso di Manfredi, *Brunello DI Montalcino*, Tuscany, Italy 2014 310
-

## PHOTOGRAPHS OF PREMISES





















## SOUND STUDY/SOUND SYSTEM

# VFR69i Specifications



## FEATURES

- Two-way, full range loudspeaker
- Beamwidth-matching crossover point
- User-rotatable horn for optimized pattern control
- Easy lift handles (Black version only)

## DESCRIPTION

The new VFR 1" revision brings the VF concept more fully into the EAW product line. VFR 1" Series black versions provide a handle designed into the rear of the cabinet. An installation only white version comes without handles or a pole mount cup.

The VFR69i two-way, full range loudspeaker system includes a direct-radiating, vented, 6-in LF cone transducer and a 1-in exit / 1.25-in voice coil HF compression driver loaded with a large, square, user-rotatable 90x50 coverage pattern horn built on the classic MK Series horns. These horns deliver exceptional high frequency dispersion, and their square shape lets users "rotate the enclosure around the horn" to maintain directivity in a horizontal configuration.

Because VF Series full range systems (VFR/VFM) use HF sections similar to those developed for the MK Series, EAW engineers could employ the same revolutionary "beamwidth-matching" internal passive crossover/filter networks that set the MK Series apart from all other two-way systems. If powered by an EAW-specified amplifier or via a UX Series digital signal processor, the VFR69i can enjoy the benefits of EAW Focusing, a technology that eliminates the anomalies inherent in the time domain of any loudspeaker.

The VFR69i black version includes traditional portable features such as a pole-mount cup, parallel NL4 4-terminal connectors, barrier strip connectors, an optional transformer, and handles that accept accessory covers for permanent installation. The white, installation-only versions omit handles and the pole-mount cup but include NL4 connector, barrier strip connector, an optional transformer, and multiple mounting points.

Six year warranty.

## 2-WAY FULL-RANGE LOUDSPEAKER 90° × 50°

See NOTES TABULAR DATA for details

### CONFIGURATION

Subsystem:	
Transducer	Loading
LF 3x 6-in cone	Vented
HF 1x 1-in exit, 1.25-in voice coil compression driver	Horn-loaded
Operating Mode:	
Amplifier Channels	External Signal Processing
Single-amp LF/HF	High pass filter

### PERFORMANCE

<b>Operating Range:</b>	70 Hz to 20 kHz
<b>Nominal Beamwidth:</b> (rotatable)	
Horz 90°	
Vert 50°	
<b>Axial Sensitivity</b> (whole space SPL):	
LF/HF 99 dB	70 Hz to 20 kHz
<b>Input Impedance</b> (ohms):	
<b>Nominal</b>	<b>Minimum</b>
LF/HF 8	7.0 @ 227 Hz
<b>Input Taps</b> (With ACC-TXVFR Transformer installed):	
70V	100V
LF/HF 128W / 64W / 32W / 16W	128W / 64W / 32W
<b>High Pass Filter:</b>	High Pass >>70 Hz, 12 dB/octave Butterworth
<b>Accelerated Life Test:</b>	
LF/HF 44.7 V	250 W @ 8 ohm
<b>Calculated Axial Output Limit</b> (whole space SPL):	
<b>Average</b>	<b>Peak</b>
LF/HF 113 dB	119 dB

### ORDERING DATA

Description	Part Number
EAW VFR69i Black	2041021-90
EAW VFR69i White	2041037-90
<b>Optional Accessories</b>	
EAW ACC-TX-VFR (ACC-TXVFR)	2039024
EAW U-Bracket V6U BLK (UBKT-V6U)	2039420
EAW U-Bracket V6U WHT (UBKT-V6U)	2039421
Eye Bolt Forged Shoulder M10 X 1.5 X 57mm	0029818



Eastern Acoustic Works | One Main Street | Whitinsville, MA 01588 USA | Tel: 800.992.5013 / +1 508.234.6158 | Fax: 508.234.8251 | www.eaw.com

EAW products are continually improved. All specifications are therefore subject to change without notice.

Part Number: 0020757 Rev. C.00

11/2014

*Location: Neighborhood Bar and Restaurant*

**Description**

Leon's flagship Detail Ds700 on-wall speakers celebrate a 20-year history of American craftsmanship, acoustic engineering, and timeless aesthetics. Each speaker is handcrafted from 1" solid MDF and features world-class 7" aluminum cone woofers and 25mm cloth-dome tweeters for an unrivaled listening experience—perfect for providing immersive sound in any commercial application.

**Applications**

Multimedia presentation rooms, large classrooms

**Key Features**

- Handmade 7" aluminum cone woofers and 25mm cloth-dome tweeters
- 1" solid MDF cabinets provide unparalleled structural rigidity while decreasing unwanted resonance
- Unrivaled listening experience for large scale commercial applications
- Sonically-matched to Hz700 soundbar and Pr700 sidemount speakers
- Meticulously handcrafted, detailed, and tested in the USA

WWW.LEONCOMMERCIALSOUND.COM | 1.734.926.4097

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***Location:** Restaurant, Small Event Space*



# Rumble-KU210

Ultra-thin, high-power passive subwoofer



**Rumble-KU210W**



**Rumble-KU210**

DATASHEET

Installed Sound Rumble-KU210

## DESCRIPTION

The Rumble-KU210 is an ultra-thin, high performance passive subwoofer designed to be the perfect companion to the K-array Installed Sound Series A combination of extended frequency response with precise output and a virtually invisible profile make the KU210 an ideal solution even for the most ambitious projects. The subwoofer is composed of a 10" neodymium transducer, combined with a 10" passive transducer, instead of a reflex

which ensures that the device remains completely sealed.

The unit is engineered for maximum linear excursion and minimum residual noise. Its neodymium transducer has a double voice coil for two selectable impedance settings, allowing you to combine up to 4 KU210s powered by just one channel of the KA94 amplifier.

KU210 is made entirely of steel, making it extremely resistant, even when deployed

outside in tough weather conditions. This makes it ideal for marine environments where ordinary bass speakers would corrode. It cannot be penetrated by foreign objects such as dust, salt or water, which over time can ruin a speaker. KA series amplifiers have presets specifically optimized for KU210 applications.

All KU210 components are designed by the K-array R&D department and custom made under the K-array quality control system.

## COLORS & PREMIUM FINISHES AVAILABLE



## SUGGESTED ACCESSORIES

K-25PK

K-KCLAMP

K-KUIP

K-WALL2

K-WF210

K-FLY210

## FEATURES



100% STEEL



100% CUSTOMIZABLE



100% SEALED

## FREQUENT APPLICATIONS

CAFES, BISTROS & RESTAURANTS

HOTELS

THEME PARKS

RETAIL

CINEMAS

BROADCAST & STUDIOS

HOUSES OF WORSHIP

AUDITORIUMS, EDUCATION & GOVERNMENT

Ver 2.0

*Location: Bank Lobby*

# PROFESSIONAL SERIES

## IN-CEILING SPEAKER PS-C43RT



### Introducing the Sonance Professional Series

From Sonance, the company that created the architectural audio category comes a range of professional loudspeakers that set a new benchmark in sound quality and aesthetics for commercial environments.

Sonance Professional Series includes a range of In-Ceiling, Pendant and Surface Mount Speakers that deliver unequalled fidelity, extremely low distortion, wide dispersion and a smooth power response. The range also shares consistent voicing, ensuring seamless sonic integration when used together throughout a space.

The Sonance Professional Series PS-C43RT In-Ceiling Speaker features a one-piece bezel-less grille that is magnetically secured and allows for a one-step painting process to simplify installation and minimize visual distraction.

The optional Square Grille Adapter allows speakers to match the aesthetic of square downlights and HVAC grilles to achieve continual sight lines.

A high-excursion 4" polypropylene woofer delivers effortless low bass extension, even at high volumes, while the pivoting chambered 1" soft dome tweeter can be directed to ensure accurate coverage, when speaker positioning is compromised.

The PS-C43RT features a sealed metal enclosure, integrated cable and conduit clamping, removable Euroblock connector with loop-through, swing-open connector cover and seismic attachment. Additionally, the Sonance PS-C43RT is certified for UL 1480 and UL 2043.

### Features & Benefits

#### Performance

- Class-leading sensitivity & sonic performance
- Exceptional off-axis response
- Heavy duty voice coil for longevity and reliability
- Full-fidelity transformer for uncompromised tonality
- Consistent voicing across product range

#### Aesthetics

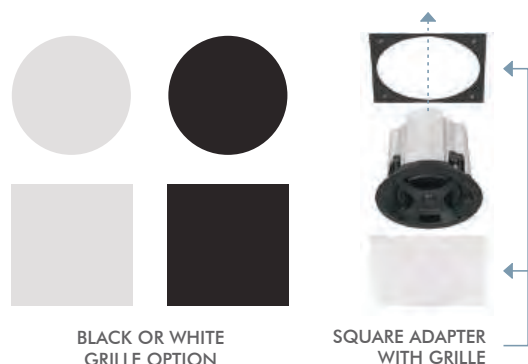
- Bezel-less design for clean and minimalistic aesthetic
- Optional Square Adapters to match light fixtures
- Optional black grilles in round or square

#### Installation

- Magnetic grille retention for fast installation and removal
- Finger-adjustable selector tap
- One-step simplified painting process
- Smallest in class form factor

### Applications

- Boardrooms & Corporate Offices
- Shopping Malls, Retail Spaces & Showrooms
- Restaurants, Bars & Lounges
- Galleries & Museums
- Casinos, Convention Centers & Hotels
- Houses of Worship
- Educational Facilities



BLACK OR WHITE  
GRILLE OPTION

SQUARE ADAPTER  
WITH GRILLE



## SPECIFICATIONS UB52

### DESCRIPTION

A 2-way full range system (passive LF/HF crossover) in a compact, vented rectangular enclosure. Includes two 5.25 in woofers and a 1 in exit compression driver on a 90° x 60° constant directivity horn. It includes two 1/4"-20 threaded mounting/suspension points. Six year warranty.

### APPLICATION

The UB52 is engineered to provide secondary full range coverage from a stage lip or apron mounting location. Also very effective as an ultra-low profile under balcony fill system. It's 6.28 in height allows it to be mounted within stage steps and hidden from view.

Applications include:

Houses of Worship  
Performing Arts Centers  
Theaters

### PERFORMANCE

<b>Frequency Response (Hz)</b>	
±3 dB	98 Hz to 18 kHz
-10 dB	50 Hz
<b>Axial Sensitivity (dB SPL, 1 Watt @ 1m)</b>	
	91
<b>Impedance (Ohms)</b>	
	8
<b>Power Handling (Watts, continuous)</b>	
AES Standard	175
<b>Recommended High-Pass Frequency</b>	
24dB/Octave	50 Hz
<b>Calculated Maximum Output (dB SPL, @ 1m)</b>	
Peak	119.4
Long Term	113.4
<b>Nominal Coverage Angle, -6 dB Points (degrees)</b>	
Horizontal	90
Vertical	60



### PHYSICAL

Configuration	2-way, full range		
Powering	Passive LF/HF crossover		
LF Subsystem	2x 5.25 in, vented		
HF Subsystem	1 in exit compression driver on constant directivity horn		
Enclosure Materials	Exterior grade Baltic birch plywood		
Finish	Wear resistant textured black paint		
Connectors	2-terminal barrier strip		
Suspension Hardware	(2) 1/4" -20 threaded mounting/ suspension points (1 each side)		
	Grille	Powder coated perforated steel	
Dimensions		inches	millimeters
	Height	6.2	160
	Width	19.8	502
	Depth	8.1	207
Weights		pounds	kilograms
	Net Weight	19	8.6
	Shipping Weight	21	9.5



One Main Street, Whitinsville, MA 01588 508 234 6158 Toll Free 800 992 5013  
EAW products are continually improved. All specifications are therefore subject to change without notice.

FAX 508 234 8251 info@eaw.com www.eaw.com  
UB52/0007840/001/2 pp July 2003 Printed in USA

*Location: Roof Interior*



# GO-2-8CX Full Range Loudspeaker

## SPECIFICATIONS

### KEY FEATURES:

- ▶ Compact 12.75"H x 22"W x 9"D design
- ▶ Wide conical coverage pattern
- ▶ Synergy crossover network
- ▶ Sentinel™ Limiter protection circuitry
- ▶ "U" Bracket included

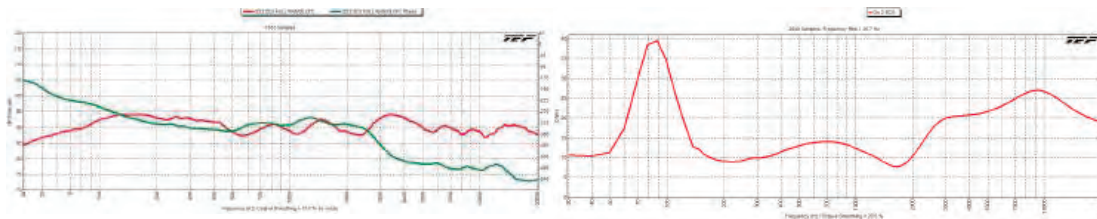
Danley Sound Labs introduces the Go 2 Series of versatile compact loudspeakers. The full range models incorporate our Synergy™ design philosophy and crossover topology for extremely flat phase response and performance that is pure Danley.

### APPLICATIONS:

- ▶ Houses of Worship
- ▶ Performing Arts Centers
- ▶ Sports Facilities
- ▶ Theme Parks
- ▶ Clubs / Restaurants
- ▶ Cruise Ships / Yachts
- ▶ Schools



Operating Frequency Range ----- 51 Hz – 21 kHz +/- 3 dB  
-----30 Hz – 24 kHz +/-10 dB  
Sensitivity ----- 90 dBSPL measured at 1M @ 2.83V input  
Maximum Output -----115 dBSPL Cont., 121 dBSPL Program  
Recommended Amplifier Power:-----320 Watts continuous, 1280 Watts peak  
Recommended Processing -----50 Hz High Pass 24 dB Butterworth  
Drivers ----- 1 x 8" coaxial driver  
Input Connections -----NL4  
Impedance -----8 Ohms  
Enclosure Material -----High Density Urethane



Performance Data							
Model	MAX SPL	Sensitivity	Magnitude Response	Beam Width	Power Rating	Dimensions	Weight
Go-2-8CX	121 dB	90 dB	51 Hz - 21 kHz	Wide	1280 W Peak	12.75"H x 22"W x 9"D	23 lbs

*Location: Large Event Space*



# FACILITY NOTES

- 1) SEE ARCHITECT'S GENERAL NOTES FOR ALL NOTES, SPECIFICATIONS, AND SCHEDULES. ALL WORK SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS. ALL MATERIALS AND METHODS SHALL BE APPROVED BY THE ARCHITECT PRIOR TO INSTALLATION.
- 2) ALL WORK SHALL BE COMPLETED WITHIN THE SPECIFIED TIME FRAME. DELAYS SHALL BE REPORTED TO THE ARCHITECT IMMEDIATELY.
- 3) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
- 4) ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.
- 5) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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- 8) ALL WORK SHALL BE COMPLETED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES AND STANDARDS.
- 9) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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- 11) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
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- 13) THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.

**SC**  
1120 777 008  
1120 777 008  
1120 777 008  
New York, NY 10002

**Owner:**  
New Orchard Partners, LLC  
550 Madison Avenue, 8th Fl  
New York, NY 10022

**Architect:**  
Carrick & Associates, LLC  
110 Madison Avenue, 8th Fl  
New York, NY 10022

**Construction Manager:**  
Carrick & Associates, LLC  
2300 Macdonald Avenue  
Brooklyn, NY 11203

**M.E.P. Engineer:**  
KONIKOFF  
35 Cooper Street, Suite 402  
New York, NY 10001

**Structural Engineer:**  
GACE  
100 West 45th St, 10th Floor  
New York, NY 10020

**Lighting Designer:**  
VANDERBILT  
247 W 30th St, Suite 1502  
New York, NY 10001

**Interior Architect:**  
MANHATTAN  
200 West 45th St, 10th Floor  
New York, NY 10020

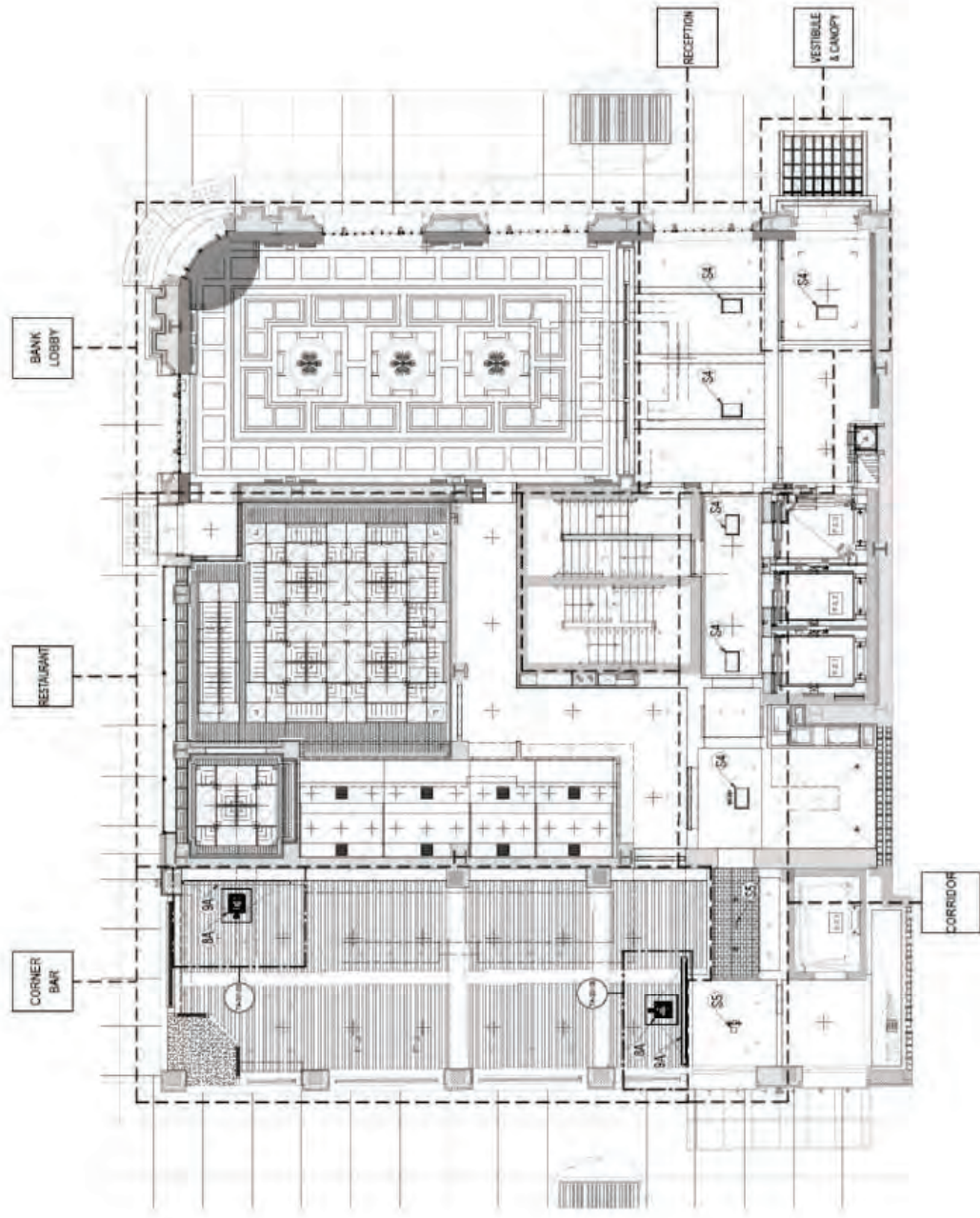
**Acoustical Consultant:**  
TAC ASSOCIATES  
495 7th Ave, 23rd Fl South  
New York, NY 10018



DATE	10/10/10
BY	SC
PROJECT	AV RCP
LOCATION	9 Orchard Street
DATE	10/10/10
BY	SC
PROJECT	AV RCP
LOCATION	9 Orchard Street

DATE	10/10/10
BY	SC
PROJECT	AV RCP
LOCATION	9 Orchard Street
DATE	10/10/10
BY	SC
PROJECT	AV RCP
LOCATION	9 Orchard Street

12136010



AV REFLECTED CEILING PLAN - 1ST FLOOR FACILITY





5.12. MOUNTING DETAILS TO BE COORDINATED IN CONSTRUCTION PHASE

+1 212 777 0306  
+1 212 777 0308  
1025 East Broadway, 3 FL  
New York, NY 10002

**Owner:**  
 Kinross Chemical Partners, LLC  
 650 Madison Avenue, 8th Fl.  
 New York, NY 10022

**Consulting Engineer, LLC:**  
 Cornwell Equities, LLC  
 1070 Madison Avenue, 8th Fl.  
 New York, NY 10022

**Construction Manager:**  
 Forrester Contracting, LLC  
 2390 McDonald Avenue  
 Brooklyn, NY 11223

2 718-266-6300  
 M.E.P. Engineer  
 35 Chapel Street Suite 903  
 New York NY 10037  
 2 565-272-4650  
 Structural Engineer

**GACE**  
105 Madison Ave., 8th Floor  
New York, NY, 10001  
t 212.548.7878  
Lighting Designer

347 W. 37th St. Suite 1802  
New York, NY 10018  
212.362.2100  
Interior Architect

**MANHATTAN QUALITY**  
Manuel Duffy  
275 Seventh Avenue  
New York, NY 10001  
E: 212.536.1290

**Individual Consultant:**  
TAD associates  
7070 7th Ave. 2nd fl. South  
New York, NY 10016

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As proposed	AD001271.00
As proposed	AD017.00.00
As proposed	AD017.00.00

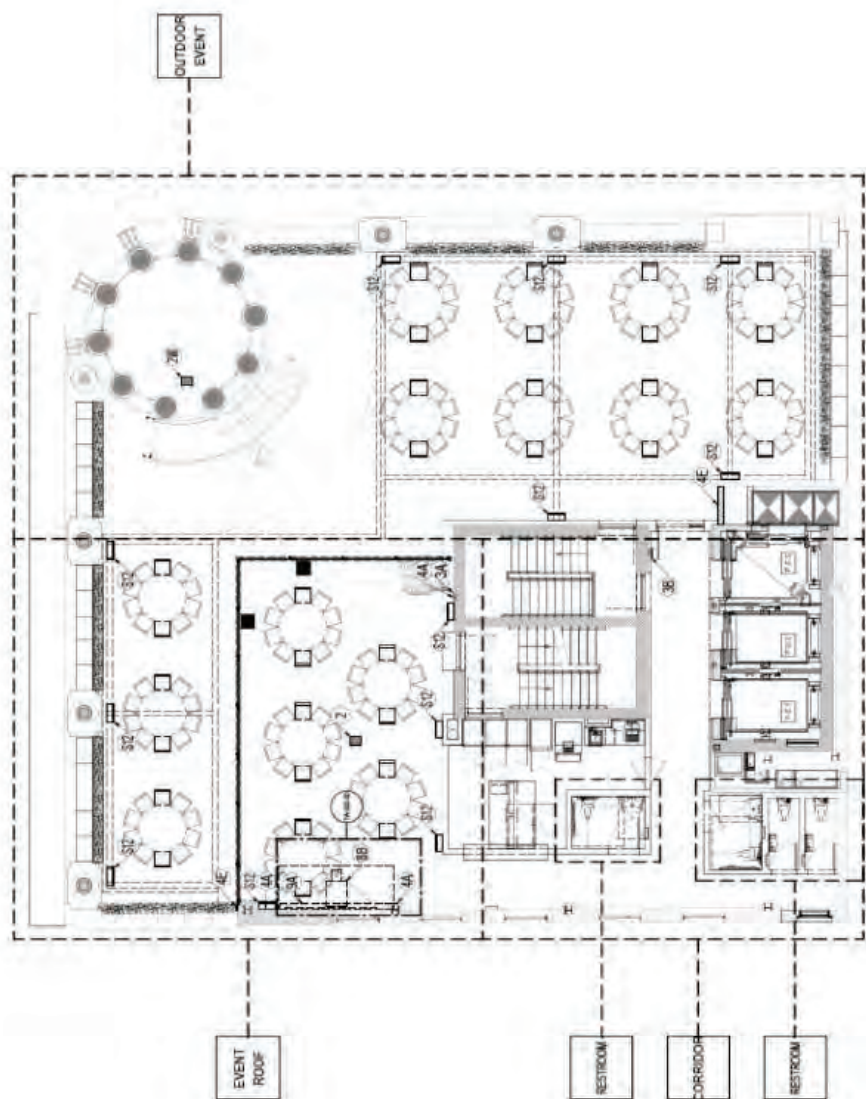
8 - 9 Orchard Street  
6-12 Allen Street  
New York, NY 10002

AV FLOOR PLAN

14TH FLOOR FACILITY	DATE	08.23.2016
BY: J. B. BROWN (JAB)	PROJECT NO.	0000
	CHANGING BY	

03/01/2011 03/01/2011 <b>TA-114.00</b> Page 10	03/01/2011
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121326010







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.*

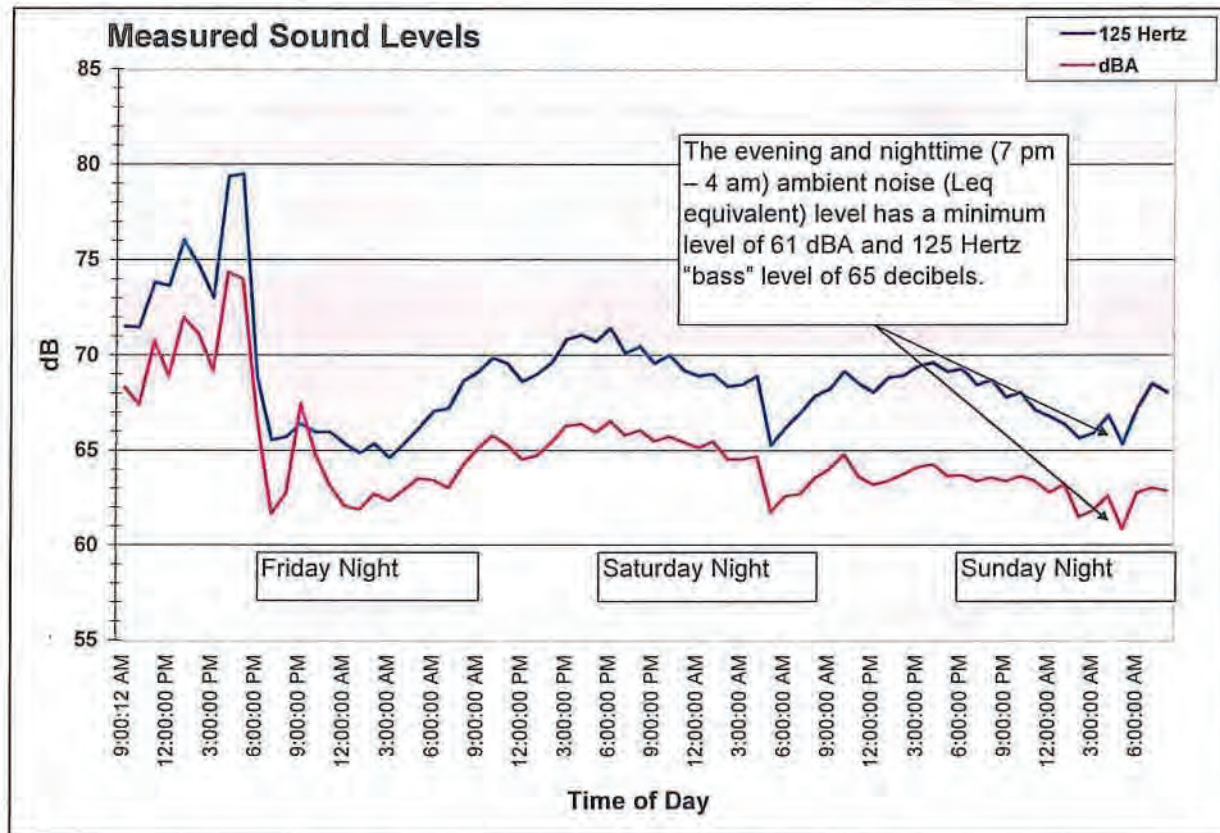
*(2) Sound, other than impulsive sound, attributable to the source, measured at a level of 10 dB(A) or more above the ambient sound level at or after 7:00 a.m. and before 10:00 p.m., as measured at any point within a receiving property or as measured at a distance of 15 feet or more from the source on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



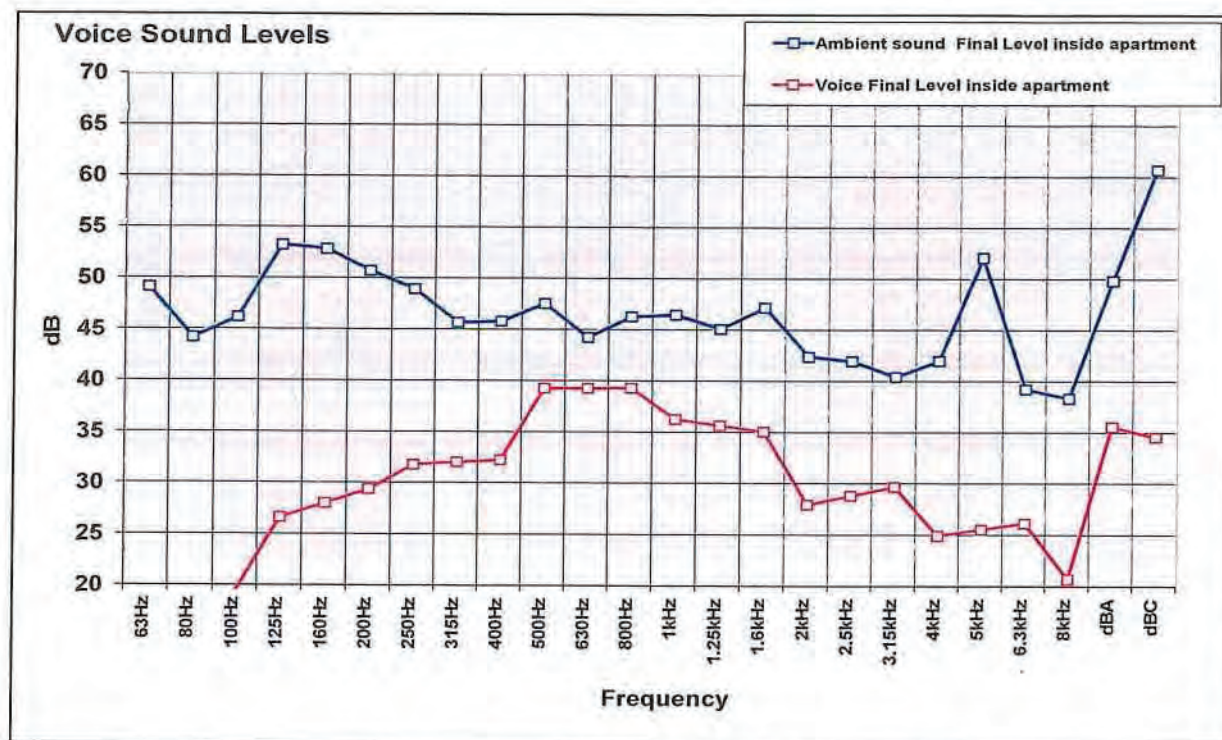


The terrace voice sounds will be attenuated after traveling to the nearest open window and will drop further after entering through the window. In addition to the drop due to distance, it will be attenuated by the parapet wall which blocks sound due the interruption of line-of-sight.

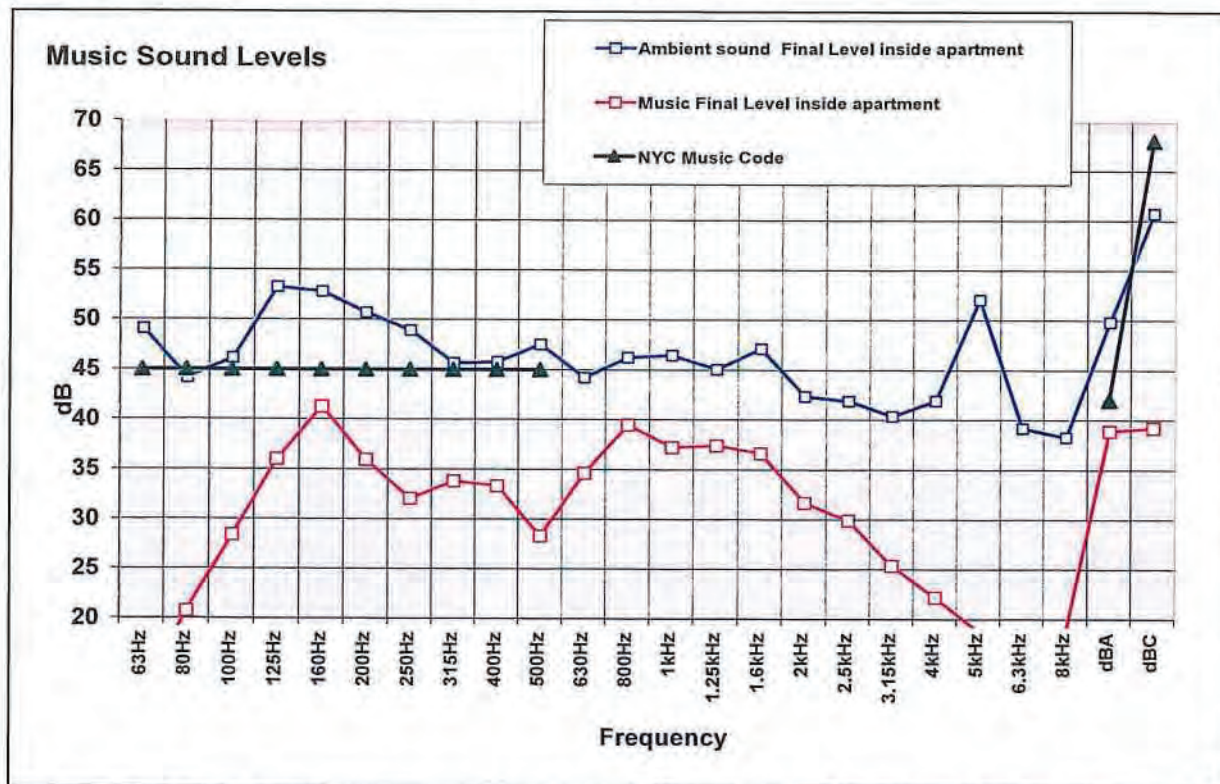
With the combined sound attenuation, the voice sound is calculated to be 36 dBA inside the nearby open windows. This is far below the lowest ambient noise, 50 dBA. This does not include the masking effect of residential and commercial air conditioners in the neighborhood which will create additional 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 Acoustical 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.

It is strongly recommended that all complicated construction projects get regular inspection visits at critical times, to make sure the system performs properly. This is an optional service which I can provide. All Acoustilog, Inc.-designed information supplied is for the original client and may not be copied in any way for different projects by any architect, consultant, engineer or other party. Copyright Acoustilog, Inc. © 2018. All rights reserved. No reproduction of any type permitted without written permission of Acoustilog, Inc.

Yours Truly,

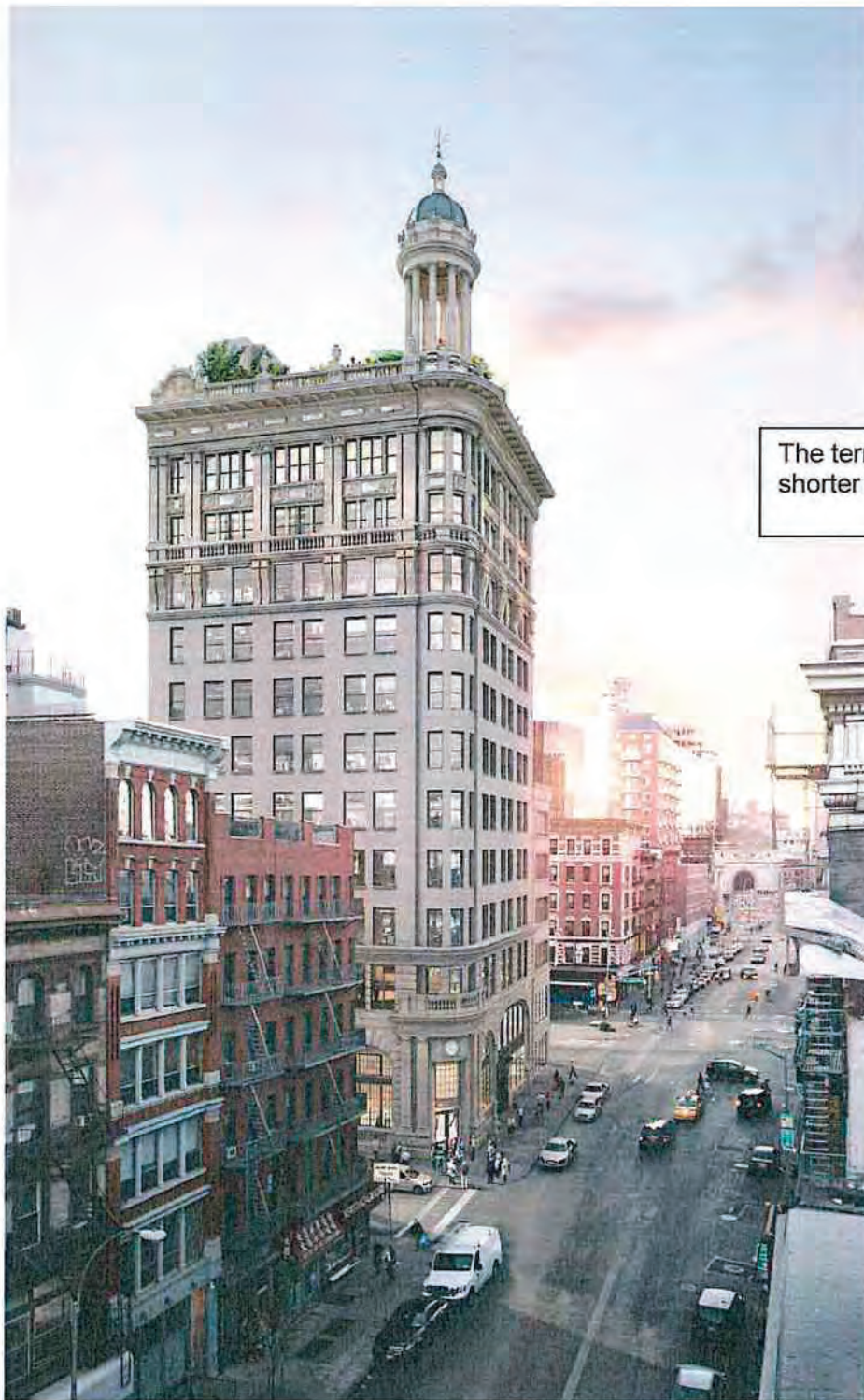
Alan Fierstein



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.



The first part of the paper discusses the importance of the research and the objectives of the study. It then proceeds to a literature review, followed by a description of the methodology used. The results of the study are presented in the next section, followed by a discussion of the findings and their implications. The paper concludes with a summary of the main points and a list of references.

The research was conducted in a systematic and rigorous manner, following the principles of good research practice. The data collected was analyzed using appropriate statistical methods, and the results were presented in a clear and concise manner. The findings of the study are discussed in detail, and their implications for practice and policy are explored. The paper is well-structured and easy to read, and it provides a valuable contribution to the field of research.

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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.



### **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.





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 FIIC-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:



- 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**

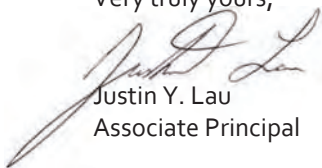
As previously noted, complying with the project criterion of FSTC-54 for operable partitions cannot be achieved with a single operable partition which are typically limited to a field performance of approximately 42. Therefore, strictly achieving the desired criteria would require (2) parallel operable 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

## TRAFFIC STUDY

1.



*Prepared For:*  
DLJ Real Estate Capital Partners  
1123 Broadway - 2nd Floor  
New York, NY 10010

# 9 Orchard Street SLA Traffic and Access Study

Community Board District 3

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

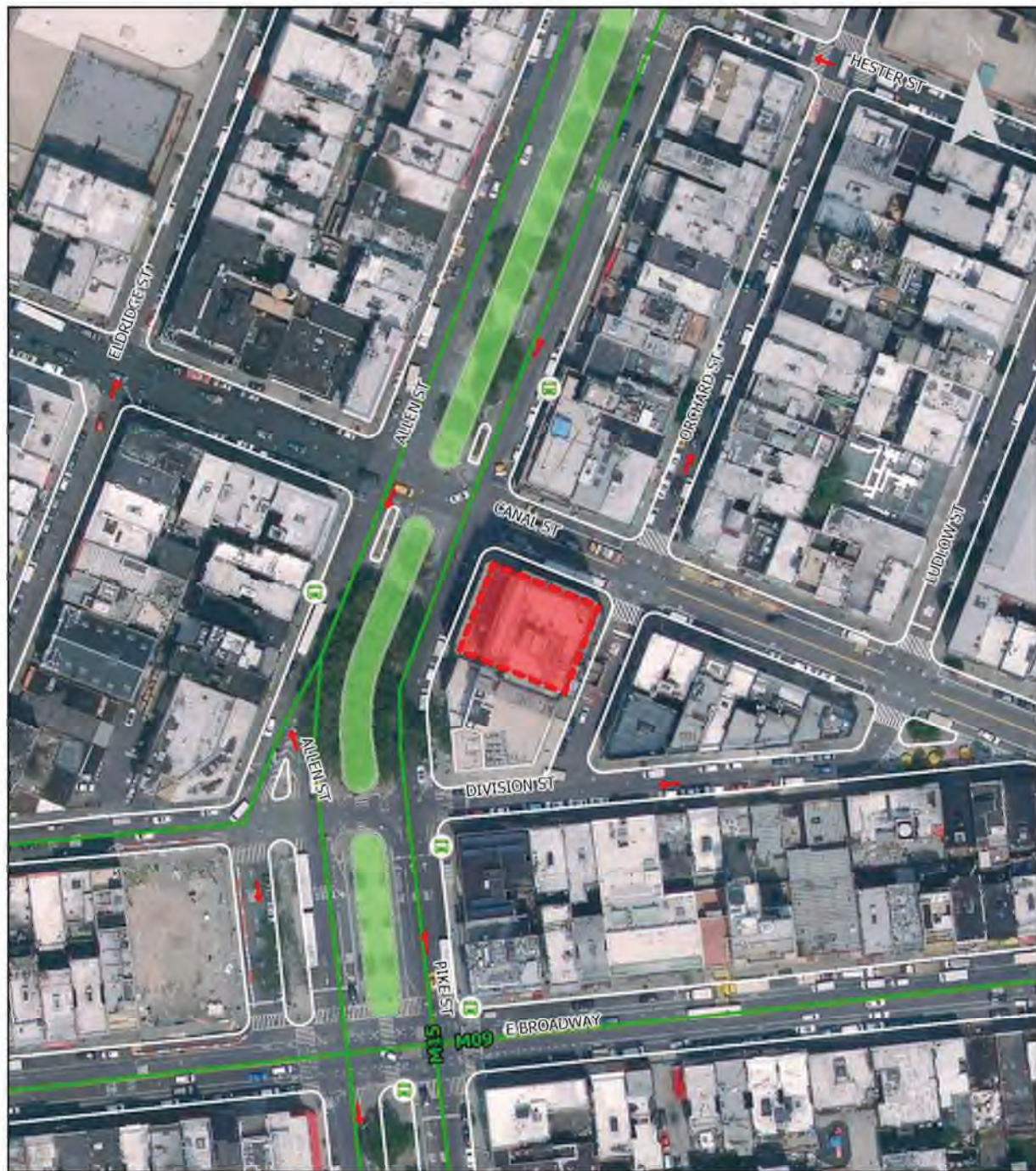
Multiple Citibike stations are within close proximity of Nine Orchard Street – at Pike Street and East Broadway, at Forsyth Street and Canal Street, and at Allen Street and Hester Street.

### 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 Routes
-  Bus Stops
-  Subway Routes
-  Subway Entrances
-  Parks

0 30 60 120 180 240  
Feet





Figure 2: Transit &amp; Parking Assets Map



## Legend

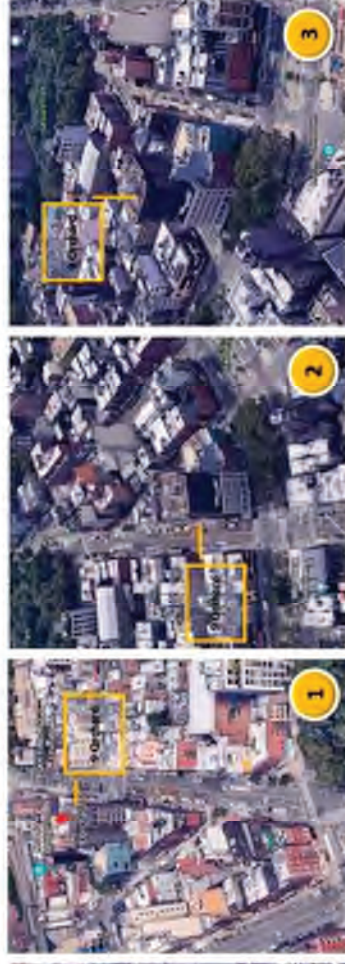
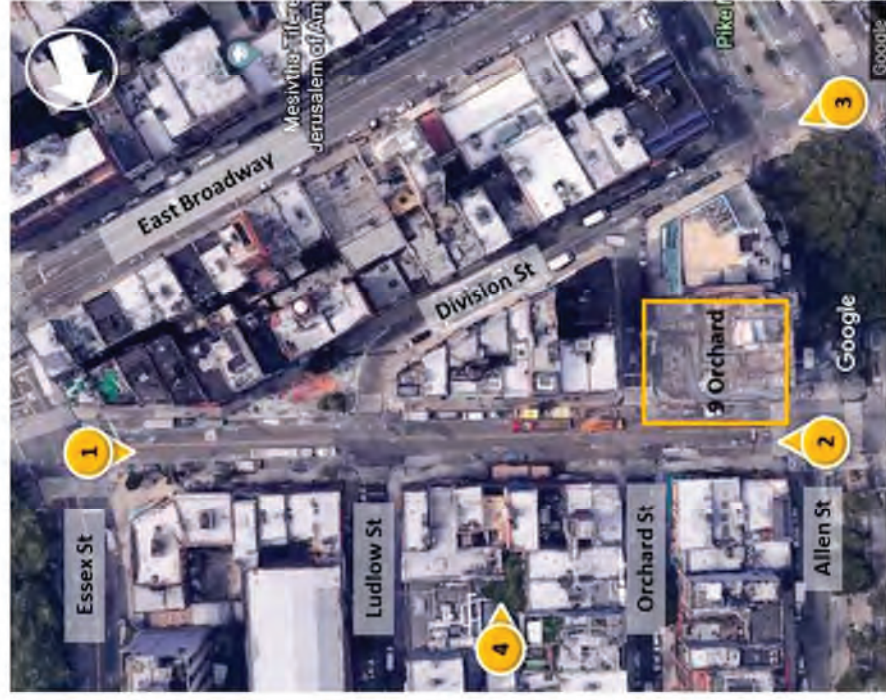
- 9 Orchard Street
- Off-Street Parking
- Bus Stops
- Bus Routes
- Subway Entrances
- Subway Routes
- Parks

0 80 160 320 480 640 Feet

equity  
environmental  
engineering



Photokey 1: Study Area Context





Photokey 2: Orchard Block Context



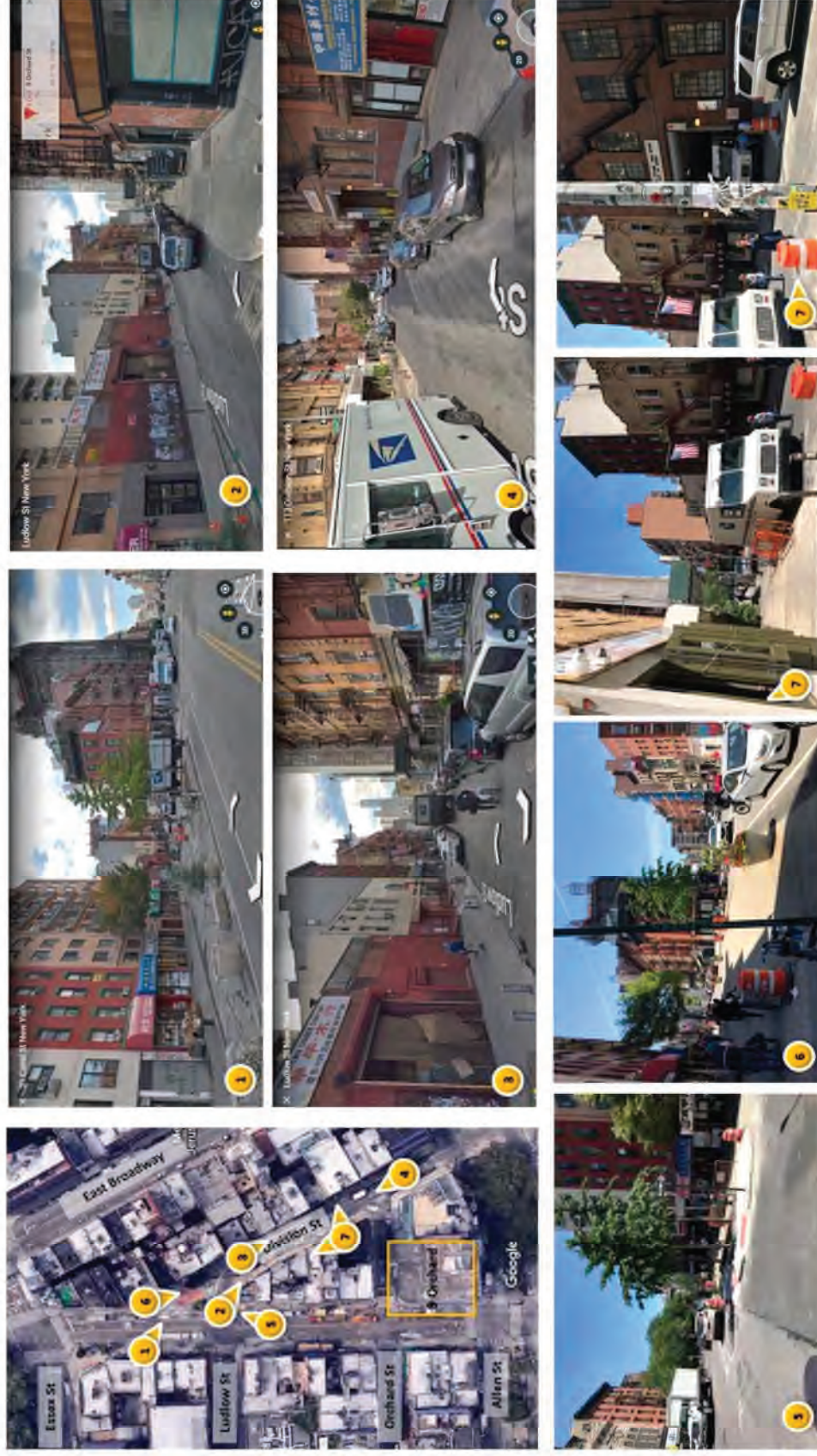


Photokey 3: Canal Street Context





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**

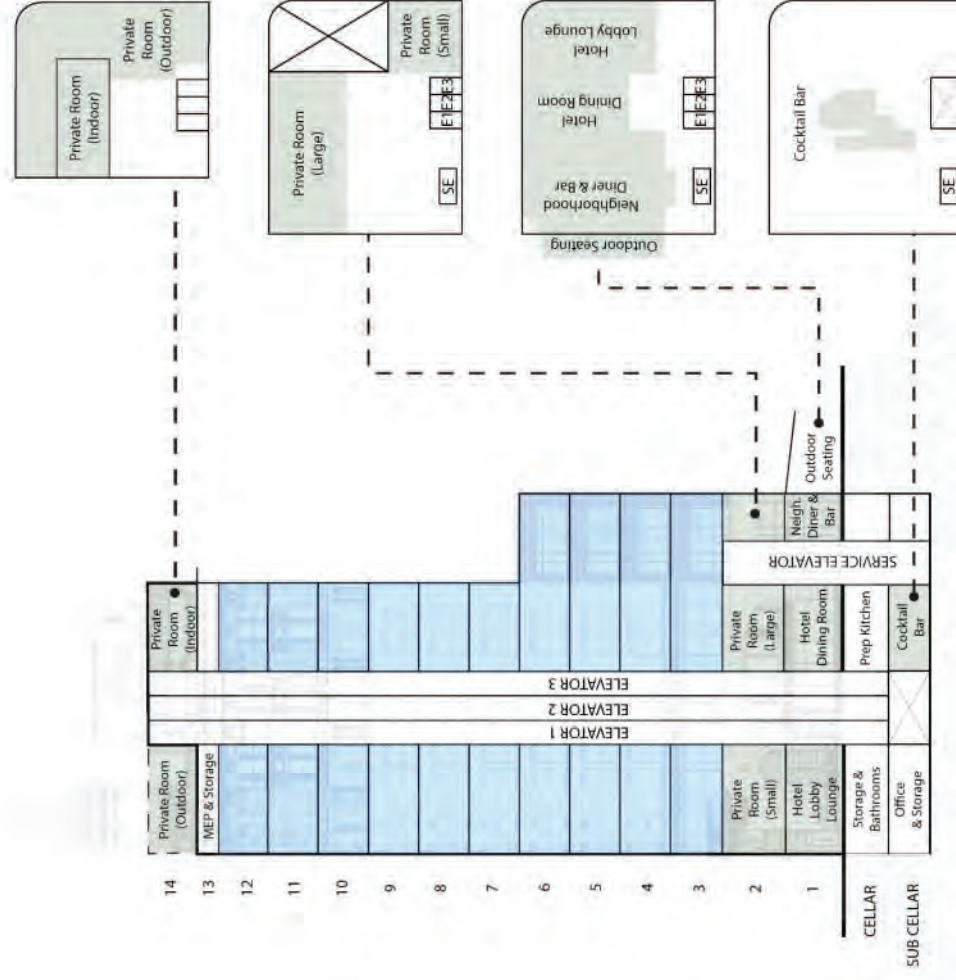
Components	SF	Capacity (seated and standing)	Regular Hours of Operation							Bar Info
		Total	Mon	Tues	Wed	Thur	Fri	Sat	Sun	
Cocktail Lounge	1,080	28	4am	4am	4am	4am	4am	4am	4am	Service Bar Only
Neighborhood Diner & Bar (Indoor)	1,039	97	4am	4am	4am	4am	4am	4am	4am	52 feet
Neighborhood Diner & Bar (Outdoor)		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. 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.

**Figure 3: Arrival and Departure Locations for Proposed Venues**



### 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.

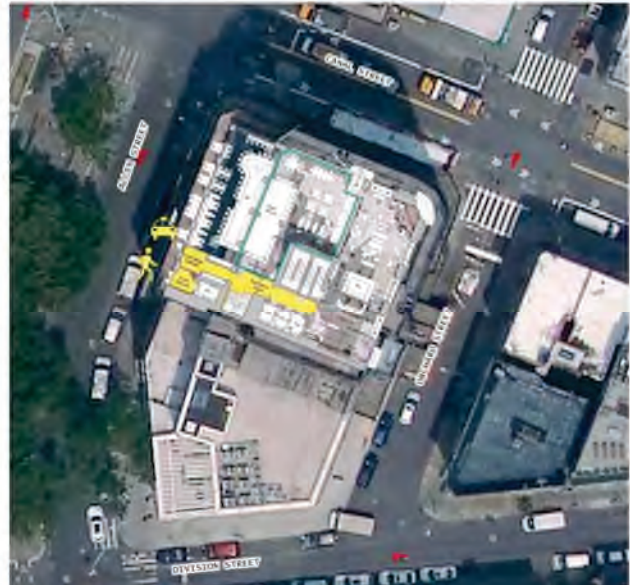


Figure 4: Sub-Cellar Cocktail Lounge, Event Space and

Table 3: Sub-Cellar Cocktail 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
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
							Arrivals	6	8	8	10	12	10	12	10	4	2
							Departures	0	2	4	5	6	5	20	20	13	5
						Private Auto - 2.2	10%	1	1	1	1	2	1	3	3	2	1
						Linked Trip Adjustment	70%	4	7	8	10	12	10	22	21	12	5
						Cab/Car Service Drop-off (2.2 patrons per cab)	35%	1	1	1	2	2	2	4	3	2	1
						Walk/Secondary Walk	55%	3	5	7	8	10	8	17	16	9	4
						Patrons entering and exiting by hour		5	7	9	11	14	11	24	23	13	5

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

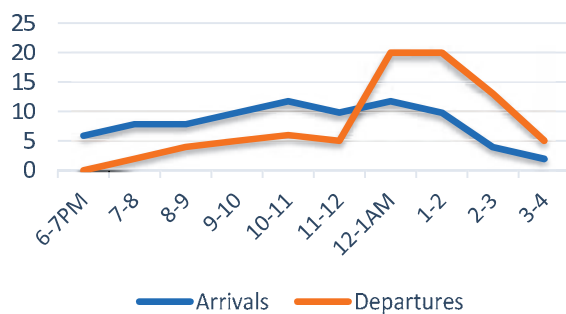
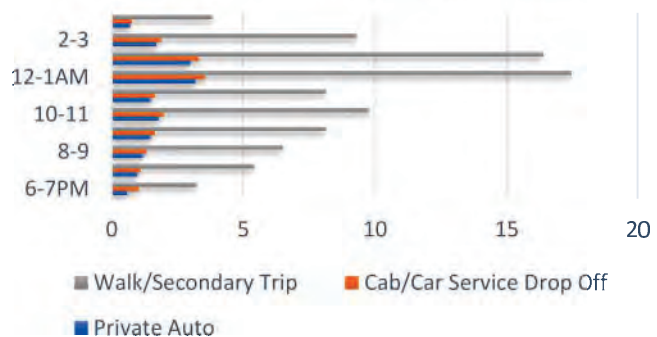


Table 5: Sub-Cellar Cocktail Lounge Weekend Forecasted Mode Arrivals/Departures by Hour





### 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 forecast (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	0.4	0.4	0.5	0.5	0.6	0.5	0.5	0.4	0.2	0.1
							Arrivals	44	44	54	54	65	54	54	44	22	11
							Departures	5	15	30	39	46	43	45	45	40	24
						Private Auto - 2.2	5%	1	1	2	2	5	2	2	2	1	1
						Linked Trip Adjustment	70%	34	41	59	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

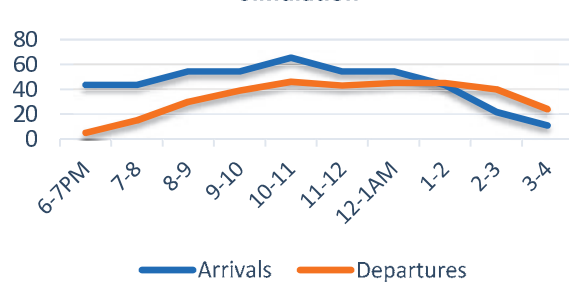
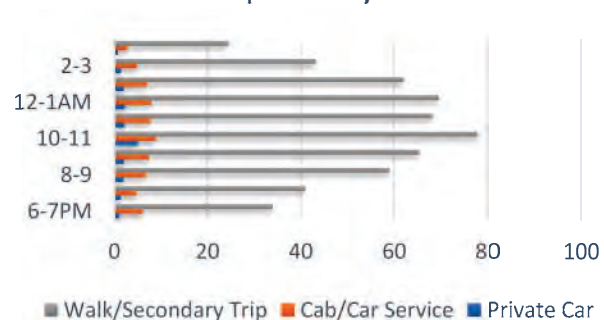


Table 8: Neighborhood Diner & Bar Arrivals & Departures by Hour



### 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

Table 9: Hotel Dining Room 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
Hotel Dining Room	1,148	78	70.00%	7:00am-2:00am Monday.. Sunday	9-10 Friday and Saturday	2.5-hour average stay	Accumulation Factor	0.25	0.5	0.7	0.6	0.5	0.25	0.25	0.1	0	
							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%	18	35	48	51	42	31	24	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

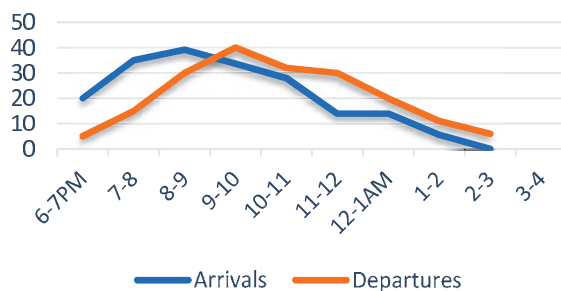
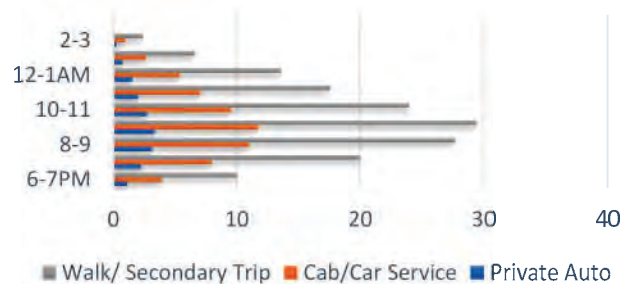


Table 11: Hotel Dining Room Arrivals & Departures by Hour



### 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
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	Accumulation Factor	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	5%	0	1	1	1	2	1	1	1	0	0
						Linked Trip Adjustment	60%	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	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

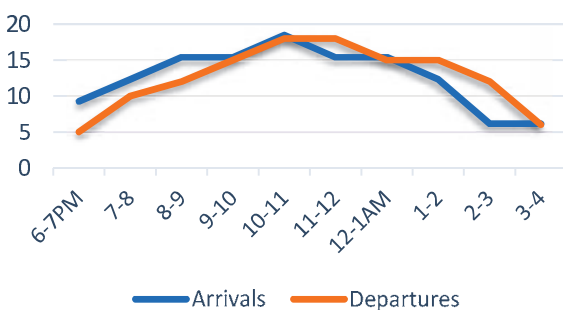
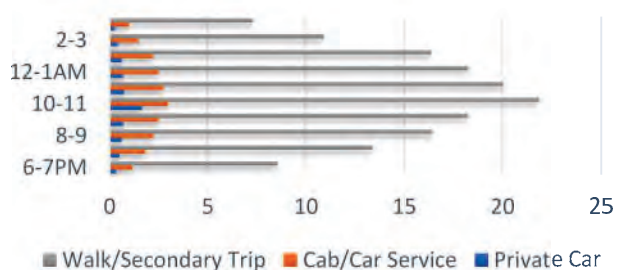


Table 14: Hotel Lobby Lounge Weekend Forecasted Mode Arrivals/Departures by Hour





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

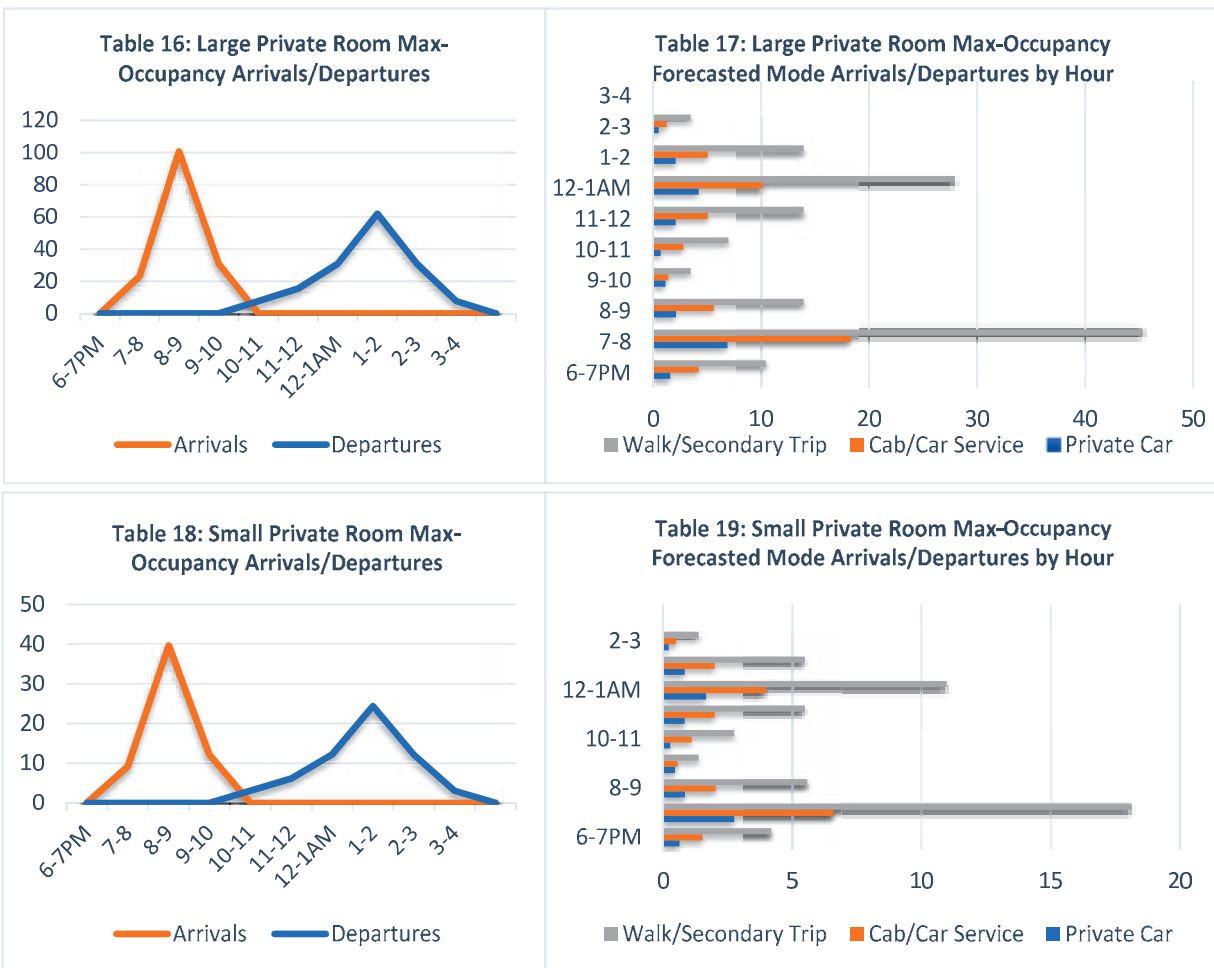
Patrons arriving to attend an gathering a one of the Private Rooms would all access via entry on Allen Street as shown in Figure 8. Operating period would be from 7-AM to 4-AM, with prime weekend evening operations assumed from 8 PM to 1 AM. Morning and afternoon events area also expected to be common. 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
Private Room (Large)	1,665	175	na (max assumed)	7:00am-4:00am Monday - Sunday	7-10 pm weekday, 10pm-1am Friday and Saturday		<b>accumulation Factor</b>	0.15	0.65	0.2	0.05	0.1	0.2	0.4	0.2	0.05	0
							<b>Arrivals</b>	26	114	35	0	0	0	0	0	0	0
							<b>Departures</b>	0	0	0	9	18	35	70	35	9	0
						Private Auto - 2.2	15%	2	8	2	1	1	2	5	2	1	0
						Linked Trip Adjustment	90%	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		<b>Operating Periods</b>	6-7PM	7-8	8-9	9-10	10-11	11-12	12-1AM	1-2	2-3	3-4
							<b>accumulation Factor</b>	0.15	0.65	0.2	0.05	0.1	0.2	0.4	0.2	0.05	0
							<b>Arrivals</b>	11	46	14	0	0	0	0	0	0	0
							<b>Departures</b>	0	0	0	4	7	14	28	14	4	0
						Private Auto - 2.2	15%	1	3	1	1	0	1	2	1	0	0
						Linked Trip Adjustment	90%	10	42	13	3	6	13	25	13	3	0
						Cab/Car Service Drop-off (2.2 patrons per cab)	40%	2	8	2	1	1	2	5	2	1	0
						Walk/Secondary Walk	45%	5	21	6	2	3	6	13	6	2	0
						Patrons entering and exiting by hour		7	31	10	3	5	10	19	10	2	0



## 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.

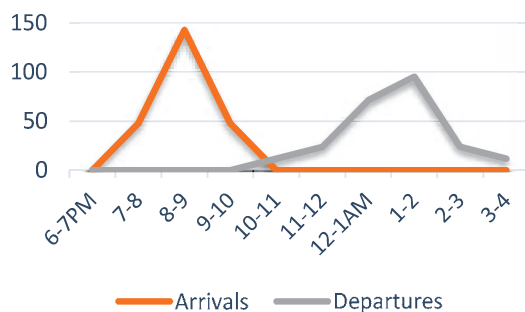
### Private Room, Rooftop

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.

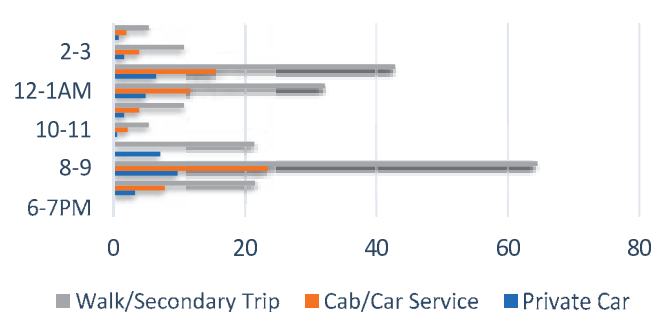
**Table 20: Rooftop Private Room Access Model**

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		Accumulation Factor	0	0.2	0.6	0.2	0.05	0.1	0.3	0.4	0.1	0.05
							Arrivals	0	48	143	48	0	0	0	0	0	0
							Departures	0	0	0	0	12	24	71	95	24	12
						Private Auto - 2.2	15%	0	3	10	7	1	2	5	6	2	1
						Linked Trip Adjustment	90%	0	43	129	43	11	21	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
						Patrons entering and exiting by hour		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.



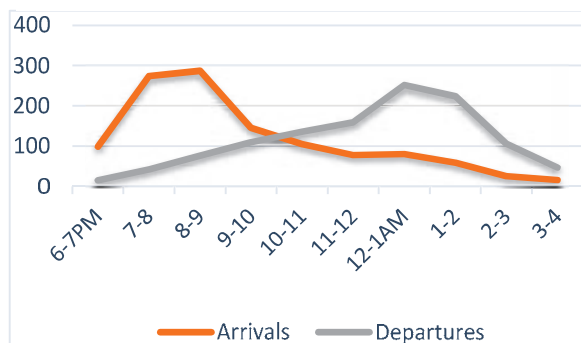
### 9 Orchard Cumulative Arrivals and Departures by Mode

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.

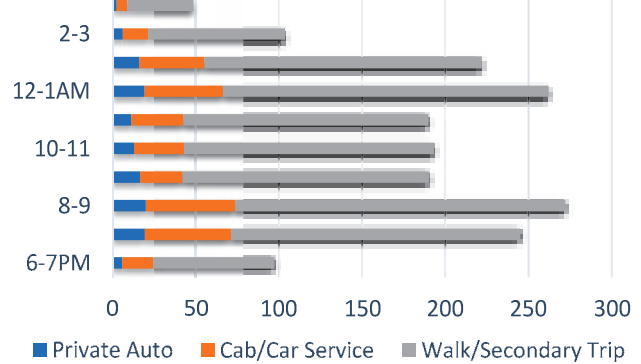
**Table 23: Cumulative Licensed Spaces Access Model**

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	16
	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 Arrivals/Departures by Hour 6PM-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.



Figure 12: Proposed Changes to Curbside Parking Regulations

- 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.

### 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.

## SECURITY PLAN

# 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 10.
- The 2nd floor would feature event space A + B. Event Space A – large space, would have a capacity of 100 seats and 155 standing only. Event Space B – small space would have a seated area of 40 and a capacity of 61 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:**

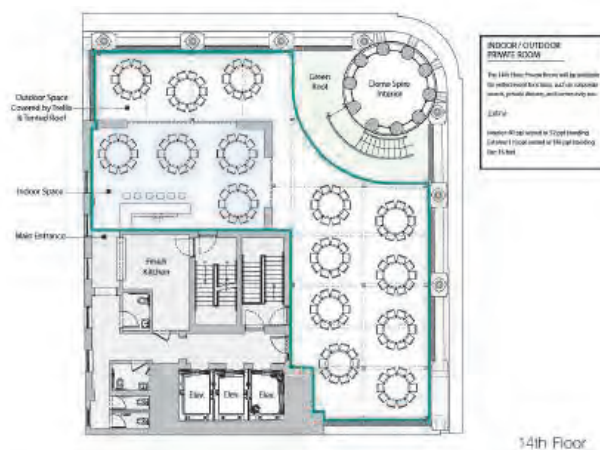
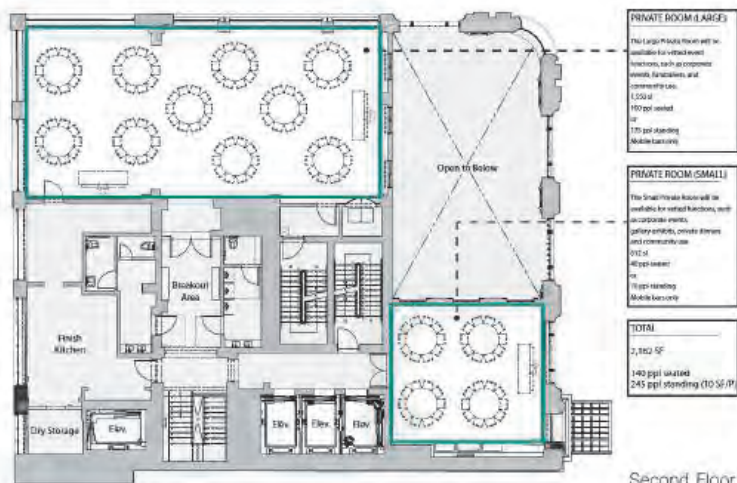
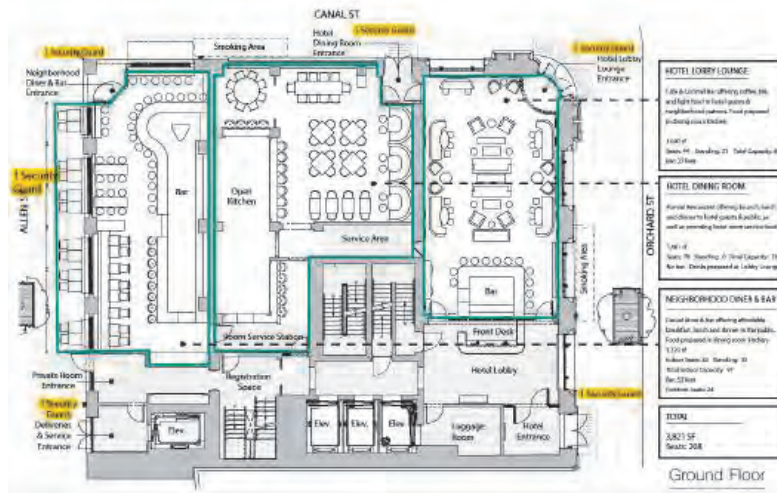
ASP will always utilize along with management the accessibility of an extensive CCTV (Closed Circuit Television) system integrated with an alarm network, which will be fed into a control room. This camera system will be provide coverage of all interior as well as all exterior areas, including all entrances 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.





## PRIOR STIPULATIONS WITH CB3 (2018)



# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD NO. 3

59 East 4th Street - New York, NY 10003

Phone: (212) 533-5300 - Fax: (212) 533-3659

www.cb3manhattan.org - info@cb3manhattan.org

Alysha Lewis-Coleman, Board Chair

Susan Stetzer, District Manager

## Community Board 3 Liquor License Stipulations

I, STEVEN CARTER, as a qualified representative of Orchard Street Hotel Management LLC and  
I, NEAL PESKIND, as a qualified representative of Orchard Street Restaurant Management  
LLC, located at 9 Orchard Street, New York, New York, agree to the following stipulations:

- ☐ The entrance to the hotel which is located on Orchard Street, south of Canal Street, will be its primary entrance and all loading and unloading of lodgers to the hotel will be effected on Orchard Street at the Orchard Street entrance.
- ☐ Deliveries, service vehicles and garbage pick-ups will be on Allen Street, south of the restaurant bar, between 7:00 A.M. and 7:00 P.M. and garbage will be retained inside of the hotel until pick-up.
- ☐ The hotel will coordinate its garbage pickups with other businesses to minimize the impact of additional trucks to the area.
- ☐ The hotel will operate a sub-cellar cocktail bar lounge with food service from a cellar kitchen and the service of alcohol from a service bar located within the cocktail bar lounge, hours of operation of 5:00 P.M. to 2:00 A.M. all days, ambient background music only, consisting of recorded music, and no live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, no "happy hours," no hosting of pub crawls or party buses, no unlimited drink specials with food, its entrance located on Allen Street south of the restaurant bar facing Allen Street and shared with the events spaces, no wait lines and an employee responsible to oversee patrons on the sidewalk and ensure no crowds or noise outside.
- ☐ The hotel will operate a full-service American restaurant bar on the ground floor facing Allen Street and Canal Street, with a full menu served from the first floor kitchen during all hours of operation, hours of operation of 7:00 A.M. to 12:00 A.M. Sundays through Wednesdays and 7:00 A.M. to 2:00 A.M. Thursdays through Saturdays, ambient background music only, consisting of recorded music, and no live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, any front or rear façade doors and windows closing 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, no more than two (2) televisions, "happy hours" to 8:00 P.M. each night, no hosting of pub crawls or party buses, no unlimited drink specials with food, its entrance located on the corner of Allen Street and Canal Street, no wait lines outside and an employee responsible for overseeing patrons on the sidewalk and ensure no crowds or noise outside.
- ☐ Provided that a sidewalk café permit is obtained to operate this area, the hotel will operate a sidewalk cafe on Allen Street as an amenity to and extension of the ground floor restaurant and bar facing Allen Street with no more than twelve (12) tables and twenty-four (24) seats in one row of two-top tables against the façade of the restaurant bar, no music at any time and hours of operation of 8:00 A.M. to 10:00 P.M. all days.
- ☐ The hotel will operate a full-service American restaurant on the ground floor facing Canal Street, with a kitchen open and serving a full menu during all hours of operation, hours of operation of 7:00 A.M. to 2:00 A.M. all days, ambient background music only, consisting of recorded music, and no live music, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged, any façade entrance doors closing at 10:00 P.M. every night or when amplified sound is playing and otherwise having a closed fixed facade with no open doors or windows, no bar, no "happy hours," no hosting of pub crawls or party buses, no unlimited drink specials with food, its entrance located on Canal Street, no wait lines outside and an employee responsible for overseeing patrons on the sidewalk and ensure no crowds or noise outside.



□ The hotel will operate a ground floor lobby lounge appended to the lobby with food service from a limited menu served from the first floor kitchen during all hours of operation, hours of operation of 7:00 A.M. to 2:00 A.M. all days, recorded music, DJs and small ensemble live music, consisting of no more than three (3) or four (4) instruments or performers, at background levels but no promoted events, scheduled performances or any event at which a cover fee will be charged, a preset limiter for this area controlled by hotel staff and set at an initial maximum of eighty-five (85) dBC per the recommendations of a sound engineer with adjustment by hotel staff if there are complaints about noise or bass, any façade entrance doors closing at 10:00 P.M. every night or when amplified sound is playing and otherwise having a closed fixed facade with no open doors or windows, no "happy hours," no hosting of pub crawls or party buses, no unlimited drink specials with food, its entrance located on the corner of Orchard Street and Canal Street north of the hotel entrance, no wait lines outside and an employee responsible for overseeing patrons on the sidewalk and ensure no crowds or noise outside.

□ The hotel will operate the second floor meeting and events rooms as private event spaces for pre-arranged meetings or events and will not otherwise use them for hotel guests or the public, with hours of operation of 7:00 A.M. to 2:00 A.M. all days, moveable seating of up to ten (10) tables and one hundred (100) seats in the large event space and four (4) tables and forty (40) seats in the small event space and no fixed standup bar but mobile bars depending upon the events, food service during events from the cellar kitchen, recorded music, DJs, televisions, monitors and small ensemble live music, consisting of no more than four (4) instruments or performers, at background and entertainment levels but no promoted events, scheduled performances or any event at which a cover fee will be charged other than ticketed or advance sales for nonprofit events, soundproofing in these areas consistent with the recommendations of a sound engineer to prevent sound from travelling outside and to other floors, any front or rear façade doors and windows closing 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, a preset limiter for these areas controlled by hotel staff and set at an initial maximum of one hundred (100) dBC per the recommendations of a sound engineer with adjustment by hotel staff if there are complaints about noise or bass, no hosting of pub crawls or party buses, the entrance to these areas located on Allen Street south of the restaurant bar facing Allen Street and shared with the other events spaces and the sub-cellar cocktail bar lounge, no wait lines outside and security guards stationed at the entrance on Allen Street during all events to ensure no crowds or noise outside, no ropes, stanchions or other method for queuing patrons for events outside, security guards or staff responsible for monitoring traffic to prevent vehicles from idling or queuing during events, and the hotel will notify the 7<sup>th</sup> Precinct of events and will coordinate events with the 7<sup>th</sup> Precinct, specifically during simultaneous events.

□ The hotel will operate the fourteenth floor interior meeting and events room as a private event space for pre-arranged meetings or events and will not otherwise use it for hotel guests or the public, with hours of operation of 7:00 A.M. to 2:00 A.M. all days, moveable seating of up to ten four (4) tables and forty (40) seats, food service during events will be from the cellar kitchen recorded music, DJs, televisions, monitors and small ensemble live music, consisting of no more than four (4) instruments or performers, at background levels but no promoted events, scheduled performances or any event at which a cover fee will be charged other than ticketed or advance sales for nonprofit events, soundproofing in this area consistent with the recommendations of a sound engineer to prevent sound from travelling outside, any front or rear façade doors and windows closing at 12:00 A.M. every night, a preset limiter for these areas controlled by hotel staff and set at an initial maximum of eighty-two (82) dBC per the recommendations of a sound engineer with adjustment by hotel staff if there are complaints about noise or bass, no hosting of pub crawls or party buses, the entrance to these areas located on Allen Street south of the restaurant bar facing Allen Street and shared with the other events spaces and the sub-cellar cocktail bar lounge, no wait lines outside and security guards stationed at the entrance on Allen Street during all events to ensure no crowds or noise outside, no ropes, stanchions or other method for queuing patrons for events outside, security guards or staff responsible for monitoring traffic to prevent vehicles from idling or queuing during events, and the hotel will notify the 7<sup>th</sup> Precinct of events and will coordinate events with the 7<sup>th</sup> Precinct, specifically during simultaneous events.

□ The hotel will operate the fourteenth floor exterior terrace event space as a private event space for pre-arranged meetings or events and will not be otherwise use it for hotel guests or the public, with hours of operation of 7:00 A.M. to 12:00 A.M. all days, moveable seating of up to eleven (11) tables and one hundred ten (110) seats and no fixed standup bar but mobile bars depending upon the events, food service during events from the cellar kitchen, background music, whether recorded or transmitted from the interior fourteenth floor event space, but no promoted events, scheduled performances or any event at which a cover fee will be charged other than ticketed or advance sales for nonprofit events, soundproofing in this area consistent with the recommendations of a sound engineer, which include placing small exterior speakers below the level of the parapet walls, no subwoofers being used in this exterior space and installing sound absorbing panels on fixed walls where possible, a preset limiter for this area controlled by hotel staff and set at an initial maximum of eighty-two (82) dBC per the recommendations of a sound engineer with adjustment by hotel staff if there are complaints about noise or bass, ambient lighting for this area regardless of type of event or lighting facing down and into this area or toward the façade of the building, other than the ambient lighting directed at the spire located in this area, to prevent lighting from shining into residential windows, no hosting of pub crawls or party buses, the entrance to these areas located on Allen Street south of the restaurant bar facing Allen Street and shared with the other events spaces and the sub-cellar cocktail bar lounge, no wait lines outside and security guards stationed at the entrance on Allen Street during all events to ensure no crowds or noise outside, no ropes, stanchions or other method for queuing patrons for events outside, security guards or staff responsible for



monitoring traffic to prevent vehicles from idling or queuing during events, and the hotel will notify the 7<sup>th</sup> Precinct of events and will coordinate events with the 7<sup>th</sup> Precinct, specifically during simultaneous events.

☐ Staging for and deconstruction of events for the events spaces will occur on Allen Street between the hours of 7:00 A.M. and 7:00 P.M., regardless of time of event, and equipment for the staging of events will be directly moved into a freight elevator located on Allen Street adjacent to the entrance for the event spaces and sub-cellar bar lounge to prevent equipment from remaining on the sidewalk.

☐ The hotel will play ambient background music, consisting of recorded music only, on the ground floor and may have background and entertainment level music, consisting of recorded music, DJs and live music, in public or event areas where it is specifically stipulated.

☐ The hotel will not have promoted events, scheduled performances or any event at which a cover fee is charged unless specifically stipulated for public or event areas.

☐ Consistent with the proposed security plan, security guards will be monitoring the hotel during all hours of operation and there will be security guards specifically designated to oversee the Allen Street entrance to the events spaces and sub-cellar cocktail bar lounge.

☐ The hotel will not have "happy hours" or televisions in any of its public or event spaces unless specifically stipulated.

☐ The hotel will not participate in pub crawls or have party buses come to the hotel.

☐ The hotel will not have unlimited drink specials with food in any of the areas where food is served.

☐ The hotel will insure that soundproofing or sound baffling measures are installed in its publicly accessed spaces, consistent with the recommendations of a sound engineer.

☐ The hotel will have staff people outside its business when needed to ensure that there are no wait lines, loitering, crowds or noise outside and will check in guests to the event spaces and sub-cellar cocktail bar lounge in an interior corridor off of the Allen Street entrance for those venues to prevent queuing of patrons on Allen Street.

☐ The hotel will have staff people outside when necessary to direct vehicular and pedestrian traffic in order to prevent queuing and idling vehicles.

☐ Any exterior lights will be at low levels and directed down or away from neighboring windows or against the façade of the building.

☐ The hotel will not apply for an alteration to the method of operation agreed to by this stipulation or for any physical alterations without first appearing before CB #3.

☐ The hotel it will host quarterly meetings within its first year of operation to address community concerns or complaints.

☐ Residents may contact the manager/owner at the following phone number. Any complaints will be addressed immediately and the hotel will revisit the above-stated method of operation if necessary in order to minimize the establishment's impact on neighbors.

Name: Steven Carter Phone Number: (917) 740-8076

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

[Signature]  
On behalf of Orchard Street Hotel Management, LLC

11/8/18  
Dated

[Signature]  
On behalf of Orchard Street Restaurant Management, LLC

11-8-18  
Dated

STATE OF NEW YORK  
COUNTY OF New York

Signed and sworn before me on this 8<sup>th</sup> day of November, 2018, by STEVEN CARTER, as a qualified representative of Orchard Street Hotel Management, LLC

[Signature]  
Notary Signature

March 14 2020  
Commission Expiration

ADAM JOSEPH FALCHECK  
Notary Public, State of New York  
Registration #02FA6338548  
Qualified In New York County  
Commission Expires March 14, 2020

STATE OF COLORADO  
COUNTY OF DENVER

Signed and sworn before me on this 8<sup>th</sup> day of November, 2018, by NEAL PESKIND, as a qualified representative of Orchard Street Restaurant Management, LLC

[Signature]  
Notary Signature

Commission Expiration

PHYLLIS B. ANDERSON  
NOTARY PUBLIC  
STATE OF COLORADO  
NOTARY ID 20144008615  
MY COMMISSION EXPIRES 02/24/2022

## PRIOR STIPULATIONS WITH CB3 RE DOT SEATING (2025)





# THE CITY OF NEW YORK MANHATTAN COMMUNITY BOARD 3

59 East 4th Street - New York, NY 10003

Phone (212) 533-5300

www.cb3manhattan.org - mn03@cb.nyc.gov

Andrea Gordillo, Board Chair

Susan Stetzer, District Manager

## Community Board 3 Open Dining Stipulations for Administrative Approval

I, Luis Garza, as a qualified representative of Orchard Street Restaurant Management LLC, located at 54 Canal Street, New York, NY 10002, New York, NY agree to the following stipulations:

☒ Application for Sidewalk Café ☒ Application for Curbside Dining

1. I will close all outdoor seating by 10 pm.
2. All outdoor dining patrons will be seated at tables.
3. I will not have music, amplified sound, or TVs outdoors as per Open Dining Guidelines, and I will remove all outdoor speakers.
4. For sidewalk seating, I will comply with DOT guidelines. I will have 18 tables and 36 chairs.
5. For roadbed seating, I will comply with DOT guidelines. I will have 20 tables and 60 chairs.
6. I will have a staff person responsible for ensuring no loitering, noise or crowds outside.
7. I will conspicuously post this stipulation form beside my liquor license inside of my business.
8. Residents may contact the manager/owner at the number below. Any complaints will be addressed immediately. I will revisit the above-stated method of operation if necessary in order to minimize my establishment's impact on my neighbors.

Name: Luis Garza Phone Number: 929-647-1215

9. ☐ I will: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

Luis Garza Luis Garza 03/13/25

Signed \_\_\_\_\_ Dated March 13, 2025

Sworn to this 13 day of March, 2025 Kevin An  
Notary Public

DU XIAOXIAO  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01DU6329494  
Qualified in New York County  
My Commission Expires August 24, 2027