



COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

P: 212-979-2272 F: 212-254-5102 E: info@manhattancb2.org

Greenwich Village ♦ Little Italy ♦ SoHo ♦ NoHo ♦ Hudson Square ♦ Chinatown ♦ Gansevoort Market

April 23, 2025

Director
Licensing Issuance Division
NY State Liquor Authority 163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on April 17, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

One Fifth Historic Hospitality LLC 1 5th Ave 10003 (OP–Restaurant) (Transfer)

- i. Whereas**, the Applicants and the Applicants' Attorney appeared before Community Board 2, Manhattan's SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Liquor License to operate a full-service, American steakhouse restaurant on the ground floor of a R10-zoned, 27-story residential building (c. 1927) on Fifth Avenue at the southeast corner of 8th Street (Block #550/Lot #22); and
- ii. Whereas**, the storefront is approximately 6,200 sq. ft. (4,800 sq. ft on the ground floor and 1,600 sq. ft. in the basement), there will be 66 tables with 170 seats and one (1) bar with 18 seats, for a total patron occupancy of 188 persons; there is no patron seating in the basement, the basement being for storage purposes only; there is one (1) entrance that serves as the primary ingress and egress and three (3) additional exits and three (3) patron bathrooms; and
- iii. Whereas**, the location has operated as a high-end Italian restaurant since 2021 under the name Forge One Fifth LLC dba One Fifth (Lic. ID # 0340-22-109783; the instant application being an asset purchase with a similar method of operation; the current Applicants, who will be moving to New York, are the managing partners of The Golden Steer Steakhouse which has been operating in Las Vegas since the 1950's and was purchased by the Applicant's family in 2001, this will be the first time that Golden Steer has expanded outside of Las Vega; and
- iv. Whereas**, the Applicant's agreed to hours of operation are 11 AM to 2 AM Sundays through Saturdays (7 days a week) with no reservations or seatings after 11 PM nightly and an advertised closing time of 12 AM nightly; music will be quiet background only consisting of music from iPod/CD's, no music will audible be in any adjacent residences at any time; all doors and windows will be closed at all times; there will be no dancing, no DJs, no live music,

no scheduled performances, no cover fees or promoted events, no televisions, no velvet ropes or metal barricades, no security personnel/door staff; and

v. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan which will be incorporated into the “Method of Operation” of the On-Premises Restaurant Liquor License, with those stipulations as follows:

1. The premises will be advertised and will be operated as a full-service American fine-dining steakhouse restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be from 11 AM to 2 AM Sundays through Saturdays (7 days a week) with no reservations or seatings after 11 PM nightly and an advertised closing time of 12 AM nightly. (Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)
3. The premises will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
4. Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating
5. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
6. Will not have televisions.
7. Will operate primarily as a reservation-only establishment.
8. Will have not more than 20 private parties per year.
9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
11. Will not install or have French doors operable windows or open façades.
12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
16. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades, security personnel.
17. Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
18. Will appear before CB2, Manhattan prior to submitting plans for permanent sidewalk or roadbed dining.

vi. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the On-Premises Liquor License at this location, there being **25 active licensed premises** within 750 ft. and 2 pending licenses according to LAMP; the Applicant’s closing hours and the agreed upon stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends denial of the application for a On-Premises Restaurant Liquor License in the name of **One Fifth Historic Hospitality LLC 1 5th Ave 10003** unless the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant are incorporated into the “Method of Operation” of the NYSLA Liquor License in order to create public interest for the issuance of this liquor license.

Vote: Unanimous, 35 Board Members in favor.

We respectfully request that your agency take action consistent with the positions expressed in the above.

Sincerely,



Donna Raftery, Chair
SLA Licensing 1 and 2 Committees
Community Board #2, Manhattan



Valerie De La Rosa, Chair
Community Board #2, Manhattan

VDLR/em

cc: Hon. Daniel Goldman, Congressman
Hon. Brad Hoylman-Sigal, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Deborah J. Glick, NY State Assembly
Hon. Grace Lee, State Assembly Member
Hon. Brad Lander, NYC Comptroller
Hon. Michael Levine, Man. Borough President
Hon. Erik Bottcher, NYC Council Speaker
Hon. Christopher Marte, NYC Council Member
Hon. Carlina Rivera, NYC Council Member
Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority



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Community Board 2 Liquor License Stipulations

The original signed and notarized form must be returned to the CB2 office by Friday, April 11, 2025. If not returned 24 hours prior to CB2s full board meeting, the application will be denied.

Nicholas McMillan

I, Nick McMillan, as a qualified representative of One Fifth Historic Hospitality LLC located at One Fifth Avenue, New York, NY 10003 agree to the following stipulations:

Application Type: [X] OP Restaurant [] RW [] TW [] Alteration [X] Other: Transfer

[X] Premise will be advertised and operated as a steakhouse

[X] Hours of operation:

Sunday: 11 AM to 2 AM* Thursday: 11 AM to 2 AM*
Monday: 11 AM to 2 AM* Friday: 11 AM to 2 AM*
Tuesday: 11 AM to 2 AM* Saturday: 11 AM to 2 AM*
Wednesday: 11 AM to 2 AM*

(Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)

*No reservations or seatings after 11:00 PM nightly and advertised closing will be 12:00 AM nightly.

- [X] Will operate a full-service American fine-dining steakhouse restaurant with the kitchen open and full menu items available until closing every night.
[X] Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
[X] Will not operate a backyard garden or any other outdoor area for commercial purposes including any sidewalk cafe and/or roadbed seating.
[X] Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
[X] Will not have televisions.
[X] Will operate primarily as a reservation-only establishment.
[X] Will have not more than 20 private parties per year.
[X] Will close all doors and windows at all times, allowing only for patron ingress and egress.
[X] Will not have patron occupancy/service to any portion of the basement of licensed premises.
[X] Will not install or have French doors, operable windows or open facades.
[X] Will not make changes to the existing facade except to change signage or awning.
[X] Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
[X] Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
[X] There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
Will not have: [X] Dancing [X] DJs [X] Live Music [X] Promoted Events [X] Any event where cover fee is charged
[X] Scheduled Performances [X] Velvet ropes or metal barricades [X] Security Personnel
[X] Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.

Residents may contact the Manager/Owner at the following phone number. Any complaints will be addressed immediately

Name: Nicholas McMillan Phone Number: 702-384-4470

Signed [Signature] [Signature] Print Name Nicholas McMillan Dated 4/10/25
Sworn to this 10th day of April 2025

Notary Public LISSETTE APOLO
Notary Public - State of New York
No. 01AP6319820
Qualified in Queens County
My Commission Expires 02/23/2027

CB2 and Applicant/Licensee request that the SLA add these stipulations to the method of operation/conditions of license