

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License Stipulations Application

CORPORATION NAME Green Fig Express, LLC		DOING BUSINESS AS (DBA) Green Fig Express	
STREET ADDRESS 566 Tenth Avenue		CROSS STREETS Btwn. 41st and 42nd Street	ZIP CODE 10036
OWNER <i>(Attach a list of all the people that will be associated listed with the license)</i>	NAME: Gil Rubenstein	ATTORNEY/ REPRESENTATIVE	NAME: Alexander Victor
	PHONE: (917) 551-0811		PHONE: (212) 557-7200
	EMAIL: gil@beancountersnyc.com		EMAIL: abv@dhclegal.com
Contact	NAME: Gil Rubenstein	LANDLORD	NAME: 42nd and 10th Associates, L.L.C. c/o The Related Companies, L.P.
	PHONE: (917) 551-0811		PHONE: (646) 582-2228
	EMAIL: gil@beancountersnyc.com		EMAIL:
APPLICATION TYPE (Check One)			
<input checked="" type="radio"/> New	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
	What is/was the name and address of establishment?	Green Fig LLC, 570 Tenth Avenue, 4th Floor (in Yotel)	
	What were the dates applicant was involved with this former premise?	Currently Licensed	
<input type="radio"/> Transfer	What is the prior license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input type="radio"/> Alteration	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans:		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input type="radio"/> Wine & Beer		
ESTABLISHMENT TYPE	<input checked="" type="radio"/> Restaurant* <input type="radio"/> Cabaret <input type="radio"/> Night Club <input type="radio"/> Hotel <input type="radio"/> Bar/Tavern <input type="radio"/> Catering Establishment *Cocktail lounge and quick service cafe/express bar & bakery. <input type="radio"/> Adult Entertainment <input type="radio"/> Wine Bar <input type="radio"/> Dance Club <input type="radio"/> Sports Bar <input type="radio"/> Club (Fraternal Organization - Members Only)		
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	YES	<input checked="" type="radio"/> NO	After Jan. 9, 2018.
Is the 500 Foot Rule applicable? If yes, please attach a diagram of the On-Premise liquor license establishments within a 500 ft. radius of your establishment and the Public Interest Statement.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	See attached area survey and public interest statement.
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	YES	<input checked="" type="radio"/> NO	
Has applicant/owner(s) read MCB4 Policy Regarding Concentration and Location of Alcoholic-Serving Establishments?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

OPERATIONAL DETAILS (*Closing time will be when establishment is vacated of all patrons)									
HOURS* <i>(Indoor Only)</i>		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	The cafe & espresso bar/bakery will		open at around 6am and the cocktail	bunge will open around 5:00 p.m.,		with all food and		
	Kitchen			During all hours of operation.					
	Music	Background music during all hours; singer		songwriters, live jazz, acoustical music		or other background music or incidental		entertainment on	
If you plan to have music, what type(s)? (Circle all that apply)		<input checked="" type="checkbox"/> BACKGROUND		<input checked="" type="checkbox"/> LIVE MUSIC		<input type="checkbox"/> DJ	<input type="checkbox"/> JUKE BOX	<input type="checkbox"/> KARAOKE	
OCCUPANCY									
	Capacity (Certificate of Occupancy)	Maximum # of Persons You Anticipate Occupying Premises (Including Employees)	Number of Tables	Number of Seats	Number of Service Only Bars	Number of Stand-Up Bars	Number of Seats at Stand-Up Bar		
INSIDE	74	74	22	39	0	1	8		
OUTSIDE <i>(Other than sidewalk café)</i>	N/A	N/A	N/A	N/A	N/A	N/A	N/A		
SIDEWALK CAFÉ	N/A	N/A	N/A	N/A	N/A				
How many floors are there? What is the capacity for each floor?					1 Floor & 74 people				
How frequently will the owner(s) be at the establishment?					Daily				
Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?					YES	<input checked="" type="radio"/> NO			
Will applicant have bottle or table service for beverage alcohol?					YES	<input checked="" type="radio"/> NO	*Except bottles of wine (not nightclub bottle service)		
Will you be hosting private, promotional or corporate events?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	On occasion, as may be requested from time to time.		
Will outside promoters be used on a regular basis? If yes please describe.					YES	<input checked="" type="radio"/> NO			
Will you have a security plan? If, yes please attach.					YES	<input checked="" type="radio"/> NO			
Will security plan be implemented?					YES	<input type="radio"/> NO	N/A		
Will State certified security personnel be used?					YES	<input type="radio"/> NO	N/A		
Will New York Nightlife Association and NYPD Best Practices be followed?					YES	<input type="radio"/> NO	N/A		
Will applicant be using delivery bicycles? If yes, how many?					YES	<input checked="" type="radio"/> NO			
Will delivery bicycles be clearly marked with the name of the restaurant and will staff wear attire clearly noting name as described by NYC Law?					YES	<input type="radio"/> NO	N/A		
Where will delivery bicycles be stored during the day when not in use?					N/A				

LOCATION & ZONING		
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	YES	<input checked="" type="radio"/> NO
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="radio"/> YES	NO See attached
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO

Community Notification/Relations		
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	Manhattan Community Board 4.
	# 2	See list attached of individuals to be contacted on or before January 3, 2018.
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.	Email notification to be sent on or before January 3, 2018	
Who was your contact person at each group you met with?	See list attached.	
When did applicant post the notice that was provided?		
Where did applicant post the notice that was provided?	To be posted in window of premises, at 4 closest street corners, and a letter to nearby residential buildings will be delivered on or before January 3, 2018	
Will applicant provide owner cell phone number to neighbors and respond to complaints that arise? Please provide number in space provided.	<input checked="" type="radio"/> YES	NO Owner: (917) 551-0811
Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?	<input checked="" type="radio"/> YES	NO

First name	Last name	ORGANIZATION	E-MAIL
Kathleen	Treat	HKNA (incl. Dog Run)	kathleentreat123@gmail.com
Frank	Strock	West 36th Street	mccee79@aol.com
Joe	Restuccia	CHDC (incl. Bob's & bird parks)	
Brian	Kehoe	500-506 West 42nd Street T.A.	
Eduardo	Zeiger	West 43rd Street (b. 9th/10th)	eduardozeiger@compuserve.com
		Manhattan Plaza T.A. (400 W. 43rd St.)	mpia@mptenants.com
Linda	Ashley	West 44 Street Better Block Association	ashleyl@aol.com
Renee & Gordon	Stanley	West 44th Street (b. 9th/10th)	twocatsltd@worldnet.att.net
Rudy	Papiri	West 44th Street (b. 9th/10th)	Rudi_Papiri@timemagazine.com
Tim	Tanner	West 45th Street BA	tantotanner@gmail.com, west45ba@gmail.com
David C.	Stuart	West 45th Street BA	west45ba@gmail.com
Chana	Widawski	West 45th Street (b. 9th/12th)	chanawid@gmail.com
Allison	Tupper	West 46th Street (8th Ave to 12th Ave)	AllisonTupper@verizon.net
Steve	Fanto	West 46 Street Block Asscoaiton (8th Ave to 12th Ave)	stephenfanto@gmail.com
Phil	Kassen	West 47th/48th Streets	
Elke	Fears	West 47th/48th Streets	ae.fearshk@earthlink.net
Larry	Roberts	West 47th/48th Streets	larrymichaelroberts@gmail.com
Jim	Boques	West 47th/48th Streets	jamesboques@gmail.com
Chuck	Vassallo	West 47th/48th Streets	chasmv@hotmail.com
Stefan	Riedl	West 47th/48th Streets	chluderemvc@yahoo.com
Nancy	Roylance	West 47th/48th Streets	nancyroylance@ymail.com
Karen	Nightengale	Flats Tenants Association	
Maria	Guzman	Harborview Terrace T.A. (525 W. 55th St.)	mariaagnys@aol.com
Ellen	Celnik	The Aurora	ecelnik@actorsfund.org
Richard	Pimentel	The Aurora	rpimentel@commonground.org
Derrick	Sage	The Aurora	dsage@commonground.org
Marjorie	Kagen	The Coronade	buzary@rcn.com
Nancy	Kyriacou	Oasis Gardens I 10th Ave., b. 51/52	nkvyriacou@yahoo.com
Gary	Dipasquale	Oasis Gardens II 52nd St/10th Ave.	gdclay@att.net
J.D.	Noland	Midtown North Pct. Council	jeandaniel@aol.com
John	Mudd	Midtown North/South Pct. Council	john.mudd@usa.net
William	Otterson	Midtown North/South Pct. Council	bill@midtownsouthcc.org
		Housing Conservation Coordinators [10th Ave., b.52/53]	(212) 541-5996
Paul	Loeb	300 W 55th St	ploeb315@aol.com
Christine	Gorman	West 55th Block Association	west55ba@gmail.com
Steve	Belida	50/51St Street Block Association	hk5051@gmail.com
Jeff	Robins	50/51St Street Block Association	hk5051@gmail.com
Raul	Larios	Hudson Hotel Residents	rrlarios@hotmail.com
Amanda	Cernitz	Westmore 333 W 57	acernitz@gmail.com
Anita	McDonagh	Parc Vendome 340 W 57th Street	aym3333@me.com
Jesse	Bondy	Colonnade 347 W 57th Street	lessbondy@aol.com

BUILDING DESIGN			
State the name and type of business previously located in the space.			
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	Fika, 566 10th Avenue LLC
Do you plan any changes to the existing façade? If yes, please describe.	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Except for new signage
Will applicant have a vestibule within the establishment?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have any of the following: (circle all that apply)	<input type="radio"/> FRENCH DOORS	<input type="radio"/> GARAGE DOORS	<input type="radio"/> WINDOWS THAT CAN BE OPENED
Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	<input type="radio"/> YES	<input type="radio"/> NO	N/A
Will the kitchen exhaust system extend to the roof?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Over the service window on 10th Avenue
Will the establishment have an illuminated sign?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	No illuminated signage on building's facade but there will be inside the premises, visible outside the premises.
Will the establishment have a canopy extending over the sidewalk?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
Where will the air conditioner be located? What type is it?	Existing.		
When was the air conditioner installed?	Existing.		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ **NOT APPLICABLE - NO OUTDOOR SPACE**			
Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	YES	NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	YES	NO	
Are the floorplans for the outdoor space(s) included?	YES	NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	YES	NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	YES	NO	
Will there be no amplified music, as per the law?	YES	NO	
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	NO	
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	
Will applicant agree to train staff to encourage a peaceful environment?	YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	YES	NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	YES	NO	

OUTDOOR ITEMS – SIDEWALK CAFÉ **NOT APPLICABLE - NO SIDEWALK CAFE**			
Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?	YES	NO	
Will applicant be applying for a sidewalk café now or in the future?	YES	NO	
Is applicant in this application seeking to include a sidewalk café in its liquor license?	YES	NO	
If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.	YES	NO	
Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?	YES	NO	
Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?	YES	NO	
Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk café?	YES	NO	
Will applicant mark the perimeter of the café on the sidewalk?	YES	NO	
Will the service and consumption of alcohol in the sidewalk café only be via seated food service?	YES	NO	
Will the sidewalk café not provide standing space for drinking or smoking?	YES	NO	
Will applicant use any portable natural gas heaters? If so, do you have the requisite approvals from DOB & the Fire Department?	YES	NO	
Will applicant have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	YES	NO	
Will all furniture, plants and barricades be stored inside between the evening closing hours and the morning opening hours?	YES	NO	
Will all furniture be stored inside between December 21 st and March 21 st , and any other day when it rains or snows?	YES	NO	
Will applicant use umbrellas?	YES	NO	
If construction or construction protection has reduced the sidewalk width, will applicant always maintain an 8 foot clear path of sidewalk between the perimeter of the café and the closes obstruction including construction barricades?	YES	NO	

ADDITIONAL STIPULATIONS: (Office Use Only)

- Applicant agrees to no DJ, no scheduled show times, no tickets, no cover charge, no patron dancing
- Applicant will take steps to prevent noise from inside entertainment escaping through establishment door

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

ADDITIONAL STIPULATIONS: (Office Use Only)

- NO DJ, NO SCHEDULED SHOW TIMES,
NO TICKETS, NO COVER CHARGE,
NO PATRON DANCING,
- APPLICANT WILL TAKE STEPS TO
PREVENT NOISE FROM INSIDE
ESTABLISHMENT BREAKING
THROUGH ESTABLISHMENT DOOR.

To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 - 6 of this application, the stipulations on pages 7 and 8 control.

ADDITIONAL STIPULATIONS: (Office Use Only), *Continued*


To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.

Manhattan Community Board 4 (MCB4) recommends:

Denial unless all stipulations agreed to by applicant/owner are part of the method of operation

Denial Approval

CB4 REPRESENTATIVES


Nelly Gonzalez
CB4 Assistant District Manager


Frank Polozubiec
CB4 BLP Committee Co-Chair


Frank Polozubiec
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

Applicant agrees to these stipulations as the basis for the community support of this application and acknowledges that all of these stipulations are essential prerequisites to the MCB4 recommendation regarding this application. Applicant agrees to have these stipulations incorporated in the method of operation of its liquor license. The stipulations in this application constitute the entire agreement between MCB4 and applicant and may only be altered in writing signed by MCB4 and applicant. These stipulations supersede any oral statements or representations in connection with this application.

SIGN HERE →



Gil Rubenstein

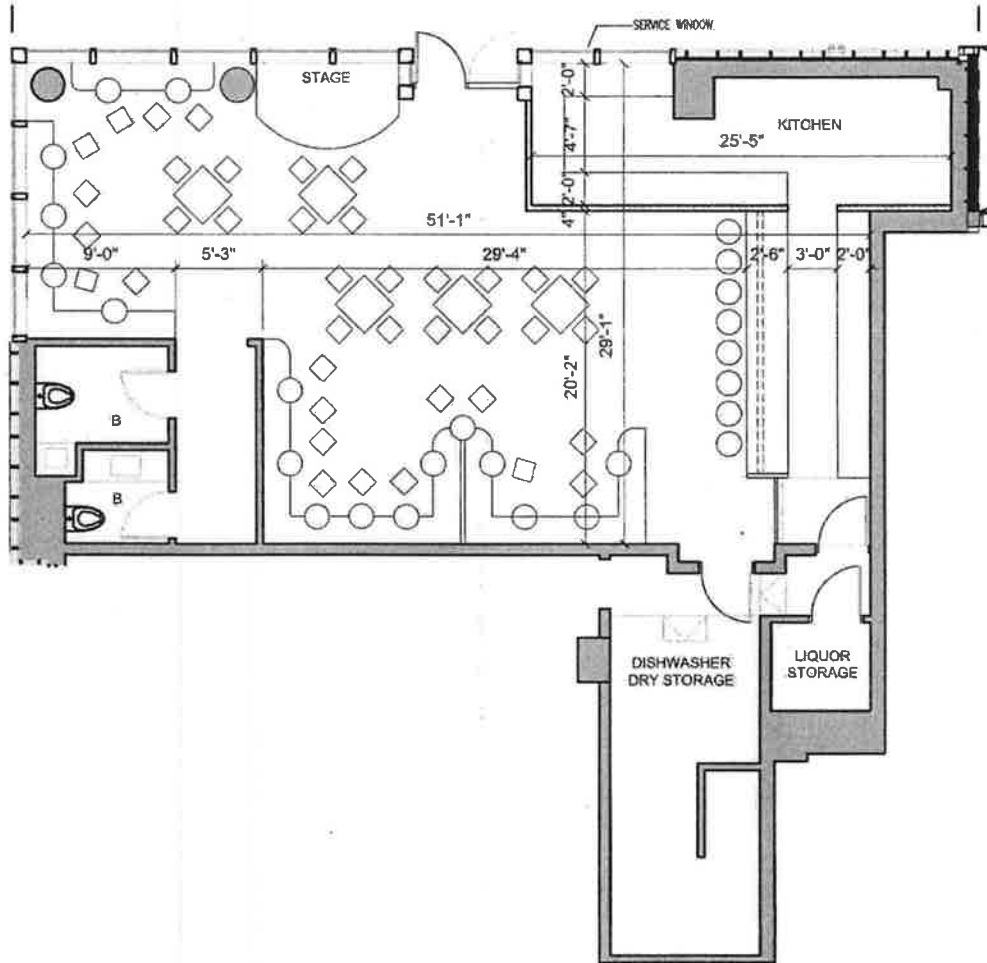
PRINT NAME OF APPLICANT



SIGNATURE OF APPLICANT

DATE

TAB 2



1 GREEN FIG EXPRESS - FLOOR PLAN
 WK.01 SCALE: 1/8"=1'-0"

TAB 3



morning delight

hot beverages			
	sml	mid	lrg
tea/coffee	2.00	2.50	3.00
espresso/americano	2.25	2.75	3.25
cappuccino/latte	3.75	4.00	4.25
hot chocolate	4.00	4.50	5.00
mochaccino	4.00	4.50	5.00
white chocolate mocha	4.00	4.50	5.00
chai latte	4.00	4.50	5.00
espresso extra shot	0.75		
flavored syrup	0.50		
almond or soy milk sub	0.25		

cold beverages	
water	1.50
evian water	3.00
canned soda	2.50
large orange juice	4.00
found flavored water	3.50
pellegrino selection	2.50
farmland milk	4.00
iced tea	3.00
iced coffee	3.00
iced cappuccino/latte	4.50



morning delights

savory	
turkish pies (burekas)	4.95
cheese	
spinach & cheese	
potato & onions	
mushroom	
NY bagel with cream cheese	6.00

sweet	
croissant	3.00
pain au chocolate	3.50
brownie	3.50
cheese Danish	4.00
english cake	3.50
nutella rugelach	3.75
poppy seed rugelach	3.75
cinnamon roll	3.75
banana bread	3.50

cereal bar 8	
raisin bran	
froot loops	
cocoa puffs	
cheerios	
granola	



snacks

mezze (individual / selection of three) hummus, charred eggplant, labneh	5/13
cauliflower labaneh tahini • preserved lemon, almond & mint aioli	12
green fig salad mesclun, cucumber, fennel, mint, roasted pumpkin vinaigrette	14
yellowtail ceviche cucumbers, tomatoes, onions, spiced za'atar pita croutons	14
nachos machos spicy cheese sauce, beans, pico de gallo, jalapeños, more cheese	15
international cheese board quince paste, nuts, fresh grapes, cinnamon raisin crisps	24

flatbread

flatbread of the day	MP
charred eggplant flatbread tomato, onion, leek, garlic	14
puttanesca olives, tomatoes, capers, feta, arugula, onions	13

desserts

new york cheesecake	9
tiramisu	10
chocolate mousse	10
pistachio panna cotta	11



white wines

by the glass



rancho rodeo chardonnay • 2015 • california • united states	8 / 20
touraine sauvignon blanc • 2015 • france	9 / 22
the pinot project pinot grigio • 2016 • verona • Italy	10 / 25

red wines

by the glass



pacific standard cabernet sauvignon • 2015 • california • united states	8 / 20
el rede malbec • 2015 • mendoza • argentina	9 / 22
rancho rodeo pinot noir • 2014 • california • united states	10 / 25

cocktails

the pom-fizz tequila • triple sec • pomegranate juice	12
whiskey spice whiskey • apple cider • orange juice	12
paloma tequila • grapefruit juice • fresh lime juice	13
yo-jito rum • fresh mint • fresh lime juice • blackberries	13
mistletoe vodka • pomegranate juice • maple syrup	13
la bella gin • Campari • pinot noir • fresh lemon juice	14
the mexican spy honey habanero moonshine • lime juice • pineapple juice	14
french martini vodka • chambord • pineapple juice • pomegranate juice • cranberry juice	15
raspberry gimlet gin • raspberries • fresh lime juice	15

TAB 4

566 10th Avenue
New York, New York 10036

Exterior Photographs



TAB 5



[CLICK HERE TO SIGN UP FOR BUILDINGS NEWS](#)

NYC Department of Buildings
Property Profile Overview

566 TENTH AVENUE
10 AVENUE 562 - 574
WEST 42 STREET 432 - 492

MANHATTAN 10036
Health Area : 4500
Census Tract : 115
Community Board : 104
Buildings on Lot : 1

BIN# 1088437
Tax Block : 1051
Tax Lot : 7502
Condo : YES
Vacant : NO

[View DCP Addresses...](#) [Browse Block](#)

[View Zoning Documents](#) [View Challenge Results](#) [Pre - BIS PA](#) [View Certificates of Occupancy](#)

Cross Street(s): WEST 41 STREET, WEST 42 STREET
DOB Special Place Name:
DOB Building Remarks:
Landmark Status: Special Status: N/A
Local Law: NO Loft Law: NO
SRO Restricted: NO TA Restricted: NO
UB Restricted: NO
Environmental Restrictions: HAZMAT/NOISE Grandfathered Sign: NO
Legal Adult Use: NO City Owned: NO
Additional BINs for Building: [1026337](#)

Special District: UNKNOWN

This property is not located in an area that may be affected by Tidal Wetlands, Freshwater Wetlands, Coastal Erosion Hazard Area, or Special Flood Hazard Area. [Click here for more information](#)

Department of Finance Building Classification: R0-CONDOMINIUMS

Please Note: The Department of Finance's building classification information shows a building's tax status, which may not be the same as the legal use of the structure. To determine the legal use of a structure, research the records of the Department of Buildings.

	Total	Open	Elevator Records
Complaints	92	0	Electrical Applications
Violations-DOB	205	15	Permits In-Process / Issued
Violations-ECB (DOB)	82	1	Illuminated Signs Annual Permits
Jobs/Filings	265		Plumbing Inspections
ARA / LAA Jobs	7		Open Plumbing Jobs / Work Types
Total Jobs	272		Facades
Actions	391		Marquee Annual Permits
			Boiler Records
			DEP Boiler Information
			Crane Information
			After Hours Variance Permits

OR Enter Action Type:

OR Select from List:

AND

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



Certificate of Occupancy

CO Number: 104844581T036

This certifies that the premises described herein conforms substantially to the approved plans and specifications and to the requirements of all applicable laws, rules and regulations for the uses and occupancies specified. No change of use or occupancy shall be made unless a new Certificate of Occupancy is issued. *This document or a copy shall be available for inspection at the building at all reasonable times.*

A.	Borough: Manhattan	Block Number: 01051	Certificate Type: Temporary
	Address: 440 WEST 42 STREET	Lot Number(s): 53	Effective Date: 12/12/2017
	Building Identification Number (BIN): 1088437		Expiration Date: 03/12/2018
		Building Type: New	

For zoning lot metes & bounds, please see BISWeb.

B.	Construction classification: 1-A	(1968 Code)
	Building Occupancy Group classification: J2	(1968 Code)
	Multiple Dwelling Law Classification: HAEA	
	No. of stories: 59	Height in feet: 627
		No. of dwelling units: 1483

C. Fire Protection Equipment:
Standpipe system, Fire alarm system, Sprinkler system

D. Type and number of open spaces:
None associated with this filing.

E. This Certificate is issued with the following legal limitations:
Easement(s) - Recording Info: MTA EASEMENT

Outstanding requirements for obtaining Final Certificate of Occupancy:
There are 22 outstanding requirements. Please refer to BISWeb for further detail.

Borough Comments: None


Borough Commissioner


Commissioner

Certificate of Occupancy

CO Number: 104844581T036

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
CEL		100	B-2		2, 5	ACCESSORY OFF STREET PARKING GARAGE (158 SPACES), STORAGE
CEL	1	75	E		2	PARKING ATTENDANTS OFFICE
CEL		75	D-2		2	FIRE PUMP ROOM, UTILITY ROOMS, ELECTRIC ROOMS, TELECOM ROOMS, COMPACTOR ROOM, ELEVATOR MACHINE ROOMS
SUB		OG	B-1		2	FUEL OIL STORAGE ROOM
SUB		OG	B-2		2, 5	ACCESSORY OFF STREET PARKING GARAGE (188 SPACES), STORAGE, LOCKER ROOMS
SUB	1	OG	E		2	SUPER'S OFFICE AND WORKSHOP, BREAKROOM, TEMPORARY AMENITIES, BASKETBALL COURT AND RESTROOMS
SUB		OG	D-2		2	UTILITY AND MECHANICAL EQUIPMENT ROOMS, ELEVATOR MACHINE ROOM
001		100	J-1 D-2		5	MECHANICAL EQUIPMENT ROOMS, LAUNDRY, HOUSEKEEPING
001		100	D-1		5	THREE (3) LOADING BERTHS
001		100	F-1A B-2 D-2		8A	THEATRE LOBBY, BOX OFFICE, STORAGE AND MECHANICAL EQUIPMENT ROOMS
001		100	D-2		2	CON-ED VAULTS, MECHANICAL EQUIPMENT ROOMS
001		100	J-2 D-2		2	MECHANICAL EQUIPMENT ROOMS, STORAGE



Borough Commissioner



Commissioner

DOCUMENT CONTINUES ON NEXT PAGE

Certificate of Occupancy

CO Number: 104844581T036

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
001		100	J-1 D-2		5	HOTEL LOBBY
001		100	J-2 D-2		2	RESIDENTIAL LOBBY- RENTAL-RESIDENTIAL LOBBY-CONDO
001	274	100	F-4		6	EATING & DRINKING ESTABLISHMENT AND KITCHEN
002	50	100	F-3		8A	REHEARSAL STUDIO #1
002	269	100	F-1A		8A	THEATRE #2
002	50	100	E D-2		8A	MECHANICAL EQUIPMENT ROOMS, DRESSING ROOMS
002	299	100	F-1A		8A	THEATRE #1
002	199	100	F-1A		8A	THEATRE #3
002	120	100	F-1A		8A	REHERSAL STUDIO #2
003		75	D-2		2	MECHANICAL EQUIPMENT ROOMS
003		100	B-2		2	LOCKER ROOMS
003	23	50	F-3 E		2	ACCESSORY OFFICES, DOG PLAY ROOM



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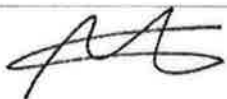
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Certificate of Occupancy

CO Number: **104844581T036**

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
003	105	100	F-4		2	PARTY ROOM 1 & PARTY ROOM 2 (BANQUET ROOM), ACCESSORY OUTDOOR RECREATION (OUTDOOR RECREATION NON SIMULTANEOUS WITH INDOOR OCCUPANCY, (105) INDOOR & (24) OUTDOOR)
003	85	50	E D-2		5	HOTEL OFFICES, HOTEL STAFF CREW ROOM, MECHANICAL EQUIPMENT ROOMS
003	489	100	F-3		2	ACCESSORY GYM, POOL, LOUNGE, PANTRY, GAME ROOM, BUSINESS CENTER, ACCESSORY OUTDOOR RECREATION (NORTH & SOUTH TERRACES) (OUTDOOR RECREATION) (NORTH & SOUTH TERRACES) NON -SIMULTANEOUS WITH INDOOR OCCUPANCY, (296) INDOOR & (489) OUTDOOR) (EXCEPT TERRACES)
004	10	100	B-2 E		5	ACCESSORY OFFICES & STORAGE
004		75	D-2		5	MECHANICAL EQUIPMENT ROOMS
004	316	100	F-4 D-2		5	EATING & DRINKING ESTABLISHMENT, CLUB ROOM, ACCESSORY HOTEL GYM, KITCHEN
004		40	J-2	6	2	SIX (6) APARTMENTS
004	7	75	D-2		2	MECHANICAL EQUIPMENT ROOMS
004	10		E			ACCESSORY OFFICES
004	142	100	F-4		5	ASSEMBLY OUTDOOR RECREATION (EATING & DRINKING)
005		40	J-2	8	2	EIGHT (8) APARTMENTS



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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
005		75	D-2		2	TELECOM & ELECTRIC ROOMS
005		40	J-1	17	5	SEVENTEEN (17) HOTEL ROOMS
005		75	D-2		5	BUTLERS ROOM, HOUSEKEEPING & TELECOM ROOMS
006 009		40	J-2	17	2	SEVENTEEN (17) APARTMENTS PER FLOOR
006 019		40	J-1	37	5	THIRTY SEVEN (37) HOTEL ROOMS PER FLOOR
006 019			D-2		2	TELECOM & ELECTRICAL ROOMS PER FLOOR
006 019			D-2		5	HOUSEKEEPING, TELECOM ROOMS PER FLOOR
010 019		40	J-2	17	2	SEVENTEEN (17) APARTMENTS PER FLOOR
020		40	J-2	16	2	SIXTEEN (16) APARTMENTS
020			D-2		2	TELECOM & ELECTRICAL ROOMS
020		40	J-1	37	2	THIRTY SEVEN (37) HOTEL ROOMS
020			D-2		5	HOUSEKEEPING & TELECOM ROOMS
021			D-2		5	HOUSEKEEPING & TELECOM ROOMS



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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
021			J-2 D-2	16	2	SIXTEEN (16) APARTMENTS (TELECOM AND ELECTRIC ROOMS)
021	40		J-1	35	5	THIRTY-FIVE (35) HOTEL ROOMS
022			J-2 D-2	16	2	SIXTEEN (16) APARTMENTS, TELECOM & ELECTRIC ROOMS
022	40		J-1	31	2	THIRTY (31) ONE HOTEL ROOMS
022			D-2		5	HOUSEKEEPING & TELECOM ROOMS
023	40		J-2	16	2	SIXTEEN (16) APARTMENT
023			D-2		2	TELECOM & ELECTRIC ROOMS
023	64	40	J-1	31	5	THIRTY-ONE (31) HOTEL ROOMS
023			D-2		5	HOUSEKEEPING AND TELECOM ROOMS
024			D-2		2	TELECOM & ELECTRIC ROOMS
024			D-2		5, 2	BOILER ROOM & MECHANICAL ROOM
024	40		J-2	16	2	SIXTEEN (16) APARTMENTS
025	40		J-2	14	2	FOURTEEN (14) APARTMENT



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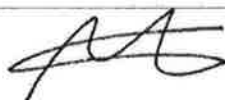
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Certificate of Occupancy

CO Number: 104844581T036

Permissible Use and Occupancy						
All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.						
Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
025			D-2		2	MECHANICAL EQUIPMENT ROOMS
025			D-2		5	HOTEL ELEVATOR MACHINE ROOM
026	40		J-2	15	2	FIFTEEN (15) APARTMENTS
026			D-2		2	ELECTRIC & TELECOM ROOM
027 028	40		J-2	16	2	SIXTEEN (16) APARTMENTS PER FLOOR
027 033			D-2		2	ELECTRIC & TELECOM ROOMS PER FLOOR
029 033	40		J-2	16	2	SIXTEEN (16) APARTMENTS PER FLOOR
034			D-2		2	ELECTRIC AND TELECOM ROOMS
034	40		J-2	16	2	SIXTEEN (16) APARTMENTS
035 036	40		J-2	15	2	FIFTEEN (15) APARTMENTS PER FLOOR
035 042	75		D-2		2	ELECTRIC & TELECOM ROOMS PER FLOOR
037 043	40		J-2	15	2	FIFTEEN (15) APARTMENTS PER FLOOR
044	40		J-2 D-2	14	2	FOURTEEN (14) APARTMENTS) ELECTRIC & TELECOM ROOMS



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Certificate of Occupancy

CO Number: 104844581T036

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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
045		40	J-2	12	2	TWELVE (12) APARTMENTS
045		75	D-2		2	ELECTRIC & TELECOM & MECHANICAL EQUIPMENT ROOMS
046		40	J-2	13	2	THIRTEEN (13) APARTMENTS
046		75	D-2		2	TELECOM ROOMS/ELECTRIC ROOM
047 048		40	J-2	12	2	TWELVE (12) APARTMENTS PER FLOOR
047 048		75	D-2		2	ELECTRIC & TELECOM ROOMS PER FLOOR
049		75	D-2		2	ELECTRIC AND TELECOM ROOMS, ELEVATOR MACHINE ROOM
049		40	J-2	11	2	ELEVEN (11) APARTMENTS
050 055		40	J-2	12	2	TWELVE (12) APARTMENTS PER FLOOR
050 055		75	D-2		2	ELECTRIC AND TELECOM ROOMS PER FLOOR
056 059		40	J-2	11	2	ELEVEN (11) APARTMENTS PER FLOOR
056 059		75	D-2		2	ELECTRIC TELECOM ROOM PER FLOOR
RO F		75	D-2		2	ELEVATOR MACHINE ROOM

Borough Commissioner

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Certificate of Occupancy

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Floor From To	Maximum persons permitted	Live load lbs per sq. ft.	Building Code occupancy group	Dwelling or Rooming Units	Zoning use group	Description of use
PEN		75	D-2		2	MECHANICAL EQUIPMENT ROOMS/ELEVATOR RUN-BY
PEN		75	D-2		2	MECHANICAL EQUIPMENT ROOMS, ELEVATOR MACHINE ROOM (RESIDENTIAL)
<p>NOTE: USES LOCATED ON THE GROUND FL LEVEL OR WITHIN FIVE FEET OF CURB LEVEL SHALL BE LIMITED TO RETAIL, PERSONAL SERVICE OR AMUSEMENT USES PERMITTED BY THE UNDERLYING ZONING DISTRICT REGULATIONS BUT NOT INCLUDING USES IN USE GROUP 6B, 6F, 7C, 8C, 9B, 10B, 11 & 12D OR AUTOMATILE SHOWROOMS EASEMENT GRANTED FOR SUBWAY MECHANICAL EASEMENTS AND SUBWAY STATION IMPROVEMENTS..APPLICATION N90156ZCM, PURSUANT TO SEC 96-25 OF THE NYC RESOLUTION, FOR THE INCLUSION OF AN ADDITIONAL 3.0 FAR AS A F AREA BONUS FOR A NEW LEGITIMATE THEATRE USE HAS BEEN CERTIFIED BY THE CPC. THE BONUS REQUIRE THAT 63,933SF MUST BE USED AS LEGITIMATE THEATRE SPACE. INCLUSIONARY HOUSING BONUS RECEIVED FOR BOTH ON SITE NEW CONSTRUCTION & OFF-SITE INCLUSIONARY HOUSING. ON-SITE LOWER INCOME HOUSING 25,008SF PROVIDED THAT GENERATES BONUS AT A RATE OF 3.7SF. OFF SITE INCLUSIONARY HOUSING OF 11,335SF PROVIDED THAT GENERATES A BONUS OF 45,430SF AT A RATE OF 4.0SF</p>						
END OF SECTION						



Borough Commissioner



Commissioner

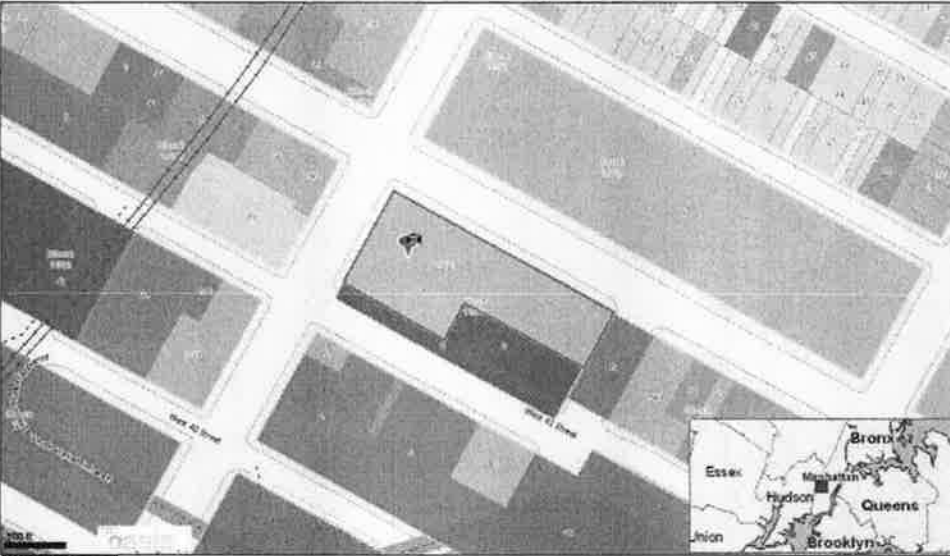
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TAB 6

566 Tenth Avenue



Legend



Transit, Roads, Reference Features

Roads, ferries, commuter rail, neighborhood names

- Roads
 - Major Roads
 - Interstate Highways
 - Tunnels
- Neighborhood/Town Labels
- County Boundaries
- Ferry
- Commuter/Rail

NYC subway routes and stations

Parks, Playgrounds, & Open Space
Parks & Public Lands

Environmental Characteristics

- Public Access Points on the Waterfront
- Multiple Use
 - Waterfront Access
 - Fishing
 - Cultural Landmark
 - Landmark
 - Restaurant
 - Park

Land Use

Block/Lot Boundaries

(Building footprints in gray color)

- 1 & 2 Family Residential
- Multi-family Residential
- Mixed Use
- Open space & outdoor recreation
- Commercial
- Institutions
- Industrial
- Parking
- Transportation / Utilities
- Vacant Lots

(Not all items in the legend may be visible on the map.)

This map was created using the Open Accessible Space Information System (OASIS) website, licensed under a Creative Commons Attribution-NonCommercial-Share Alike 3.0 United States License. Visit www.oasisnyc.net for the latest information about data sources and notes about how the maps were developed. Contact oasisnyc@cc.cuny.edu with questions or comments. OASIS is developed and maintained by the [Center for Urban Research](http://www.cuny.edu/center-for-urban-research/), CUNY Graduate Center.

Location Report**Property Information (1)**

450 WEST 42 STREET, MANHATTAN 10036

*Mixed Residential & Commercial***Owner:****Block:** 1051 **Lot:** 7502**Property Characteristics:****Lot Area:** 54,647 sq ft (172.33' x 400')**# of Buildings:** 1 **Year built:** 2008**Building frontage:** 172' (Building frontage along the street measured in feet.)**# of floors:** 59 **Building Area:** 1,147,432 sq ft**Total Units:** 969 **Residential Units:** 963**Primary zoning:** C6-4 **Commercial Overlay:** None**Floor Area Ratio:** 21**Max. Allowable Residential FAR:** 10**Max. Allowable Commercial FAR:** 10**Max. Allowable Facility FAR:** 10

The Maximum Allowable Floor Area Ratios are exclusive of bonuses for plazas, plaza-connected open areas, arcades or other amenities. FAR may depend on street widths or other characteristics. Contact [City Planning Dept.](#) for latest information.

MORE INFO:

- **Zoning Map#:** [Bd](#) ([how to read](#) NYC zoning maps)
- **Historical Zoning Maps:** [Bd](#)
- **NYC Dept. of Buildings**
- **Property transaction records** (NB: buildings w/condos may not show transaction results)
- **NYC Dept. of Finance Assessment Roll**
- **NYC HPD data**
- **NYC Planning's Zola application**
- **NYC Digital Tax Map**
- **NYC zoning guide**
- **NYC Watershed Resources**

OASIS shortcut to this property:<http://www.oasisnyc.net/printmap.aspx?zoomto=lot:1010517502>

Source: MapPLUTO Tax Block & Tax Lot files from the New York City Department of City Planning, 2016 (ver. 16v1).

Mannahatta (1)**Community District (1)****Manhattan 4 Community District Information****Chairperson:** Delores Rubin**District Manager:** Mr. Robert J. Benfatto**Address:** 330 West 42nd Street, 26th Floor, New York, NY, 10036**Phone:** 212-736-4536 **Email:** info@manhattancb4.org**Website:** <http://www.nyc.gov/mcb4>**Meeting Information:** The Full Board generally meets on the first Wednesday of each month at 6pm, alternating between a location in Chelsea (119 9th Avenue, Fulton Center) and one in Hell's Kitchen (1000 10th Avenue, Roosevelt Hospital, 2nd floor).**Go to District Profile** by NYC Dept. of City Planning**Political Districts (5)**NYC Council: [District 3](#)NYS Assembly: [District 07S](#)NYS Senate: [District 27](#)US House of Representatives: [District 10](#)US Senate: [New York](#)

Green Fig Express
566 Tenth Avenue
New York, New York 10036

Area Map/Block Plot



Proximity Report for Location:

November 21, 2017

566 10th Ave, New York, NY, 10036

* 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.

Closest Liquor Stores

Name	Address	Approx. Distance
460 WINE MARKET INC	460 W 42ND ST	230 ft
42 & 10TH SPIRITS LTD	507 W 42ND STREET	260 ft
GRACE WINE & SPIRITS INC	610 10TH AVENUE	625 ft
589 NINTH AVENUE CORP	589 9TH AVENUE	825 ft
GRAND CRU WINE & SPIRITS INC	560 11TH AVE	990 ft
VERITAS STUDIOS INC	527 W 45TH ST	1060 ft
ODYSSEY WINE & SPIRITS INC	490 10TH AVE	1075 ft

Churches within 500 Feet

Name	Approx. Distance
Saint Raphael's Croatian Catholic Church	430 ft

Schools within 500 Feet

Name	Address	Approx. Distance
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On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
42ND&10THHOTELLCC;42ND&10THUSOPCPLLC; YOTEL	570 10TH AVENUE 4TH FL	85 ft
42ND KAVA AND KAVA MIMA ASSOCIATES LLC	470 W 42ND ST	185 ft
SIGNATURE THEATRE COMPANY INC	450 W 42ND ST	300 ft
510 W42 Hotel Operating LLC & Cachet Hotel Group LTD	510 W 42ND ST	340 ft
ROSIERAE'S INC	500 W 43RD ST	350 ft
DIVISION ONE MANAGEMENT GROUP INC	500 W 43RD ST	385 ft
MR BIGGS BAR & GRILL INC	596 10TH AVE	405 ft
CANARD INC	503 W 43RD STREET	440 ft
WEST SIDE STEAKHOUSE LLC	597 10TH AVENUE	470 ft
599 TENTH AVENUE CORP	599 10TH AVE	495 ft
THEATRE ROW RESTAURANT INC	424 WEST 42ND STREET	520 ft
PIO PIO OCHO INC	604 10TH AVE	530 ft
THEATRE REFRESHMENT CO OF NY INC & MIDSUMMER	422 W 42ND ST	545 ft
SWEET CONCESSIONS INC	416 W 42ND ST	625 ft

500 Foot Public Interest Statement

This is an application for an On-Premises Liquor License by Green Fig Express LLC (“GFE”), an entity solely owned by Gil Rubenstein, for a certain ground floor premises located at 566 Tenth Avenue, New York, New York 10036 (the “Premises”), which is on the corner of 41st Street and 10th Avenue and directly below the hotel known as Yotel New York.

Mr. Rubenstein currently owns and operates Green Fig LLC which provides the food and beverage services within Yotel, which is currently licensed in good standing for an operation that permits DJ’s and live music indoors until 4:00 a.m. daily and use of certain outdoor areas with background music until 12:30 a.m. on Sunday to Wednesday and until 1:30 a.m. on Thursday through Saturday. One of the areas within Yotel that is operated by Green Fig LLC is currently used for private events (e.g., meetings and banquets) as well as for musical and other incidental entertainment in connection with an eating and drinking establishment (the “4th Floor Lounge”).

Mr. Rubenstein intends for GFE to serve as a stand-alone but supporting and complementary extension of the 4th Floor Lounge by featuring a taste of what Green Fig provides in Yotel above. GFE will open in the morning as a quick service café and bakery with an expresso bar and baked goods, and in the evening as a cocktail lounge serving a variety of small and large plates with occasional performances by singer-songwriters, live jazz, acoustical music, or other background music or incidental entertainment.

The Premises are located on the ground floor only and intends to open the café/bakery service at 6:00 a.m. daily and the cocktail lounge starting around 5:00 p.m., with all food and beverage service ending no later than 4:00 a.m. The Premises will not have DJ’s and there will be no patron dancing, no cover charges, and there is no outdoor space to be operated by GFE. The Premises will have a full kitchen, two restrooms, approximately 22 tables and 39 seats, with 1 stand-up bar with 8 bar seats. The Premises’ maximum capacity is 74.

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

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

The Premises are located on the ground floor of 59-story hotel and residential building in an area that is mixed between commercial and residential uses but, despite the Premises’ location in such an area and one that is close to Times Square, there are only approximately 10 licenses within 500 feet of the Premises, including Yotel (the one in which Mr. Rubenstein is licensed). The class and character of the existing licensees are quite varied and include hotels, a theater, sit-down restaurants, and bar/taverns.

The Premises’ proposed operation is most similar to but will be distinguished from, yet complimentary to, what Mr. Rubenstein currently operates in Yotel and will otherwise be distinctive from the other existing licensed operations by its menu, décor/aesthetic, and offerings.

Although the Premises will be unique, it will fit within the commercial nature and musical, theater, and arts, culture of the immediate area. Considering there are only 10 licenses within 500 feet of the Premises while the Premises are along a major thoroughfare just one block from 42nd Street, the grant of a license to GFE can hardly be considered to have an unreasonable impact when many other areas of Manhattan have 20-30 licenses within a 500 foot radius. The Premises were also previously licensed, albeit for beer and wine, so the grant of a liquor license to the Premises would not be the first instance where alcoholic beverages would be sold from it.

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

The Premises are in building which has a Certificate of Occupancy and GFE will apply for and obtain any and all other necessary licenses, permits, and certifications including but not limited to a Department of Health and Mental Hygiene permit, a Certificate of Authority to Collect Sales Taxes, as well as Workers Compensation Insurance and Disability Benefits Insurance.

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

As mentioned above, the Premises located on a major thoroughfare (Tenth Avenue) and on 41st Street which is a heavily trafficked street due to its proximity to the Port Authority Bus Terminal and the Lincoln Tunnel, is one block south from 42nd Street (another major thoroughfare), and is close to Times Square. In light of the Premises being in an area that is already heavily trafficked and visited, and densely populated, the Premises' continued use as an eating and drinking establishment will not have a noticeable impact in the immediate area. The Premises are also conveniently accessible by many forms of transportation, including public busses running along the 10th Avenue (as well as 8th and 9th Avenues) and 42nd Street and the A, C, and E subway lines.

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

As mentioned above, the Premises are located on the corner of two heavily trafficked thoroughfares and are below the offices of Yotel, which is below Yotel's indoor and outdoor eating and drinking areas, which is below Yotel's guestrooms and the building's other residential units. Based upon the foregoing, and considering Mr. Rubenstein has been operating a similar concept in Yotel (which is closer to nearby residents) without complaints, the Premises' proposed operation, which is indoors only and does not include DJ's or patron dancing, will not unreasonably increase, if at all, the noise level in the existing area.

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

Upon information and belief, there is no history of liquor violations or reported criminal activity at the Premises, nor to or in any other portion of the building in which the Premises are located.

(f) Any other factors specified by law or regulation that are relevant to determine the public convenience and advantage and public interest of the community

The Premises' proposed use will promote the public interest in that, among other things, its operation will provide an enjoyable experience and venue for New Yorkers and visitors alike and will promote New York's artists and musician by providing a venue to showcase their skill. The applicant's owner is licensed and in good standing and has not been the subject of any known community complaints or any disciplinary proceedings and so the grant of this license will also serve the public interest in that it will symbolize that alcoholic beverage licenses should be granted to credible and deserving applicants, like Mr. Rubenstein. The grant of the license will also provide a positive contribution to the economy by way of jobs created and maintained, wages paid, income, sales, and other taxes collected, state and local license revenues, and maintenance of the real estate tax base. The Premises were formerly licensed but are currently vacant and so the grant of the license to GFE will provide a positive use to currently vacant real estate.

Based on all of the foregoing, we believe that the approval of the Applicant's license will promote the public interest.