

# Manhattan Community Board 4

## Liquor License/Sidewalk Cafe Stipulations Application

(All Fields Must Be Completed)

<b>CORPORATION NAME</b>		<b>DOING BUSINESS AS (DBA)</b>		
88 NINTH AVENUE HOSPITALITY LLC		PENDING		
<b>STREET ADDRESS</b>		<b>CROSS STREETS</b>	<b>ZIP CODE</b>	
88 9TH AVENUE		W 16TH & W 17TH	10011	
<b>OWNER</b> <small>(Attach a list of all the people that will be associated/listed with the license)</small>	<b>NAME:</b> SEE ATTACHED	<b>ATTORNEY/ REPRESENTAIVE</b>	<b>NAME:</b> JOSEPH LEVEY	
	<b>PHONE:</b>		<b>PHONE:</b> 212 219 1193	
	<b>EMAIL:</b>		<b>EMAIL:</b> HEATHER@HELBRAUNLEVEY.COM	
<b>MANAGER</b>	<b>NAME:</b> CHRISTINE BRAYTON	<b>LANDLORD</b>	<b>NAME:</b> MARKET CORNER REALTY ASSOCIATES LLC	
	<b>PHONE:</b> 212 627 1235		<b>PHONE:</b> 646 277 0059	
	<b>EMAIL:</b> CHRISTINE.BRAYTON@CATCHHG.COM		<b>EMAIL:</b>	
<b>APPLICATION TYPE</b> ( <input checked="" type="checkbox"/> <i>Liquor License</i> <input type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i> )				
<input type="checkbox"/> <b>New</b>	Has applicant owned or managed a similar business?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	SEE ATTACHED
	What is/was the name and address of establishment?			
	What were the dates applicant was involved with this former premise?			
<input checked="" type="checkbox"/> <b>Corp</b> <b>Change/Class Change/Removal</b>	What is the license # and expiration date?	1285144 - 12/31/19 / 1155500 - 10/31/20		
	Is applicant making any alterations or operational changes?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>	REDESIGN OF THE SPACE		
<input type="checkbox"/> <b>Alteration</b>	What is the current license # and expiration date?			
	<i>Please list/describe the nature of all the changes and attach the plans:</i>			
<b>METHOD OF OPERATION</b>				
<b>TYPE OF ALCOHOL</b>	<input checked="" type="checkbox"/> Liquor/Wine/Beer & Cider <input type="checkbox"/> Beer & Cider <input type="checkbox"/> Wine/Beer & Cider			
<b>ESTABLISHMENT TYPE</b>	<input checked="" type="checkbox"/> Restaurant <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input checked="" type="checkbox"/> Bar/Tavern <input type="checkbox"/> Catering Establishment <input type="checkbox"/> Adult Entertainment <input type="checkbox"/> Wine Bar <input type="checkbox"/> Dance Club <input type="checkbox"/> Sports Bar <input type="checkbox"/> Club (Fraternal Organization – Members Only)			
Has applicant/owner filed with the SLA? If yes, when? If no, when do you plan to file?	<input type="radio"/> YES	<input checked="" type="radio"/> NO		
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		
Is the 200 Foot Rule applicable? If yes, please attach a diagram of the schools and houses of worship that trigger the rule.	<input type="radio"/> 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	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM
		11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM
	Kitchen	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM	7AM-2AM
11AM-2AM		11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	11AM-2AM	
Music	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	
	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	11AM-4AM	

1ST  
2ND SEE ATTACHED  
1ST  
2ND

If you plan to have music, what type(s)? (Circle all that apply)

BACKGROUND     LIVE MUSIC     DJ     JUKE BOX     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
<b>INSIDE</b>	703(3 FLOORS TOTAL)	500	75 84	234 170	1	1 2	10
<b>OUTSIDE</b> <i>(Other than sidewalk café )</i>	500	100	32	88	0	0	0
<b>SIDEWALK CAFÉ</b>	N/A	N/A	N/A	N/A			

1ST  
2ND  
TERRACE

How many floors are there? What is the capacity for each floor?      3 FLOORS - SUB-MEZZ 100, 1ST FL 428, 2ND FL 175

How frequently will the owner(s) be at the establishment?      REGULARLY

Will there be dancing?	YES	<input checked="" type="radio"/> NO	
Will applicant have bottle or table service for beverage alcohol?	<input checked="" type="radio"/> YES	NO	
Will you be hosting private; promotional or corporate events?	<input checked="" type="radio"/> YES	NO	
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.	<input checked="" type="radio"/> YES	NO	
Will security plan be implemented?	<input checked="" type="radio"/> YES	NO	
Will State certified security personnel be used?	<input checked="" type="radio"/> YES	NO	
Will New York Nightlife Association and NYPD Best Practices be followed?	<input checked="" type="radio"/> YES	NO	
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	NO	N/A
Where will delivery bicycles be stored during the day when not in use?	N/A		

<b>BUILDING DESIGN</b>			
State the name and type of business previously located in the space.	LA SIRENA / FULL SERVICE RESTAURANT AND BAR		
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	MARATIME LLC
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	<input type="radio"/> NO	NEW TILEWORK
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 checked="" 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 type="radio"/> YES	<input checked="" 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 type="radio"/> NO	PENDING
Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the kitchen exhaust system extend to the roof?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will the establishment have an illuminated sign?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	
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?	ROOF		
When was the air conditioner installed?	INSTALLED BY PREVIOUS TENANTS		

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

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

- There will be no music of any kind in any outdoor space, including the terrace
  - Roofs on the second floor space will be fully closed no later than 11 p.m.
- Sunday - Wednesday and midnight Thursday - Saturday
- There will be no bar on the outdoor terrace
  - All doors and windows onto terrace will be kept closed at all times

***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:  
(MCB4's recommendation is based on a vote taken at its  
December 5, 2018 full board meeting, with 33 members voting in favor  
of the recommendation, 0 members opposed, 0 members  
abstaining and 1 present but not eligible)

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 Holozubiec CB4 BLP Committee Co-Chair	 Yoni Bokser CB4 BLP Committee Co-Chair
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**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.

<b>SIGN HERE</b> →	 Eugene Remor PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	11/13/18 DATE
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Owners:

Tilman Fertitta

Phone: 713-386-7000

Email: [Sscheinthal@ldry.com](mailto:Sscheinthal@ldry.com)

Mark Birnbaum

Phone: 212-627-1235

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Eugene Remm

Phone: 212-627-1235

Email: [eugene@catchhg.com](mailto:eugene@catchhg.com)



## Landry's History

From coast to coast and around the world, the Landry's, Inc. name has developed a reputation for delivering a great experience at more than 600 dining, hospitality, entertainment and gaming destinations. What started as a charming seafood house in Katy, Texas, has grown to become an international standard-setter. From the glitz and glamour of the Golden Nugget to the down-home hospitality of Landry's Seafood, our history is full of successes and the company is growing every day - meaning the future is just a bright.

### First Steps

From the time Landry's, Inc. President, Chairman and CEO Tilman J. Fertitta bought his first two restaurants to the present day, the company's story has been a tale of unmatched growth and rapid success. Today, the company is an international leader in the dining, hospitality, gaming and entertainment industries - the result of hard work, creative innovation and pure dedication.



Fertitta was a partner in the first [Landry's Seafood Restaurant](#), which opened its doors in Katy, Texas, in 1980. A year later, he partnered to open the more upscale [Willie G's Seafood & Steaks](#) in nearby Houston. In 1986, Fertitta gained controlling interests of both restaurants and the Landry's, Inc. brand began to take off.

Fertitta envisioned a national chain of Gulf Coast seafood restaurants that welcomed patrons with a casual, authentic and entertaining atmosphere. He created an expansion plan and stuck with it. More than 30 years and 600+ locations later, Landry's, Inc. has moved far beyond the Houston area, operating restaurants and entertainment destinations in exciting world cities like New York, Chicago, Tokyo, London and Mexico City.

### Building the Company

Landry's Seafood quickly expanded to Galveston, where its signature marquee, energetic atmosphere and great food made it an instant success. Soon, the chain was operating across Texas and around the nation. With great reviews and scores of customers, the company grew from two to 11 restaurants in just five years.

In August 1993, Fertitta took the Company public. Fueled with investment capital and unmitigated drive, Landry's, Inc. acquired Joe's Crab Shack in 1994, entrenching the company's place as a national seafood player. In 1996, Landry's, Inc. added [The Crab House Restaurants](#) to its holdings. Founded in Miami in 1976 and featuring East Coast flair, The Crab House was a perfect complement to Landry's Inc.'s other seafood restaurants. People around the nation were beginning to take notice.

### Entertaining Even Bigger Ideas

The Company expanded beyond the seafood market when it acquired [Cadillac Bar](#), a favorite Houston Mexican restaurant for more than 20 years. That same year, the company completed the development of its first major specialty project, the 35-acre [Kemah Boardwalk](#). Located just south of Houston, on the edge of Galveston Bay, the Kemah Boardwalk attracts millions of visitors every year. Its attractions include multiple themed restaurants, retail shops, the boutique Boardwalk Inn, a 400-slip marina, a train, the [Boardwalk FantaSea](#) charter yacht, amusement rides and midway games.

Landry's, Inc. ventured even further into the specialty realm in 2000, when it acquired the world's premier themed restaurant concept, [Rainforest Cafe](#). The only full-service restaurant concept operated in all Walt Disney theme parks worldwide, Rainforest Cafe offers customers a stimulating "Wild Place to Shop and Eat". The Landry's name now transcended the borders of the United States.

### A Growing Recipe for Success

Growth accelerated in 2002, when Landry's, Inc. acquired [Muer Seafood Restaurants](#), [Chart House](#), and [Saltgrass Steak House](#). Muer Seafood Restaurants, located in unique, high-profile and landmark locations across the nation, serve legendary steak and seafood. Chart House Restaurants, with locations coast to coast, are renowned for serving extraordinary steak and seafood from spectacularly-scenic locations. Chart House guests dine against panoramic backdrops like the Manhattan Skyline, the Pacific Coast and the Atlantic Ocean. Saltgrass Steak House locations continue to pop up across the nation, serving Chuckwagon-style fare, including succulent steaks and Gulf Coast seafood. Also acquired with Saltgrass was [Babin's Seafood House](#), which added New Orleans flair to Landry's, Inc.'s varied seafood restaurant concepts.

### Making a Splash

In 2003, the company opened the [Downtown Aquarium](#) — a high-profile 20-acre entertainment complex in Houston with an aquarium exhibit, a restaurant built around a 100,000 gallon, floor-to-ceiling centerpiece aquarium, a bar, banquet facilities, amusement rides and midway games. A train carries guests into a tunnel running through a 200,000 gallon shark tank. [Aquarium Restaurants](#) have also been opened in Nashville and on the Kemah Boardwalk.

More Aquarium excitement also landed in Denver, where Landry's redeveloped the 12-acre Ocean Journey complex into Downtown Aquarium Denver. This world-class attraction houses more than 500 species of aquatic life in a three story, one-million-gallon facility.

### Rooms with a View

In addition to exciting dining and entertainment hotspots around the globe, Landry's also operates multiple hospitality destinations in the Houston-area. From the upscale San Luis Resort to the boutique Boardwalk Inn, no comfort is spared at these unique hotels.

### Galveston



### **Morton's The Steakhouse**

Morton's The Steakhouse joined the Landry's, Inc. family in 2011. For more than 30 years, Morton's has been on a mission to provide "The Best Steak... Anywhere." Focusing on quality, consistency and genuine hospitality, Morton's seeks to provide not only memorable cuisine, but a memorable experience as well. With fresh, succulent seafood and their famed USDA prime-aged steak, it's no surprise that Morton's has thrilled diners all over the world.

### **Galveston Island Historic Pleasure Pier**

In 2012, Landry's, Inc. expanded its entertainment division even further with the opening of the Galveston Island Historic Pleasure Pier, an innovative theme park built entirely over the water. Jutting 1,130 feet out into the Gulf of Mexico along Galveston Island's historic Seawall Boulevard, the Pleasure Pier is a must-visit Texas Gulf Coast destination, with exciting rides, addicting midway games, eclectic shopping and extraordinary dining options. The impressive Iron Shark, the coast's only steel roller coaster, takes thrill seekers on an unforgettable adventure, reaching speeds of more than 50 mph.

### **Mastro's Restaurants**

In May 2013, Mastro's Restaurants - an eclectic collection of some of the nation's finest steak and seafood establishments - joined the Landry's, Inc. family. These extraordinary restaurants represent the gold standard for fine dining in the cities they call home.

### **BR Guest Hospitality**

When Landry's purchased BR Guest Hospitality in December 2016, it instantly became the largest independent restaurant operator in New York City. With 20 restaurants and bars, across four states, from upscale steakhouses to the biggest standalone burger joint in the country, BR Guest Hospitality is widely recognized as one of America's premier hospitality groups. The restaurants have been the backdrop of major motion pictures such as You've Got Mail and have played host to celebrities such as Jessica Simpson sipping margaritas at Park Avenue's Dos Caminos and the ladies of Sex And The City lunching at the café in Union Square's Blue Water Grill.

### **Joe's Crab Shack**

In August of 2017, Landry's re-purchased Joe's Crab Shack and along with it, Brick House Tavern & Tap locations throughout the United States. Joe's Crab Shack offers a variety of favorites from all parts of the sea and shore while Brick House Tavern and Tap offers a variety of pup fare and craft beer.

### **The Post Oak Hotel at Uptown Houston**

Landry's, Inc. elevated the city's appeal even further with the opening of The Post Oak Hotel at Uptown Houston in the Galleria and Uptown area in March of 2018. The Post Oak Hotel is a 700,000-square-foot vertical, multi-use complex that offers Houstonians and visitors a one-stop shop for fine dining, high-end shopping, living, working and lodging. The Post also features an expansive 16,000-square-foot ballroom (which will be the largest in the Uptown area), a two-story showroom with floor-to-ceiling windows displaying Rolls-Royce automobiles, a spa and salon, a sparkling pool, as well as Texas' very first Mastro's Steakhouse—a favorite among elite diners. Just a short six months after opening, The Post Oak Hotel received a AAA Five-Diamond Award, and is the only hotel in the city to hold this rating.

### **Into the Future**

With devoted leadership, a creative team and endless possibilities, the company has a clear direction for the future. Every day, new guests experience a Landry's, Inc. concept for the first time. With new locations and concepts opening every year, the Landry's, Inc. story is a story of growth and a bright future.

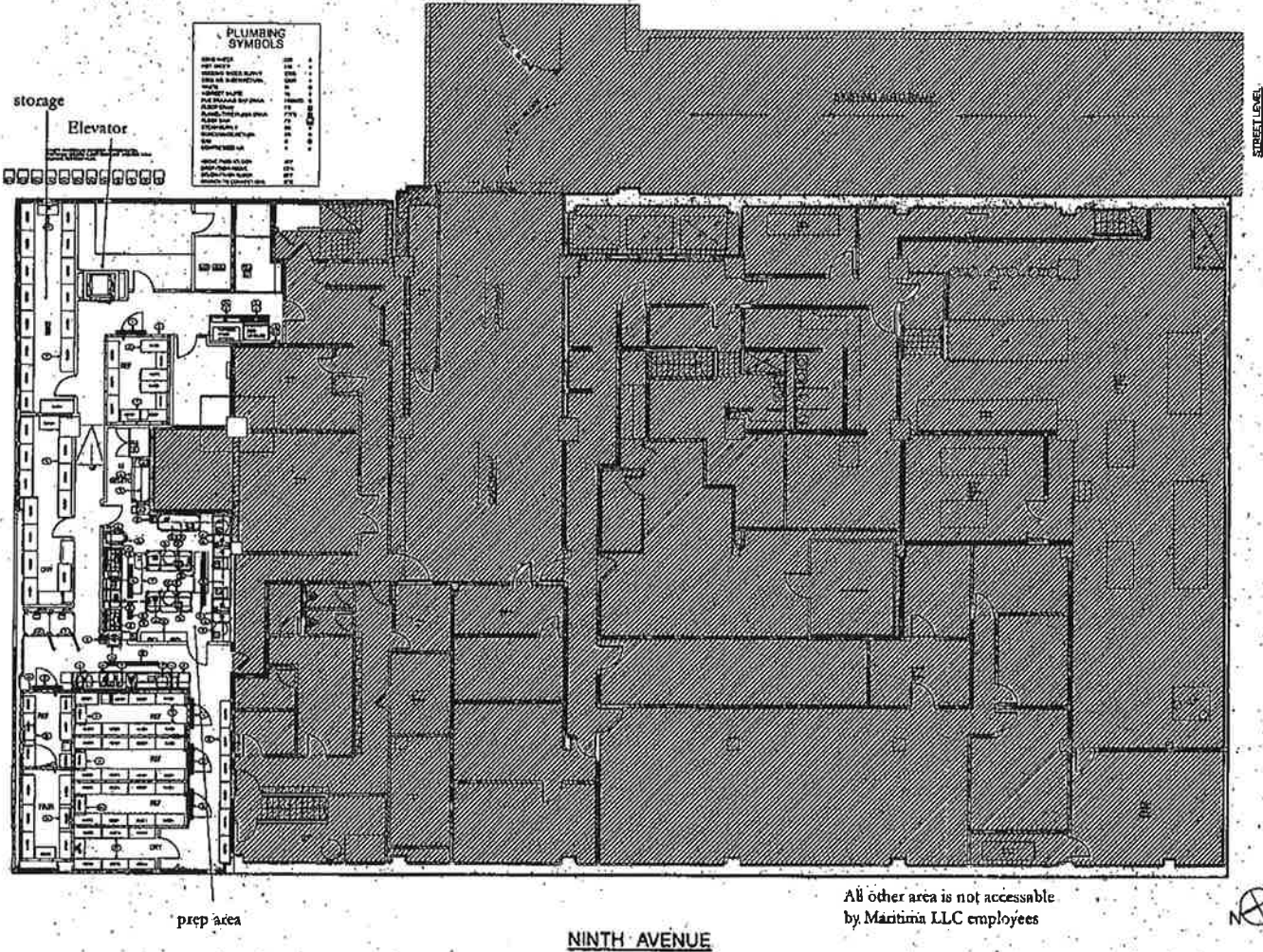
Tilman Fertitta: License History

<u>BUBBA GUMP SHRIMP CO RESTAURANT INC</u>	1501 BROADWAY NORTHEAST CORNER NEW YORK, NY 10036	252	OP	10/31/2019	License is Active
<u>MCCORMICK &amp; SCHMICK RESTAURANT CORP</u>	1285 AVENUE OF THE AMERICAS 51ST & 52ND STREETS NEW YORK, NY 10019	252	OP	02/29/2020	License is Active
<u>MORTON'S OF CHICAGO/GREAT NECK LLC</u>	777 NORTHERN BOULEVARD SUSQUHANA AVE & MIDDLENECK RD GREAT NECK, NY 11020	252	OP	09/30/2020	License is Active
<u>MORTONS OF CHICAGO/5TH AVE INC</u>	551 5TH AVENUE NEW YORK, NY 10017	252	OP	08/31/2019	License is Active
<u>MORTON'S OF CHICAGO CEDAR STREET LLC</u>	136 WASHINGTON ST NEW YORK, NY 10006	252	OP	05/31/2019	License is Active
<u>SARATOGA CASINO HOLDINGS LLC &amp; MORTONS OF CHICAGO</u>	342 JEFFERSON ST SARATOGA SPRINGS, NY 12866	242	HL	06/30/2020	License is Active
<u>BILL'S DTM NY LLC</u>	85 WEST ST NEW YORK, NY 10006	252	OP	06/30/2019	License is Active
<u>48 50 WEST 65TH STREET LLC</u>	49 W 64TH ST A/K/A 43 W 64TH S NEW YORK, NY 10023	252	OP	07/31/2020	License is Active
<u>THIRD &amp; 50 LLC</u>	825 3RD AVENUE 500TH & 51ST NEW YORK, NY 10022	252	OP	08/31/2020	License is Active
<u>475 SOHO LLC</u>	475 477 WEST BROADWAY NEW YORK, NY 10012	252	OP	11/30/2018	License is Active
<u>373 PARK LLC</u>	373 PARK AVENUE SOUTH 26TH & 27TH STREETS NEW YORK, NY 10016	252	OP	07/31/2020	License is Active
<u>BILL'S BAR &amp; BURGER R C LLC</u>	45 ROCKEFELLER PLAZA NEW YORK, NY 10111	252	OP	08/31/2020	License is Active
<u>STRIP HOUSE RESTAURANT NY LLC</u>	11 E 12TH ST NEW YORK, NY 10003	252	OP	02/29/2020	License is Active
<u>675 HUDSON VAULT LLC</u>	675 HUDSON STREET 13TH & 14TH STREETS NEW YORK, NY 10014	252	OP	03/31/2020	License is Active
<u>STAR DIAMOND OF INDIA LLC</u>	15 WEST 44TH ST NEW YORK, NY 10036	252	OP	09/30/2020	License is Active
<u>STRIP HOUSE RESTAURANT NY LLC</u>	13 E 12TH ST NEW YORK, NY 10003	252	OP	11/30/2019	License is Active
<u>1567 BWAY RESTAURANT ASSOCIATES LLC</u>	1567 BROADWAY S W CRN OF 47TH ST & BROADWAY NEW YORK, NY 10019	252	OP	11/30/2019	License is Active
<u>31 UNION SQUARE WEST LLC</u>	31 UNION SQUARE WEST NEW YORK, NY 10003	252	OP	02/28/2019	License is Active
<u>MORTON'S OF CHICAGO/WHITE PLAINS LLC</u>	5 MAMARONECK AVE WHITE PLAINS, NY 10601	252	OP	05/31/2020	License is Active
<u>MORTON'S OF CHICAGO BUFFALO INC</u>	2 FOUNTAIN PLAZA SUITE 5 BUFFALO , NY 14202	252	OP	09/30/2019	License is Active

Mark Birnbaum: License History

<u>44 LEXINGTON ASSOC LLC &amp; LEXINGTON PROJECT MGR LLC</u>	517 LEXINGTON AVE AKA 135 EASR 48TH STREET NEW YORK, NY 10017	242	HL	07/31/2019	License is Active
<u>LEXINGTON PROJECT MANAGERS LLC</u>	517 LEXINGTON AVE NEW YORK, NY 10017	252	OP	07/31/2019	License is Active
<u>LUCKY 13 ASSOCIATES LLC</u>	21 27 9TH AVE NEW YORK, NY 10014	252	OP	08/31/2019	License is Active
<u>BAKERS DOZEN ASSOCIATES LLC</u>	199 BOWERY NEW YORK, NY 10012	256	CR	10/31/2016	License is Inactive
<u>THREE MILE HARBOR LLC &amp; EMM GRP HOLDINGS LLC AS</u>	44 THREE MILE HARBOR RD E HAMPTON, NY 11937	252	OP	04/30/2014	License is Inactive
<u>SUTOL OPERATING CO LLC</u>	409 411 W 14TH STREET NEW YORK, NY 10014	252	OP	08/31/2015	Expired

SUB-MEZZANINE LEVEL

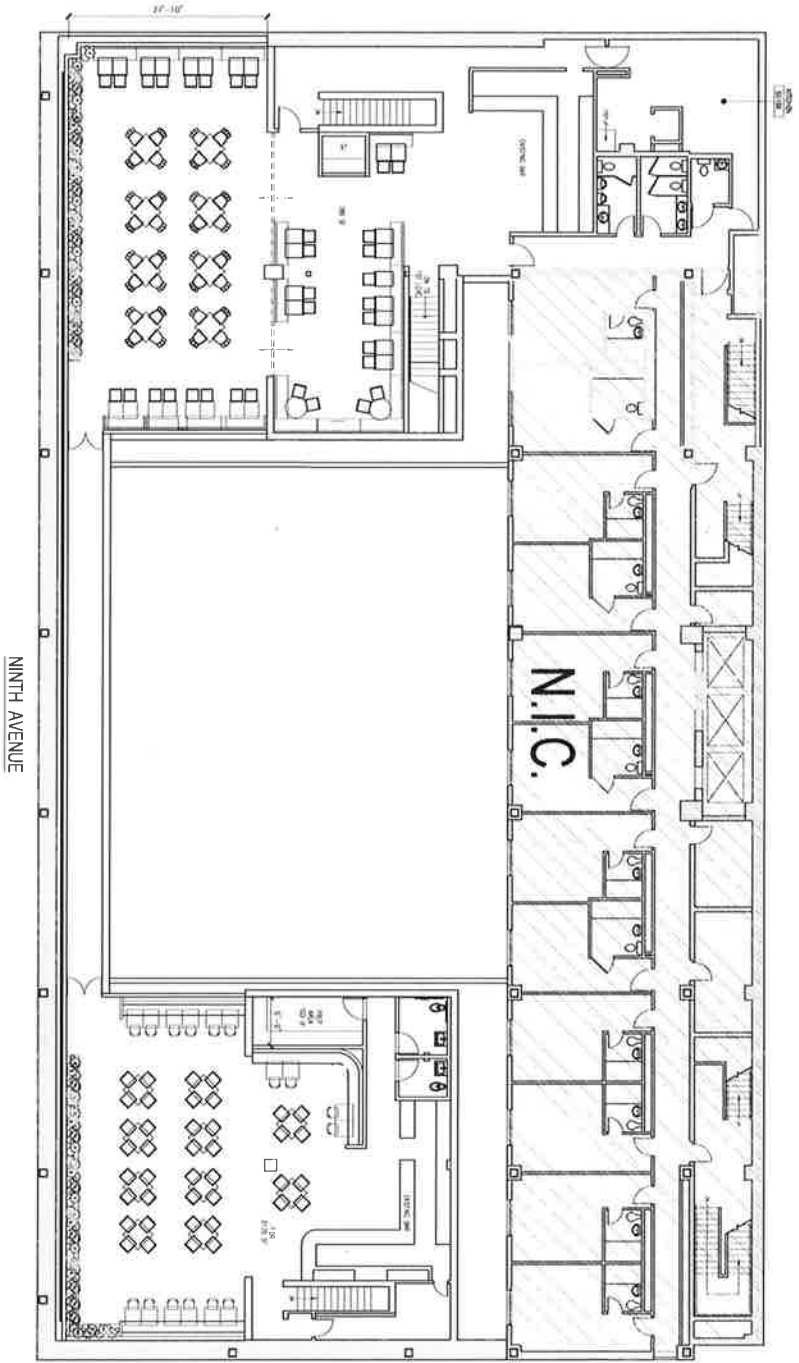


All other area is not accessible by Maritima LLC employees

NINTH AVENUE



WEST 17th STREET



NINTH AVENUE

WEST 16th STREET





Outside of Space – Premise located on 1<sup>st</sup> and 2<sup>nd</sup> floor







Terrace – 1<sup>st</sup> floor of premise







**1<sup>st</sup> floor of space:**  
**Private dining room to be located in this space**





**Main dining and overflow dining room to be located in this space**



**Main bar and seating to be located in this space**





**2<sup>nd</sup> Floor of Space:  
West side**





**2<sup>nd</sup> Floor:**  
**Walk through from West to East side**





**2<sup>nd</sup> Floor:**  
**East Side**





## RAW BAR

Oysters (1/2 doz.) .....	\$18
Jumbo Shrimp (each) .....	\$7
Littleneck Clams (1/2 doz.) .....	\$15

**Baby Grand Seafood Tower**  
Oysters, Clams, Mussels, Shrimp & Peekytoe Crab  
\$72

Peekytoe Crab (1/4 lb.) .....	\$20
Cold-Cracked Lobster .....	mp
Mixed Raw Bar Tower .....	\$48

**Grand Seafood Tower**  
Oysters, Clams, Mussels, Shrimp, Peekytoe Crab & Lobster  
\$132

## TARTARE

Tuna Tacos .....	\$21
<i>Avocado, Citrus-Soy &amp; Red Chili Aioli</i>	
Hamachi .....	\$21
<i>Thai Components &amp; Sesame Ginger Chips</i>	
Steak .....	\$21
<i>Traditional Accompaniments, Quail Egg, Worcestershire Chips</i>	

## APPETIZERS

Grilled Octopus .....	\$18
<i>Gigante Bean Stew, Chorizo &amp; Almond-Romesco Sauce</i>	
Pot of Steamed Mussels .....	\$15
<i>Garlic, Tomatoes &amp; Grilled Country Bread</i>	
Grilled Shrimp "Scampi" .....	\$19
<i>Charred Tomato, Basil &amp; Grilled Rustic Bread</i>	
Black Angus Sliders .....	\$14
<i>Aged Cheddar &amp; Nueske Bacon</i>	
Lobster Corn Cakes .....	\$24
<i>Black Truffle &amp; Tarragon</i>	
Beth's Meatballs .....	\$14

## SALADS

Chopped Salad .....	\$15
<i>Apples, Walnuts, Honey Croutons, Blue Cheese, Bacon, Pickled Onions, Peppers &amp; Honey Mustard Vinaigrette</i>	
Roasted Beets & Westfield Farm's Goat Cheese .....	\$14
Baby Iceberg .....	\$16
<i>Crispy Pork Belly, Ranch, Blue Cheese &amp; Hot Sauce</i>	
Caesar .....	\$14
<i>Organic Romaine &amp; 24-Month Old Parmesan</i>	
Baby Green .....	\$12
<i>Baby Red &amp; Green Lettuce, Cherry Tomatoes, Red Wine Shallot Vinaigrette</i>	

## ENTRÉES

Wood-Grilled Branzino .....	\$31
<i>Lemon &amp; Herbs</i>	
Pan Seared Cod & Crispy Rock Shrimp .....	\$32
<i>Crispy Rock Shrimp, Napa Cabbage &amp; Sweet Soy</i>	
Pan Roasted Sea Scallops & Foie Gras .....	\$34
<i>Cauliflower-Almond Purée, Bliss Elixir &amp; Oyster Mushrooms</i>	
Grilled Tuna .....	\$35
<i>Bok Choy, Butternut Squash, Apple &amp; Ginger-Butter</i>	
Ricotta Cavatelli .....	\$24
<i>Grilled Mushrooms, Kale &amp; Pine Nut Cream</i>	
Roasted Free-Range Chicken .....	\$28
<i>Field Mushrooms &amp; Green Beans</i>	

## STEAKS & CHOPS

Filet Mignon 10oz. ....	\$45
Lamb Loin Chops 14oz. ....	\$42
Bone-In Beef Short Rib .....	\$39
<i>Ancho Chili Glaze</i>	
Molasses-Glazed Double-Cut Pork Chop .....	\$38
<i>Olive Oil Fried Potatoes, Broccolini &amp; Crispy Rosemary</i>	
28-Day Dry-Aged Bone-In NY Strip 18oz. ....	\$53

## BIG MEAT

21-Day Dry-Aged Prime Porterhouse For Two 38 oz. ....	\$115
28-Day Dry-Aged Côte de Bœuf For Two 40 oz. ....	\$125

CREEKSTONE FARMS BEEF -- NATURAL CERTIFIED BLACK ANGUS

## Steak Additions

Truffle Butter or Herb-Garlic Butter .....	\$3
Roquefort Blue Cheese .....	\$5
Grilled Shrimp .....	\$14
Butter-Poached Lobster .....	\$35
"Rossini" Seared Foie Gras .....	\$22
"Oscar" .....	\$18
<i>Peekytoe Crabmeat &amp; Hollandaise</i>	

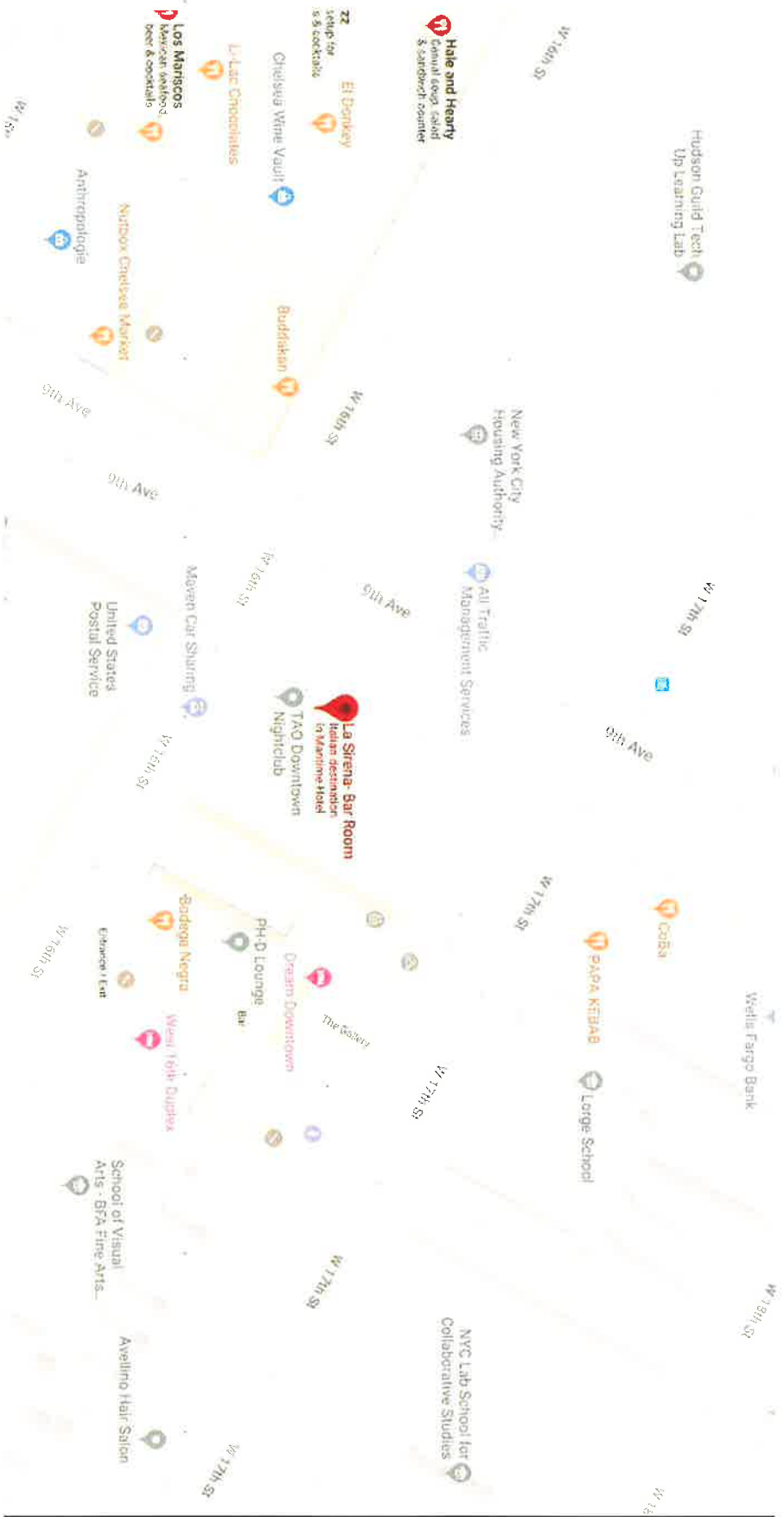
**\$2 For Each Additional Sauce**  
Benson's Steak Sauce, Bearnaise,  
Horseradish Cream **or** Au Poivre

## SIDES

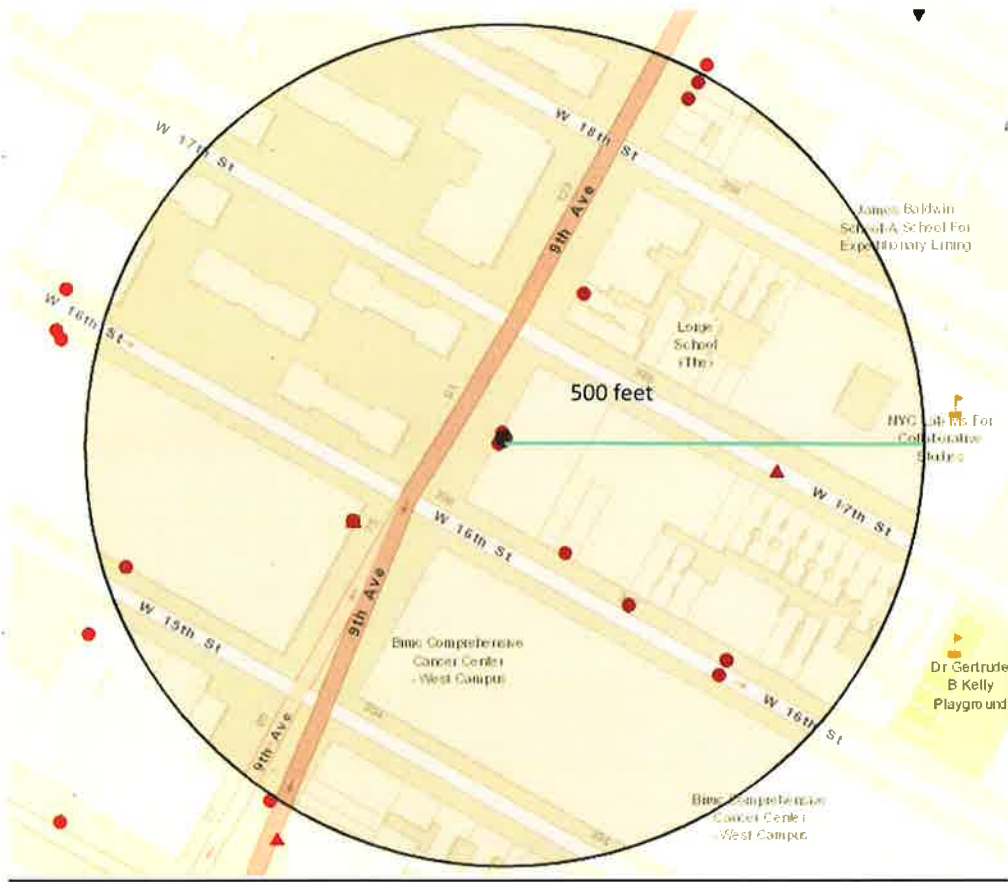
Whole Cauliflower <i>Pistachios &amp; Raisins</i> .....	\$15
Green Beans .....	\$10
Jumbo Asparagus <i>Lemon Oil &amp; Maldon Sea Salt</i> .....	\$11
Creamed Spinach .....	\$11
Sweet-Garlic Mashed Potatoes .....	\$9
Spiced Sweet Potato Fries .....	\$8
Truffle Herbed-Parmesan Fries .....	\$11
Twice Baked Potato <i>Scallion, Bacon &amp; Cheddar</i> .....	\$10
Texas Style Onion Rings .....	\$10
Mac & Cheese <i>Brown Butter &amp; Breadcrumbs</i> .....	\$11

\*Eating raw or undercooked menu items such as meats, poultry, seafood, shellfish or eggs may increase the risk of food borne illness, especially if you have certain medical conditions.

Google Map of the Area:



**500 Foot Map (Per Lamp Report):**



- Black dot: Premise**
- Red dot: OP license**
- Red triangle: RW/TW license**
- Blue line: 500 feet**

# Proximity Report for Location:

October 25, 2018

88 9 Ave, New York, NY, 10011

\* 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
CHELSEA WINERY LTD	75 9TH AVENUE	570 ft
MIDTOWN SPIRITS INC	177 9TH AVE UNIT C	990 ft
HOME OF CHEERS CORP	188 90 8TH AVE	1000 ft
156 10TH AVENUE WINE & LIQUOR INC	156 10TH AVE	1220 ft
HAYMARKET WINE LLC	19 LITTLE WEST 12TH ST	1230 ft
LITTLE WEST WINE AND SPIRITS INC	19 LITTLE W 12TH ST	1235 ft
MAHADEV INC	242 W 14TH ST	1325 ft

## Churches within 500 Feet

Name	Approx. Distance
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## Schools within 500 Feet

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

Name	Address	Approx. Distance	
MARITIMA LLC *applicant taking over this space	88 9TH AVE	0 ft	OP
HUDSON RIVER INN LLC E&S HOTEL OWNERS INC AS MGR MARITIME HOTEL	88 9TH AVENUE	10 ft	HL
MARITIME F&B LLC E&S HOTEL OWNERS INC AS MGR *applicant taking over this space	88 9TH AVE 2ND FLOOR	10 ft	OP
LDV 16 LLC the Lately - bar	357 WEST 16TH ST	155 ft	OP
DT HOSPITALITY GROUP INC Co Ba - Vietnamese	110 9TH AVE	200 ft	OP
LOBSTER PLACE INC, THE Cull & Pistol - seafood	75 9TH AVE	205 ft	OP
DZGF2 LLC Dizengoff - Chelsea Market	75 9TH AVE	205 ft	OP
URBAN DAIRY LLC Creamline - Chelsea Market	75 9TH AVE	205 ft	OP
CLEAVER COMPANY INC, THE Chelsea Market	75 9TH AVE	205 ft	OP
CHELSEA MUSIC HALL LLC Chelsea Market	75 9TH AVE	205 ft	OP
CHELSEA RETAIL PARTNERS LLC AND DCCM LLC Blackburn - Chelsea Market	75 9TH AVE	205 ft	OP
MIZNON AT CHELSEA LLC Chelsea Market	75 9TH AVE	205 ft	OP
GRAND CREW NYC LLC Le Song - Chelsea Market	75 9TH AVE	205 ft	OP
RESTAURANT ASSOCIATES LLC	75 9TH AVE	205 ft	CT
RESTAURANT ASSOCIATES LLC	75 9TH AVE	205 ft	CT

# HELBRAUN || LEVEY

## STATEMENT OF PUBLIC CONVENIENCE AND ADVANTAGE AND PUBLIC INTEREST

[Alcoholic Beverage and Control Law Sections 64, 6-a; 64-a, 7 (d); 64-b, 5 (c); 64-c, 11 (c); and 64-d, 7 and 8 (e).] Granting an on premises liquor license to the applicant would be to the public convenience and advantage and in the public interest for the following reasons:

- \* This hotel is currently licensed with the authority and the establishment will be occupying two floors of the hotel. The two floors are also currently licensed (this is a transfer of assets).
- \* The business will provide the community with a unique eating and drinking concept.
- \* Applicants within have many combined years of restaurant/food establishment/hospitality experience. They are all licensed with the Authority currently.
- \* The new business owners will operate under the same method of operation as the previous licensee.
- \* There is adequate public transportation by subways and buses that are extremely close by, so we anticipate that there will be no negative effect on vehicular traffic proposed.
- \* All necessary licenses and permits will be obtained prior to operating.
- \* To the best of our knowledge, there have been no previous liquor violations or criminal activity at the proposed premises.

helbraunlevey.com  
110 William Street, Suite 1410  
New York, NY 10038  
212-219-1193

*Certificate of Occupancy*

CO Number: 103044180F

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	3	100	E		6	ACCESSORY OFFICE
CEL	438	100	F-4		5, 6, 9, 12	BALLROOM/BANQUET ROOM
CEL	196		F-4		6, 9	EATING & DRINKING ESTABLISHMENT, ACCESSORY STORE MECHANICAL ROOMS, TOILETS PRIVATE PARTY RM
CEL	13	100	D-2		6	(2) ACCESSORY KITCHENS
CEL	438	100	F-4		5, 6, 9, 12	BALLROOM/BANQUET ROOM
SC1	80	OG	B-2		5	PERMITTED ACCESSORY PARKING FOR (8) CARS, MACHINE EQUIPMENT ROOMS, STORAGE, METER ROOMS, TOILETS & LOCKER ROOMS, ACCESSORY OFFICES STAFF CAFETERIA
MEZ	284	50	F-4		5, 6, 9, 12	BALL ROOM, LOUNGE, ACCESSORY STORAGE, LOCKER ROOMS, TOILETS
MEZ	100	50	F-4	0	6, 9	LOUNGE, ACCESSORY STORAGE, TOILETS
001	216	100	F-4		6	LOBBY BAR
001	500	100	F-4		0	OPEN PLAZA
001	12	100	D-2		6	ACCESSORY KITCHEN
001	50	100	J-1	0	5	HOTEL LOBBY

*[Signature]*

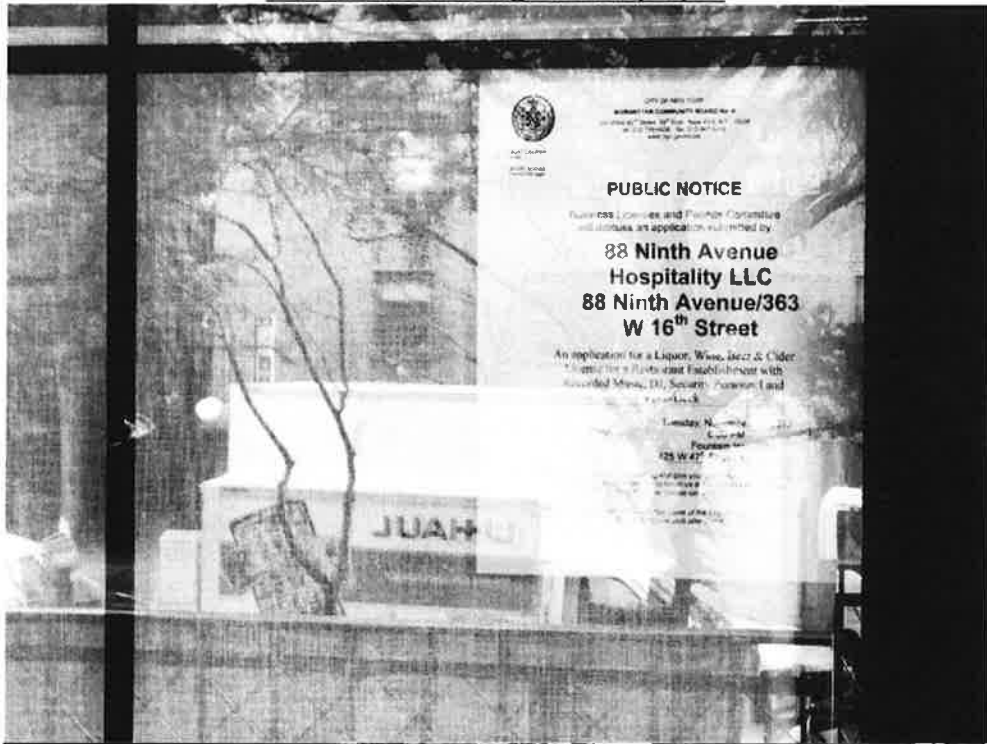
Borough Commissioner

*[Signature]*

Commissioner

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Public Notice Posting: As of 10/24/18



RE: Pending Application for 88 Ninth Avenue Hospitality LLC (88 Ninth Avenue NY, NY 10011)

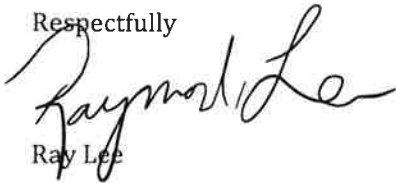
To: Manhattan Community Board 4  
330 West 42nd Street, 26th Floor  
New York, New York 10036

As the former Community Board 2, Manhattan, State Liquor Authority Committee Chairman for over 6 years, I'm writing in strong support for the proposed liquor license application for 88 Ninth Avenue Hospitality LLC. I've known the principals, Mark Birnbaum and Eugene Remm for several years as successful, stand-up operators with multiple establishments in the Lower Manhattan and West Hollywood communities. I can say without hesitation, that they are highly professional, above board and always considerate towards their fellow business and residential neighbors.

During my tenure as Chairman, I have dealt with over 3,000 liquor license applications to help bridge the gap (if any) between neighbors and operators. You will not find more qualified, community-oriented operators as Mark and Eugene. They will undoubtedly become a tremendous asset to the community.

Please do not hesitate to call me with any questions, cell # 917-650-5398

Respectfully

A handwritten signature in black ink that reads "Raymond Lee". The signature is written in a cursive style with a large, stylized "L" at the end.

Ray Lee



# IVY BROWN GALLERY

To whom it may concern,

11/12/18

This is a letter in support of CATCH, they have been very good neighbors. When we reach out to them with noise concerns from their roof area they have responded well.

They keep their area clean and safe, without people standing outside.

Feel free to reach out to me with any questions.

Be regards,  
Ivy Brown

