

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME		DOING BUSINESS AS (DBA)	
152 W 26 Street Rest, LLC		To be determined.	
STREET ADDRESS		CROSS STREETS	ZIP CODE
152 West 26th Street		Btwn. 6th Ave. & 7th Ave.	10001
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
MANAGER	NAME: Gil Rubenstein	LANDLORD	NAME: Fashion 26th Street, LLC c/o Decker Capital Management
	PHONE: (917) 551-0811		PHONE: (646) 661-5560
	EMAIL: gil@beancountersnyc.com		EMAIL:
APPLICATION TYPE (<input checked="" type="checkbox"/> Liquor License <input type="checkbox"/> Unenclosed Sidewalk Cafe)			
<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?	Yotel/Green Fig	
	What were the dates applicant was involved with this former premise?	December 2015 - Present	
<input type="radio"/> Corp Change/Class Change/Removal	What is the license # and expiration date?		
	Is applicant making any alterations or operational changes?	<input type="radio"/> YES	<input type="radio"/> NO
	<i>If alterations or operational changes are being made, please describe/list all changes.</i>		
<input type="radio"/> Alteration	What is the current license # and expiration date?	Serial Number 1232046 - Exp. 8/31/2019	
	<i>Please list/describe the nature of all the changes and attach the plans:</i>		
METHOD OF OPERATION			
TYPE OF ALCOHOL	<input checked="" type="radio"/> Liquor/Wine/Beer & Cider <input type="radio"/> Beer & Cider <input type="radio"/> Wine/Beer & Cider		
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 <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?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	November 15, 2019
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.
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* (Indoor Only)		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY	
	Operation	3 pm to 12am	3 pm to 12am	3pm to 12am	3pm to 1am	3pm to 1am	3pm to 1am	3pm to 12am	
	Kitchen	3pm to 12am	3pm to 12am	3pm to 12am	3pm to 1am	3pm to 1am	3pm to 1am	3pm to 12am	
	Music	3pm to 12am	3pm to 12am	3pm to 12am	3pm to 1am	3pm to 1am	3pm to 1am	3pm to 12am	
If you plan to have music, what type(s)? (Circle all that apply)		<input checked="" type="checkbox"/> BACKGROUND		<input 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	N/A								
OUTSIDE (Other than sidewalk café)	90	90	19	76	0	1	8		
SIDEWALK CAFÉ	N/A								
How many floors are there? What is the capacity for each floor?					1 Floor; Roof: 90				
How frequently will the owner(s) be at the establishment?					Approx. 5x's per week.				
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 for bottles of wine/beer (not nightclub/liquor bottles).		
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.					<input checked="" type="radio"/> YES	<input type="radio"/> NO	Will have 1-2 fully licensed security		
Will security plan be implemented?					<input checked="" type="radio"/> YES	<input type="radio"/> NO			
Will State certified security personnel be used?					<input checked="" type="radio"/> YES	<input type="radio"/> NO			
Will New York Nightlife Association and NYPD Best Practices be followed?					<input checked="" type="radio"/> YES	<input type="radio"/> NO	To extent applicable.		
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 checked="" type="radio"/> NO			
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
Is a Public Assembly permit required?	YES	<input checked="" type="radio"/> NO
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO Not yet.

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 5 ("CB5")
	# 2	See attached list and copy of email sent to all listed.
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.	Email Notice sent on November 1, 2019.	
Who was your contact person at each group you met with?	See list attached.	
When did applicant post the notice that was provided?	Tuesday, October 29, 2019	
Where did applicant post the notice that was provided?	Tuesday, October 29, 2019	
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 Gil Rubenstein: (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

Arteaga, Carmelo A.

From: Arteaga, Carmelo A.
Sent: Friday, November 1, 2019 12:31 PM
To: negonzalez@cb.nyc.gov
Cc: Victor, Alexander B.
Subject: Hilton New York Fashion District Hotel - CB4/SLA Applications

Bcc: wborock@hotmail.com; n15mstr@mac.com; steve@w15ba.com; jjasper@gc.cuny.edu; paul@groncki.com; eric.bomze@gmail.com; willrogers@gmail.com; acevedoandassociates@gmail.com; craigs1029@aol.com; craig.slutzkin@outlook.com; jakmail@earthlink.net; clkupper@aol.com; 'Ethan.Felson@jewishfederations.org'; 'laranjeirag@gmail.com'; 'sallygmg@gmail.com'; 'beacon195@aol.com'; 'germanygerald@aol.com'; 'm@melissa-stern.com'; 'mwalshny@yahoo.com'; 'pamela@angel.net'; dfranco243@earthlink.net; fcmgt@me.com; merle.levine@gmail.com; neil@neilsekirk.com; cott@nyc.rr.com; alberttaylor@gmail.com; lesley@lyrichord.com; eleanor@quiltedcorner.com; 300wba@gmail.com; phyllisswaisman@gmail.com; 'zazelloven@yahoo.com'; 'mis@nyc.rr.com'; 'emce33@aol.com'; 'jblair@bobchristianson.com'; 'w400ba@gmail.com'; west25thstreetproject@gmail.com; 'susanb1011@aol.com'; 'shulman@speakeasy.net'; 'fdenthunter@gmail.com'; 'dwatersh@gmail.com'; bkeany@pennsouth.coop; education@pennsouth.coop; andyhummm@aol.com; tenants@ltta.info; donna@donnalangman.com

Dear Sir or Madam,

I received your contact information from Manhattan Community Board 4 and I am writing on behalf of our client, 152 W 26 Street Rest, LLC, an entity owned by Gil Rubenstein who owns, as you may know, has owned/operated the food and beverage facilities at Yotel for a number of years.

I am writing in connection with applications to be filed with the New York State Liquor Authority for Mr. Rubenstein's company to take over the food and beverage operations at the Hilton New York Fashion District Hotel at 152 West 26th Street.

This hotel currently has liquor licenses for a restaurant/bar located on the ground floor and lower level and for its rooftop, but those licenses are held by Rare Chelsea Rest Group LLC. Since Mr. Rubenstein's entity will take over those food and beverage operations, he will be applying for licenses in the name of *his* entity.

Mr. Rubenstein's overall method of operation will be similar to what was previously approved and has been operating. Aside from changing the food menu and seating configurations of the ground floor and cellar level restaurant and hotel bar & lounge and rooftop, we will be asking for the ability to open the roof beginning at 7am *but only for serving breakfast to hotel guests and with no alcohol service or music until 11am*, when the space would be open for brunch/lunch (the current CB4 approval stipulates a 3pm opening time). *For the cellar space only*, we will also be asking to have the type of incidental live musical and spoken word performances that Mr. Rubenstein offers at Yotel -- all of this would be viewed by people from their table or bar seats, i.e., the cellar will not be open to standees and there will be no patron dancing, or even space for patron dancing. That said, because the cellar is the only space for private events, the only time there may be people dancing is if the space is fully booked for a private corporate/holiday party, wedding, bar/bat mitzvah reception, etc. or on New Year's Eve. There are no changes other than described above; i.e., we are not seeking to change the approved closing hours or the premises' permitted occupancy.

Mr. Rubenstein's applications will be heard by Community Board 4's Business Licenses & Permits Committee on Tuesday, November 12, 2019. The meeting begins at 6:30 pm and it will be held at the Fountain House, 425 West 47th Street, Lower Level.

In the meantime, please feel free to contact me if you have any questions or would like additional information about these applications.

Thank you,
Carmelo Arteaga



Carmelo Arteaga, Paralegal
Davidoff Hutcher & Citron LLP,
605 Third Avenue, New York, NY 10158
Firm: 212.557.7200 Direct: 646.428.3202
Fax: 212.286.1884 Cell: 718.916.5753
Email: caa@dhclegal.com

	First Name	Last Name	Email
Council Chelsea Block Association (include him for everything in Chelsea aside from his block)	Bill	Borock	wborock@hotmail.com
100/200 West 15 Street	Kimon	Retzos	n.15mstr@mac.com
100/200 West 15 Street	Steve	Starosta	stve@w15ba.com
300 West 15th Street	Jim	Jasper	jasper@ac.cuny.edu
100 West 16th Street	Paul	Grocni	paul@strocki.com
100 West 16th Street	Eric	Bomze	eric_bomze@gmail.com
200 West 16th Street	Will	Rogers	willrogers@gmail.com
Fulton House Tenant Association (W 16th St. to W 19th St. from 9th/10th Avenue)	Miguel	Acevedo	acevedoanassociates@gmail.com
100 West 17th/18th Street	Craig	Slutzkin	craig_slutzkin@outlook.com, craigs1029@aol.com
100 West 17th/18th Street	Judy	Klein	jakmail@earthlink.net
300 West 18th/19th Street	Cheryl	Kupper	ckupper@aol.com
300 West 18th/19th Street (President)	Ethan	Felson	Ethan.Felson@jewishfederations.org
300 West 18th/19th Street	Gloria	Lowe	laramielrag@gmail.com
100 West 19th/20th/21st/22nd Street	Bill	Borock	wborock@hotmail.com
100 West 19th/20th/21st/22nd Street	Sally	Greenspan	sallygmg@gmail.com
100 West 19th/20th/21st/22nd Street	Diane	Nichols	beacom195@aol.com
100 West 19th/20th/21st/22nd Street	Gerald	Germany	germanvca@aol.com
100 West 19th/20th/21st/22nd Street	Melissa	Stern	m@melissa-stern.com
100 West 19th/20th/21st/22nd Street	Michael	Walsh	mwalshny@yahoo.com
100 West 19th/20th/21st/22nd Street	Pamela	Wolff	pamela@angel.net
200 West 19th/20th/21st/22nd/23rd Street	Dotlie	Francoire	dfranco243@earthlink.net
200 West 19th/20th/21st/22nd/23rd Street	Pat	Cooke	fcngt@me.com
200 West 19th/20th/21st/22nd/23rd Street	Merle	Lister	merle_livine@gmail.com
200 West 19th/20th/21st/22nd/23rd Street	Neil	Selkirk	neil@neilselkirk.com
500 West 19th Street	Carol	Ott	cott@nyc.rr.com
300 West 20th Street	Albert	Taylor	albertaylor@gmail.com
300 West 20th Street	Leslie	Doyel	lesley@vrichord.com
300 West 21st/22nd/23rd Street	Eleanor	Horowitz	eleanor@cultedcorner.com
300 West 21st/22nd/23rd Street	Andra	Gabrielle	300wba@gmail.com
300 West 21st/22nd/23rd Street	Phyllis	Waisman	phylliswaisman@gmail.com
300 West 21st/22nd/23rd Street	Zazel	Loven	zazel@loven@yahoo.com
400 West 21st/22nd/23rd Street	Mary	Swartz	msw@nyc.rr.com
400 West 21st/22nd/23rd Street	Eileen	McElduff	emce33@aol.com
400 West 21st/22nd/23rd Street	Jean	Blair	jblair@bobchinstianson.com
400 West 21st/22nd/23rd Street	Karen	Jacob	w400ba@gmail.com
100 West 25th Street	Carla	Nordstrom	west25thstreetproject@gmail.com
100 West 26th Street	Susan	Buttenwieser	susanb1011@aol.com
100 West 26th Street	Dan	Shulman	shulman@speakeasy.net
Chelsea-Elliott Tenant Association (W 25th/26th Street from 9th/10th Avenue)	Florence	Dent	fdenthunter@gmail.com
Chelsea-Elliott Tenant Association (W 25th/26th Street from 9th/10th Avenue)	Darlene	Waters	dwatersh@gmail.com
Penn South (W 23rd to W 29th Street from 8th/9th Avenue)	Brandon	Kearny	bkearny@pennsouth.coop
Penn South (W 23rd to W 29th Street from 8th/9th Avenue)	Mario	Mazzoni	education@pennsouth.coop
London Terrace Towers (W 23rd/24th Street from 9th/10th Avenue)	Carl	Reinlib	(212) 675-2000
London Terrace Gardens (W 23rd/24th Street from 9th/10th Avenue)	Andy	Humm	andvhumm@aol.com
London Terrace Tenants Association	Inge	Ivchenko	tenants@lta.info
Hotel Americano			(212) 216-0000
Highline537	Scott	Hupe	212-838-3700
Donna Langman Costumes	Donna	Langman	donnat@donnalangman.com

BUILDING DESIGN			
State the name and type of business previously located in the space.	Rare Chelsea Restaurant Group LLC, d/b/a Rare		
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	Rare Chelsea Restaurant Group, LLC
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Do you plan any changes to the existing façade? If yes, please describe.	YES	<input checked="" type="radio"/> NO	
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> NO	N/A
Will applicant use a storm enclosure?	YES	<input checked="" type="radio"/> NO	N/A
Will applicant agree not to 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="checkbox"/> FRENCH DOORS	<input type="checkbox"/> GARAGE DOORS	<input checked="" type="checkbox"/> 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?	YES	<input checked="" 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?	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?	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 checked="" type="radio"/> YES	<input type="radio"/> NO	Applicant will maintain limiters on system and not have live or DJ music.
Will the kitchen exhaust system extend to the roof?	YES	<input checked="" type="radio"/> NO	No exhaust, electric kitchen/cook equipment.
Will the establishment have an illuminated sign?	YES	<input checked="" type="radio"/> NO	
Will the establishment have a canopy extending over the sidewalk?	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		

* Retractable Enclosure.

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ			
Has the applican/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="radio"/> YES	NO	
Will applicant use any outdoor spaces: rooftop, rear yard, patio, porch, balcony, pavilion, tents, deck or gazebo? If yes, which one(s)?	<input checked="" type="radio"/> YES	NO	
Are the floorplans for the outdoor space(s) included?	<input checked="" type="radio"/> YES	NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	YES	<input checked="" type="radio"/> NO	
Will the service and consumption of alcohol in any outdoor space only be via seated food service?	<input checked="" type="radio"/> YES	NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	<input checked="" type="radio"/> YES	NO	Separate outdoor space.
Will there be no amplified music, as per the law?	YES	<input checked="" type="radio"/> NO	Background recorded music will be played through speakers.
If amplified sound is played inside the establishment, will windows and doors be closed?	YES	<input checked="" type="radio"/> NO	
Will applicant agree to post signs outside asking customers to respect the neighbors'?	YES	NO	N/A
Will applicant agree to train staff to encourage a peaceful environment?	<input checked="" type="radio"/> YES	NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input checked="" type="radio"/> YES	NO	There will be some small speakers located throughout the premises to play low-level background recorded music.
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	NO	Background string lighting under retractable enclosure and around perimeter.

*The rooftop is next to a commercial office building and floors above nearby residential buildings.

OUTDOOR ITEMS – SIDEWALK CAFÉ			
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 will not use the rooftop space before 3 p.m. and will completely vacate it by midnight on Sunday - Wednesday and 1 a.m. on Thursday- Saturday
- There will be no live music or DJs on rooftop space
- Applicant will implement recommendations of acoustical report from Sound Associates dates 11/21/19 (copy attached) - including with respect to sound limiters, appropriate volume levels, speaker types and locations, etc.
- Applicant will not use outside promoters for rooftop space
- Applicant will close retractable glass enclosure on rooftop at 10 p.m. Sunday through Wednesday and 11 p.m. from Thursday through Saturday.

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:
 (MCB4's recommendation is based on a vote taken at its
 January 2, 2020 full board meeting, with 37 members voting in favor
 of the recommendation, 0 members opposed, 0 members
 abstaining and 0 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 <i>CB4 Assistant District Manager</i>	Frank Holozubiec <i>CB4 BLP Committee Co-Chair</i>	Yoni Bokser <i>CB4 BLP Committee Co-Chair</i>
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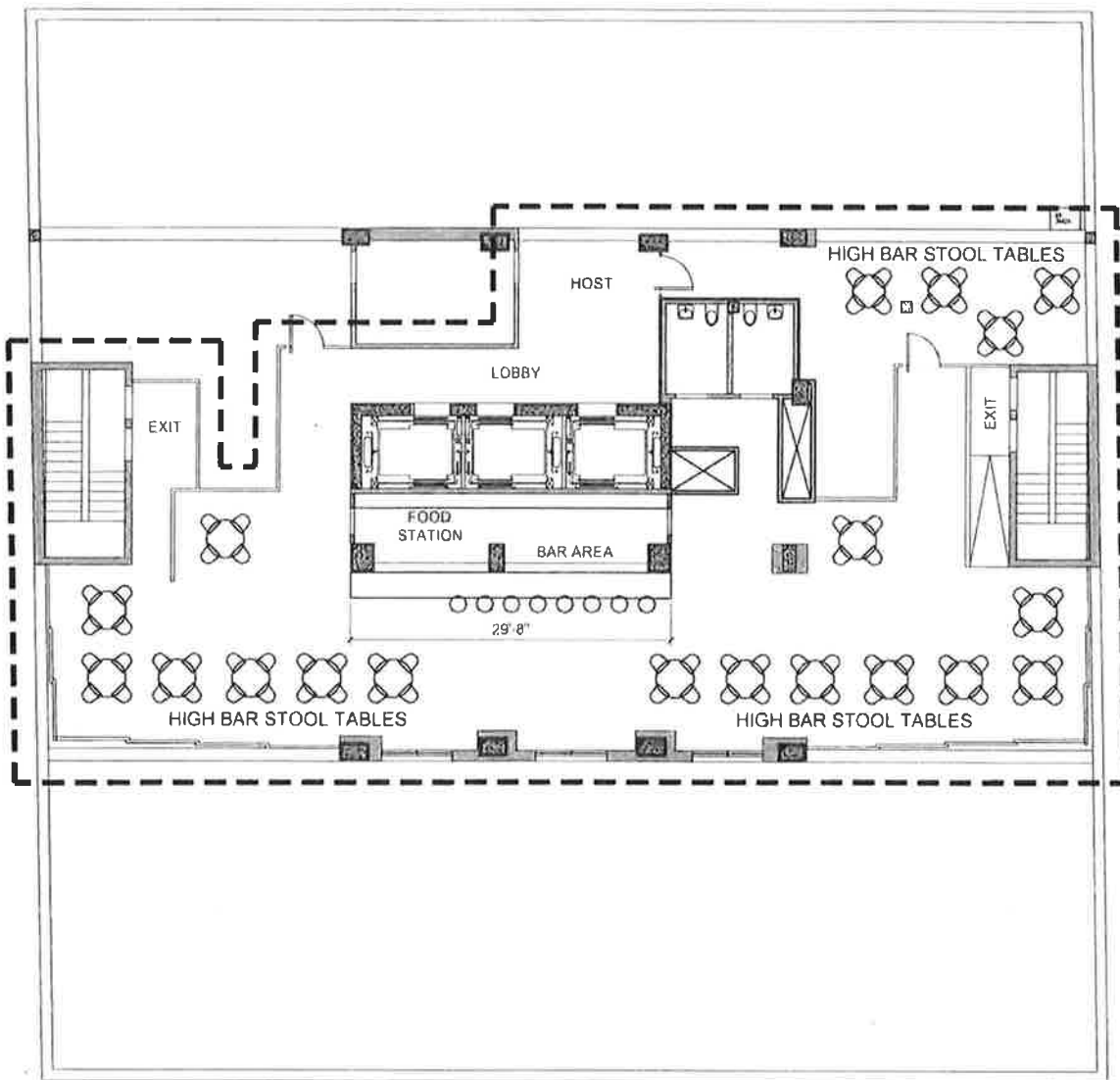
APPLICANT AGREEMENT WITH THE COMMUNITY

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.

<p>SIGN HERE →</p>	 PRINT NAME OF APPLICANT	 SIGNATURE OF APPLICANT	 DATE
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TAB 7

NUMBER OF SEATS	
BAR AREA	8 SEATS
STOOL TABLE	76 SEATS



ROOF

SCALE 1/16" = 1'-0"

PREMISES ADDRESS:
152 WEST 26TH STREET
NEW YORK, NY

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NOTE: LIQUOR LICENSE DIAGRAM USE ONLY

TAB 8

roof top

nibbles & noshes

<i>East Coast Oysters</i>	\$3/ea
hijiki seaweed, rice wine mignonette	
<i>Marinated Olives</i>	\$6
<i>House Chips & Dips</i>	\$9
homemade chips with our signature caviar dip	
<i>Grilled Cheese</i>	\$12
served with granny smith tomato compote	
<i>Uncle John's Panini</i>	\$13
asiago cheese, white truffle oil, ciabatta	
<i>Nachos</i>	\$14
salsa, guacamole, chihuahua cheese	
<i>Caramelized Fig Salad</i>	\$15
mission figs, blue cheese, arugula, basil, mint, walnuts & pomegranate vinaigrette	
<i>Oven-Roasted Baby Eggplant</i>	\$16
mission figs, blue cheese, arugula, basil, mint, walnuts & pomegranate vinaigrette	
<i>Tuna Tartare</i>	\$16
aramé seaweed, scallions, sesame-oil, corn flour crisp & citrus zest aioli	
<i>Classic Fish & Chips</i>	\$16
aramé seaweed, scallions, sesame-oil, corn flour crisp & citrus zest aioli	
<i>Candied Foie Gras</i>	\$18
aramé seaweed, scallions, sesame-oil, corn flour crisp & citrus zest aioli	
<i>Cheese Plate</i>	\$24
assortment of artisanal cheeses, fruit preserves & nuts	
<i>Tasting Board</i>	\$32
assortment of cured meats, artisanal cheeses & fruit preserves	

TAB 9

152 West 26th Street
New York, New York 10001

Current Photographs



152 West 26th Street
New York, New York 10001

Current Photographs



152 West 26th Street
New York, New York 10001

Current Photographs



152 West 26th Street
New York, New York 10001

Current Photographs



TAB 10



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

NYC Department of Buildings
Property Profile Overview

152 WEST 26 STREET		MANHATTAN 10001	BIN# 1015028
WEST 26 STREET	152 - 158	Health Area : 5200	Tax Block : 801
		Census Tract : 91	Tax Lot : 71
		Community Board : 104	Condo : NO
		Buildings on Lot : 1	Vacant : NO

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

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

Cross Street(s):	AVENUE OF THE AMERICAS, 7 AVENUE		
DOB Special Place Name:			
DOB Building Remarks:			
Landmark Status:		Special Status:	N/A
Local Law:	YES	Loft Law:	NO
SRO Restricted:	NO	TA Restricted:	NO
UB Restricted:	NO		
Environmental Restrictions:	N/A	Grandfathered Sign:	NO
Legal Adult Use:	NO	City Owned:	NO
Additional BINs for Building:	NONE		

Special District: UNKNOWN

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

Department of Finance Building Classification: H1-HOTELS

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

	Total	Open	
Complaints	142	0	Elevator Records
Violations-DOB	103	3	Electrical Applications
Violations-FCB (DOB)	96	0	Permits In-Process / Issued
Jobs/Fillings	81		Illuminated Signs Annual Permits
ARA / LAA Jobs	5		Plumbing Inspections
Total Jobs	86		Open Plumbing Jobs / Work Types
Actions	62		Facades
OR Enter Action Type:			Marquee Annual Permits
OR Select from List:	Select...		Boiler Records
AND <input type="button" value="Show Actions"/>			DEP Boiler Information
			Crane Information
			After Hours Variance Permits

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: 104786395T043

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: 00801	Certificate Type: Temporary
	Address: 152 WEST 26 STREET	Lot Number(s): 71	Effective Date: 10/04/2019
	Building Identification Number (BIN): 1015028		Expiration Date: 01/02/2020
		Building Type: New	

For zoning lot metes & bounds, please see BISWeb.

B.	Construction classification: 1-C	(1968 Code)
	Building Occupancy Group classification: J-1	(1968 Code)
	Multiple Dwelling Law Classification: HAEB	
	No. of stories: 21	Height in feet: 227
		No. of dwelling units: 0

C. Fire Protection Equipment:
None associated with this filing.

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

E. This Certificate is issued with the following legal limitations:
None

Outstanding requirements for obtaining Final Certificate of Occupancy:

There are 21 outstanding requirements. Please refer to BISWeb for further detail.

Borough Comments: None

Borough Commissioner

Commissioner

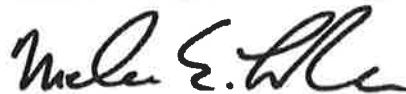
Certificate of Occupancy

CO Number: 104786395T043

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	20	OG	F-4		5	MEETING ROOMS
CEL	20	OG	J-1		5	EXERCISE ROOM
CEL	149	50	F-4		6	EATING & DRINKING
CEL		OG	B-2		5	STORAGE , LOCKER ROOMS , LAUNDRY ROOMS
CEL		OG	D-2		5	MECHANICAL AND METER ROOMS, COMPACTOR ROOM
SC1		OG	D-2		5	KITCHEN
SC1	40	OG	J-1		5	CONFERENCE ROOM
ME Z		50	D-2		5	MECHANICAL ROOMS
001		50	J-1		5	HOTEL LOBBY
001	30	50	F-4		6	EATING AND DRINKING
002 021		40	J-1		5	FOURTEEN (14) HOTEL ROOMS EACH FLOOR
RO F		40	D-2		5	MECHANICAL ROOMS
RO F	90		F-4		6	OUTDOOR ROOF TERRACE



Borough Commissioner



Commissioner



Certificate of Occupancy

CO Number: **104786395T043**

ROOFTOP TEMPORARY ENCLOSURE TO PROTECT AGAINST INCLEMENT WEATHER IS LIMITED TO A MAXIMUM OF FOUR MONTHS A YEAR. FOR ALL OTHER TIMES OF THE YEAR SUCH TEMPORARY ENCLOSURE SHALL HAVE NO SIDE PANELS AND THE SIDES SHALL REMAIN OPEN

END OF SECTION

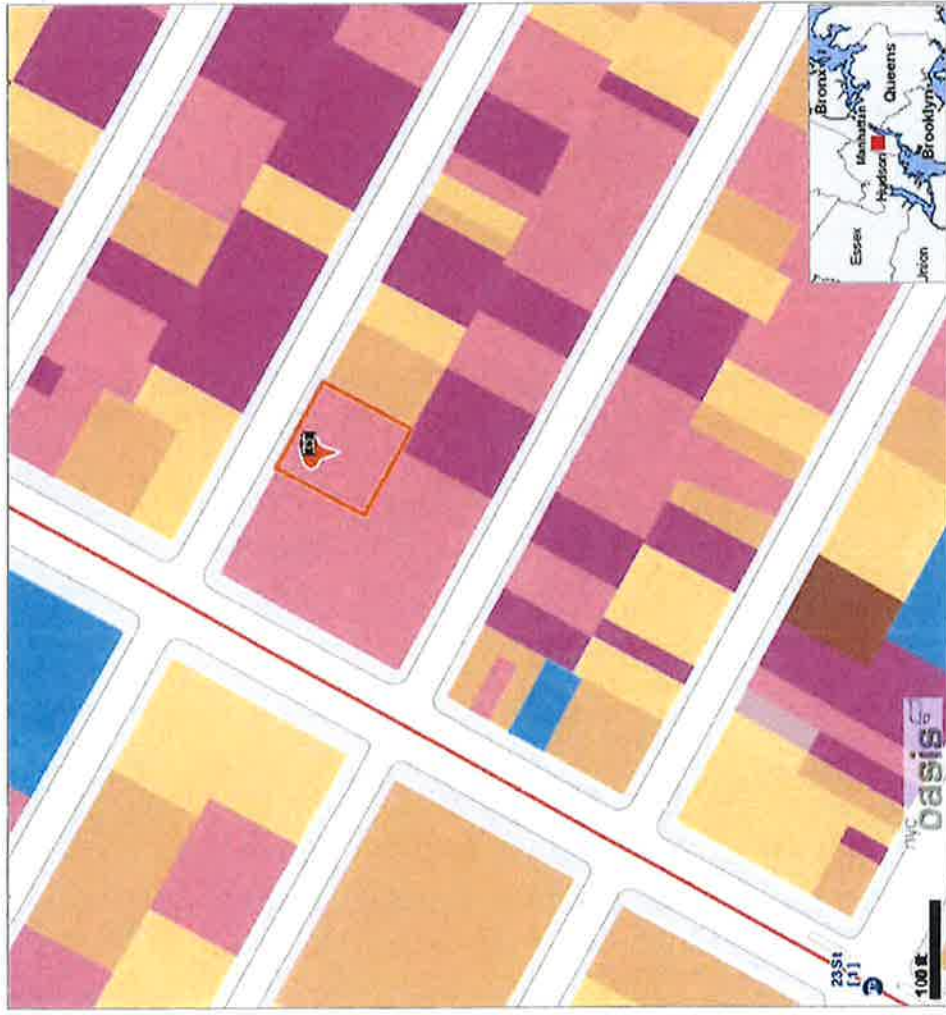
Borough Commissioner

Commissioner

END OF DOCUMENT

TAB 11

152 West 26th Street



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
 Forested Areas (NU)
 Community Gardens
 School property with garden
 Playgrounds
 Green Spaces Along Streets
 Golf Courses
 Baseball/Soccer/Football Fields
 Tennis/Basketball/Handball Courts & Trackers

Land Use
 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 roles about how the maps were developed. Contact oasisnyc@qc.cuny.edu with questions or comments. OASIS is developed and maintained by the [Center for Urban Research](http://www.cunyrurbanresearch.org), CUNY Graduate Center.

Location Report

Property Information (1)

152 WEST 26 STREET, MANHATTAN 10001

Commercial / Office Building

Owner: FASHION 26TH STREET,

Block: 801 Lot: 71

Property Characteristics:

Lot Area: 9,826 sq ft (99.5' x 98.75')

of Buildings: 1 Year built: 2010

Building frontage: 99.5' (Building frontage along the street measured in feet)

of floors: 21 Building Area: 122,236 sq ft

Total Units: 1 Residential Units: 0

Primary zoning: M1-6 Commercial Overlay: None

Floor Area Ratio: 12.44

Max. Allowable Residential FAR: 0

Max. Allowable Commercial FAR: 10

Max. Allowable Facility FAR: 10

Use Map: [Map](#) Allowable Floor Area Ratios are exclusive of all floors for plazas, plaza-connected open areas, arcades or other amenities that may be used on street widths or other characteristics. Contact [City Planning Dept.](#) for latest information.

MORE INFO:

- [Zoning Map #:](#) [8d](#) ([how to read NYC zoning maps](#))
- [Historical Zoning Maps:](#) [8d](#)
- [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:1008010071>

Source: [MapInfo](#) Max Block & Use files from the New York City Department of City Planning, 2018 (Ver. 15v1)

Manhattan (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@manhattan4.org

Website: <http://www.nyc.gov/mc4>

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 075](#)

NYS Senate: [District 27](#)

US House of Representatives: [District 12](#)

US Senate: [New York](#)

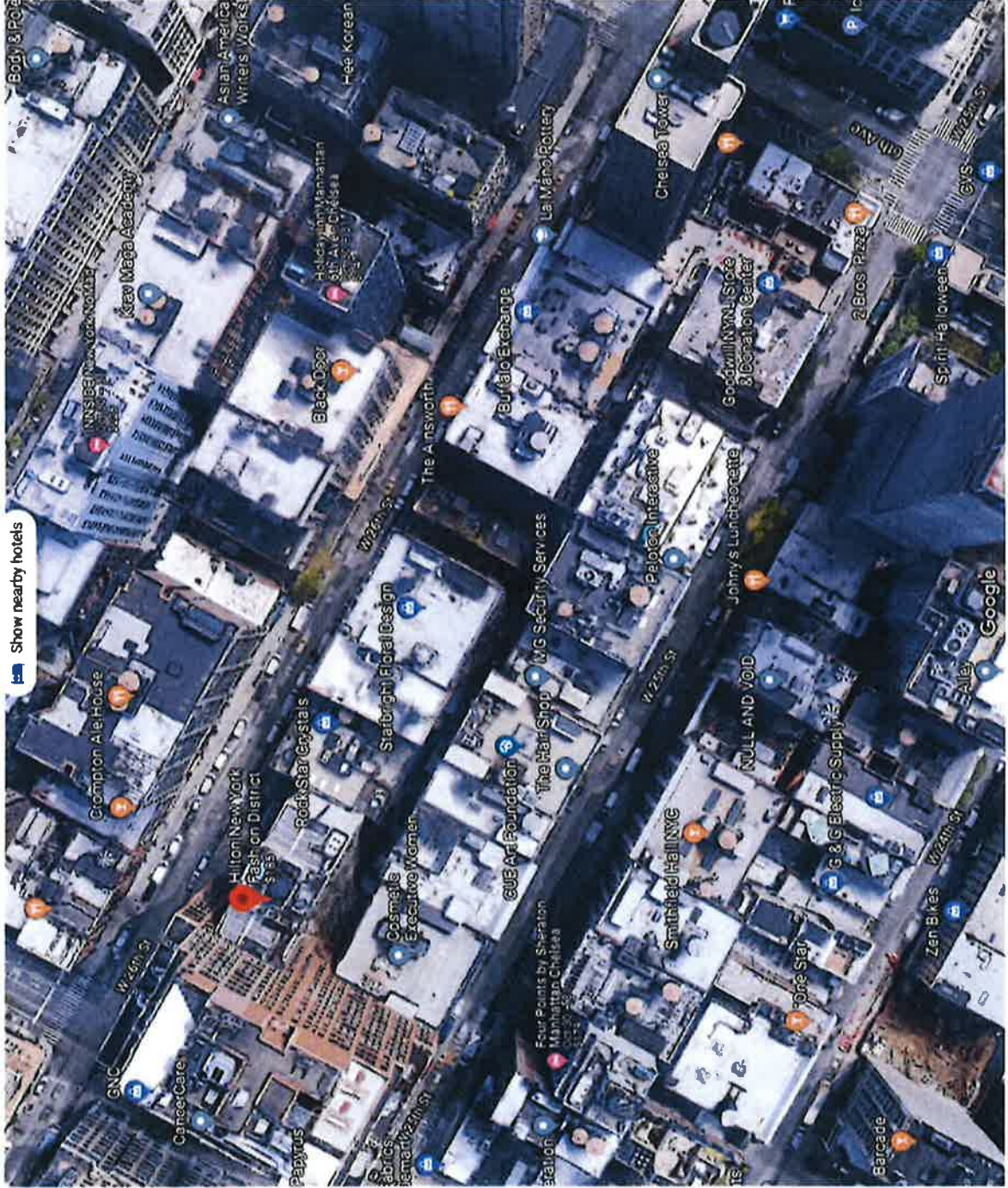
152 West 26th Street
New York, New York 10001

Block Plot Maps



152 West 26th Street
New York, New York 10001

Block Plot Maps



Proximity Report for Location:

October 25, 2019

152 W 26 St, New York, NY, 10001

* 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
BURGUNDY WINE COMPANY LTD	143 W 26TH STREET	315 ft
LANDMARK WINE & SPIRITS INC	167 W 23RD STREET	710 ft
GOURMET BAY INC	745 6TH AVE	735 ft
CLEARVIEW SPIRITS, INC.	99 WEST 27TH STREET	790 ft
WINE DISCIPLES LLC	129 W 29TH ST	935 ft
DELAUREN WINES INC	332 8TH AVE	1080 ft
MANOR HOUSE CELLAR INC, THE	676 6TH AVE	1160 ft

Churches within 500 Feet

Name	Approx. Distance
------	------------------

Schools within 500 Feet

Name	Address	Approx. Distance
------	---------	------------------

On-Premise Licenses within 750 Feet

Name	Address	Approx. Distance
RARE CHELSEA REST GROUP LLC,FASHION 26TH ST LLC &	152 158 W 26TH ST	15 ft
OUR NEW YORK VODKA LLC	151 W 26TH ST	115 ft
165 W 26TH REST LLC	165 W 26TH ST	140 ft
151DBS INC	151 159 W 26TH ST	185 ft
CHIPOTLE MEXICAN GRILL OF COLORADO LLC	283 7TH AVE	200 ft
MOXY RESTAURANT ASSOCIATES INC	138 W 25TH ST	320 ft
CHIK ASSOCIATES LLC	135 W 26TH STREET	380 ft
GOURMET EXPRESS LTD	137 W 25TH ST	410 ft
INNSIDE VENTURES LLC	132-142 W 27TH ST	430 ft
ROUGHLOCK LLC	127 WEST 26TH STREET	450 ft
FONDUE 26 LLC	122 W 26TH STREET	480 ft
ZAUO INC	152 WEST 24TH ST	485 ft
BICO I INC	121 125 W 26TH ST	495 ft
BARCADE NEW YORK LLC	148 W 24TH ST	520 ft
AVADOM INC	147 W 24TH ST	530 ft
MBG TAVERNS ON 6TH CORP	757 6TH AVE	650 ft
CHELSEA 26 LLC	249 W 26TH ST	655 ft

Name	Address	Approx. Distance
STIX CHELSEA 28 LLC	129 W 28TH ST	670 ft
THREE A PLUS INC	163 W 23RD ST	675 ft
ARAMARK EDUCATIONAL SERVICES LLC	227 W 27TH ST	680 ft
FORTUNA HOTEL CHELSEA LLC	127 W 28TH ST	685 ft
ANGELIC FOODS INC	101 W 25TH ST	690 ft
324 SEVENTH AVE REST CORP	324 7TH AVENUE	715 ft

Pending Licenses within 750 Feet

Name	Address	Approx. Distance
DIG INN 275 SEVENTH AVENUE LLC	275 SEVENTH AVE	170 ft
LA PITTURA INC	141 W 26TH ST	220 ft
WHOLE FOODS MARKET GROUP INC	260 7TH AVE	345 ft
WHOLE FOODS MARKET GROUP INC	250 7TH AVE	460 ft
LA NOXE LLC	315 SEVENTH AVE	535 ft
ANHEUSER BUSCH LLC	119-125 W 24TH ST	640 ft

Unmapped licenses within zipcode of report location

Name	Address
RAJ WINE LLC	PENN STATION
TVA BAKERY LLC	138 140 W 32RD ST
VIRGIN HOTELS NEW YORK LLC & LG BROADWAY MGMT INC	1205 1227 BROADWAY

500 Foot Public Interest Statement

The liquor licenses being sought are by 152 W 26 Rest, LLC (the "Applicant"), an entity owned by Gil Rubenstein, for certain ground floor, lower level, and rooftop premises located at/within the Hilton New York Fashion District Hotel at 152 West 26th Street, New York, New York 10001, between 6th Avenue and 7th Avenue (the "Premises").

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, use of certain 4th floor outdoor areas with background music until 12:30 a.m. on Sunday to Wednesday and until 1:30 a.m. on Thursday through Saturday, and a restaurant/lounge which hosts musical and other incidental entertainment in connection with its operation as an eating and drinking establishment (known as Green Room 42).

The entire Premises are licensed by the Authority to Rare Chelsea Restaurant Group LLC ("LLC") which was previously operating all of the food and beverage service within the hotel and, upon information and belief, the Premises have been licensed for over ten (10) years. In light of the Applicant being hired to replace Rare as the food and beverage operator throughout the hotel, the Applicant is applying for new On-Premises Liquor Licenses and the method of operation sought will be similar to what has been previously approved and operated at the hotel.

Specifically, the ground floor will continue to serve as the hotel's bar and lounge. This area will continue to have 1 stand-up bar, it will have approximately 8 bar seats, and then another 22 seats at tables. The ground floor bar area will also function as a space where patrons may be queued for the cellar level's restaurant. The restaurant will also have 1 stand-up bar, with 14 bar seats, approximately 75 seats at tables or benches, and another 24 tiered seats towards the rear. While the cellar level will continue to operate as a restaurant, the Applicant will also be having the same type of incidental live music and other spoken word performances that are currently operated at Green Room 42 as part of a dinner and a show experience. Notwithstanding this new aspect to the restaurant's dinner time operation on certain days of the week, there will continue to be no patron dancing (much less any space for patron dancing), there will be no change to the hours of operation, and the only time there may be a DJ is on New Year's or if the cellar is hired for a private or special event, such as a corporate holiday party, wedding or bar/bat mitzvah reception, etc. With respect to the rooftop, the only change to what has been previously approved and operated is that the Applicant is seeking to open the area beginning at 7am every day, but at that morning time the rooftop would be open to hotel guests only and there would be no music played and there would be no sales or service of alcohol beverages until 11:00 a.m. (when the rooftop would be open for brunch and lunch service). The rooftop will continue to have 1 stand-up bar (it will have 8 bar seats) and there will 19 tables with 76 seats at tables. There will also be no change to the rooftop's closing hour and there will continue to be only recorded music played at background levels.

The Premises are in an area that has become increasingly popular for residents and for commercial/retail purposes and, upon information and belief, there are approximately 12 on-premises licenses within 500 feet of the Premises. The licenses currently in effect appear to be

for a variety of businesses that operate as traditional restaurants (from quick service to table service), bars/taverns, or other hotels. The Applicant's proposed operation, while overall similar to what was previously operated at the Premises, will include the music and shows as part of the cellar level's restaurant operation which will distinguish it from the other licensed premises within the area. It is also noteworthy that many other similarly mixed areas of Manhattan will have 20 or 30, if not more, licenses within any 500 foot circle and so that grant of the liquor licenses to the Applicant will not unreasonably saturate the area and, perhaps most significant, the Premises have been licensed for over 10 years and so the grant of the Applicant's On-Premises Liquor Licenses will not add to the number of licenses in the immediate area.

The Premises are in building which has a Certificate of Occupancy to permit eating and drinking on the cellar, ground floor, and on the rooftop. The Applicant 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.

The Premises are within a 21-story hotel with a capacity for over 500 people, it is easily accessible to both the public busses running north along 6th Avenue and south along 7th Avenue as well as to several subway lines on West 23rd Street, the buildings next to the Premises are for used for commercial purposes (and the Premises' rooftop is many stories above any of the residential buildings in the immediate area), the restaurant's cellar level restaurant will have internal queuing on the days that there is a show and patrons will be allowed to enter before the show and stay after to prevent any mass entering or exiting, and, upon information and belief, the Premises have been licensed for over 10 years without having generated any community complaints related to the Premises' negatively impacting the neighborhood's quality of life.

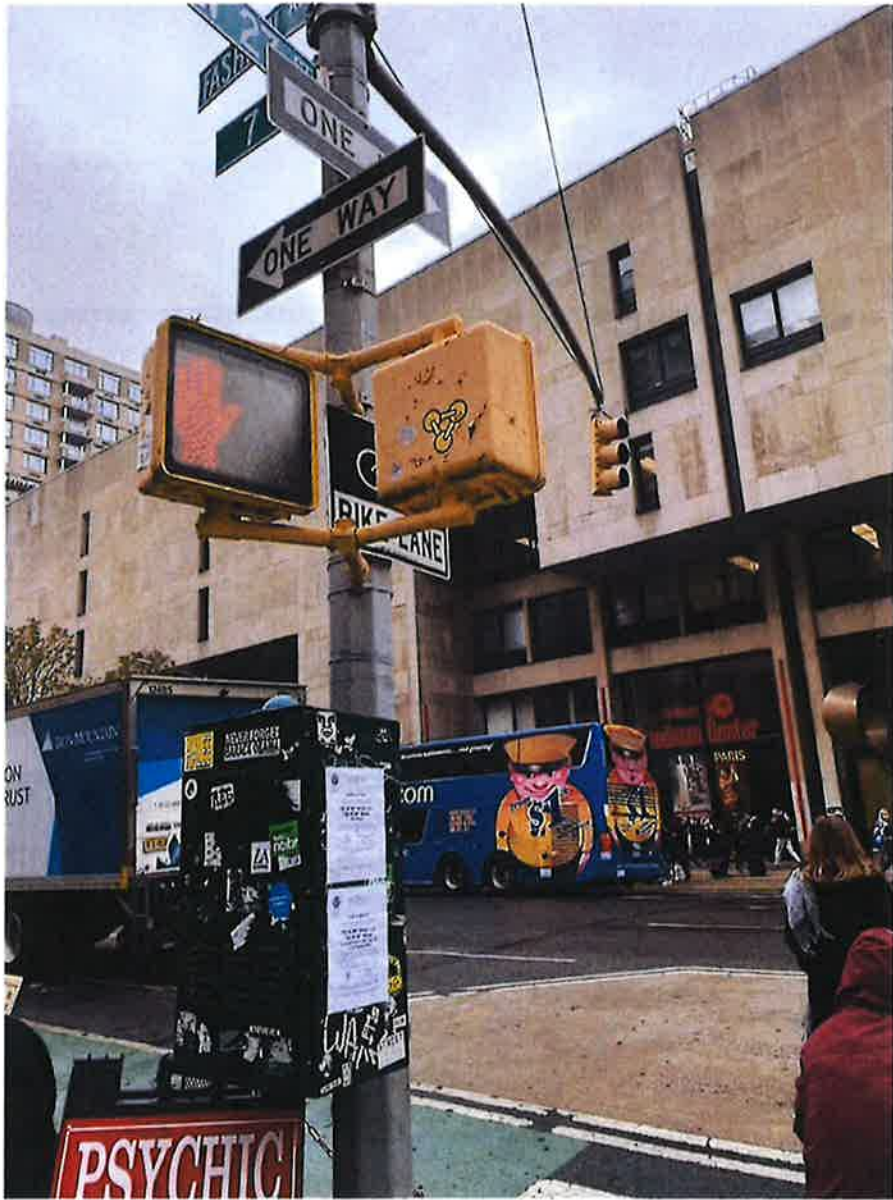
The Applicant's owner has been licensed by the Authority for many years and has experience operating licensed premises similar to the Premises described here. The Premises' proposed use will promote the public interest in that, among other things, its operation will provide an enjoyable experience and venue for New Yorkers and visitors alike and will promote New York's artistic and music scene by providing a venue to showcase new talent. 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.

TAB 12

Photographs of Notice Postings













CITY OF NEW YORK
 MANHATTAN COMMUNITY BOARD No. 4
 330 West 42nd Street, 20th Floor, New York, NY 10018
 Tel: 212-738-4336 Fax: 212-647-5612
 www.nyc.gov/mc4

QUINT LAGARRA
 Chair
 ALBERT SCORSA
 District Manager

PUBLIC NOTICE

Business Licenses and Permits Committee
 will discuss an application submitted by

**152 W 26th Street LLC
 152 W 26th Street
 (Rooftop)**

An application for a liquor, wine, beer & cider
 license for a Restaurant Establishment with Recorded
 Music

DATE: Tuesday, November 12, 2019
TIME: 8:30 PM
PLACE: Fountain House
 425 W 47th Street, Lower Level

We invite you to attend the meeting and give your comments on this application.
 Alternatively, you may email the details at the address listed above.
 For more information, please call 212-738-4336.

Printing according to the Administrative Code of the City of New York, Section 24-209.1(b)
 115. Please do not reproduce this notice without the proper printing permission.



CITY OF NEW YORK
 MANHATTAN COMMUNITY BOARD No. 4
 330 West 42nd Street, 20th Floor, New York, NY 10018
 Tel: 212-738-4336 Fax: 212-647-5612
 www.nyc.gov/mc4

QUINT LAGARRA
 Chair
 ALBERT SCORSA
 District Manager

PUBLIC NOTICE

Business Licenses and Permits Committee
 will discuss an application submitted by

**152 W 26th Street LLC
 152 W 26th Street
 (Ground Floor/Lower Level &
 Cellar Restaurant)**

An application for a liquor, wine, beer & cider
 license for a Restaurant/Music/Bar Establishment
 with a DJ, Recorded Music, Live Music (alternative,
 indie, jazz, contemporary, all types only in cellar),
 Music shows and performances (only in cellar)

DATE: Tuesday, November 12, 2019
TIME: 8:30 PM
PLACE: Fountain House
 425 W 47th Street, Lower Level

We invite you to attend the meeting and give your comments on this application.
 Alternatively, you may email the details at the address listed above.
 For more information, please call 212-738-4336.

Printing according to the Administrative Code of the City of New York, Section 24-209.1(b)
 115. Please do not reproduce this notice without the proper printing permission.

Valued Guest

In order to be
 all of our guests
 currently do not
 tenant to insure
 are able to provide

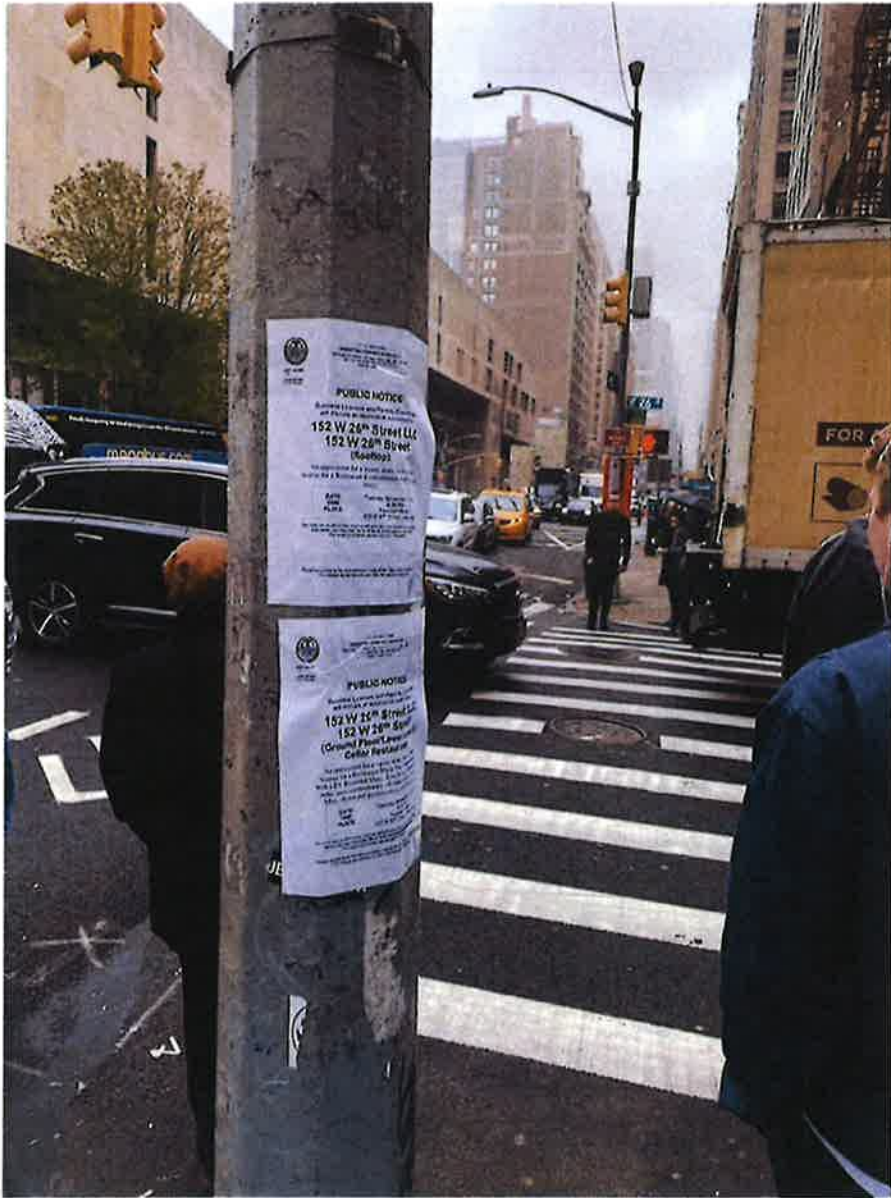
We sincerely
 might expect
 step by the Franchise
 as additional,

We thank you

-Hilton Management







PUBLIC NOTICE
Notice is hereby given that the following
property is being offered for sale at public
auction on the premises of the City of New York
at the City Hall, New York, New York, on
Monday, the 15th day of November, 2010, at
10:00 A.M.
The property is:
152 W 26th Street LLC
152 W 26th Street
New York, New York 10001
The property is being offered for sale at public
auction on the premises of the City of New York
at the City Hall, New York, New York, on
Monday, the 15th day of November, 2010, at
10:00 A.M.
The property is:
152 W 26th Street LLC
152 W 26th Street
New York, New York 10001

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152 W 25th Street
New York, New York 10001