

Manhattan Community Board 4
(All Fields Must Be Completed)

Liquor License/Sidewalk Cafe Stipulations Application

CORPORATION NAME RXR SL JV MT LLC and Marathonnotaspritz LLC		DOING BUSINESS AS (DBA) TBD	
STREET ADDRESS 601 West 26th Street		CROSS STREETS 11th and 12th Avenues	ZIP CODE 10001
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: RXR SL JV MT LLC	ATTORNEY/ REPRESENTAIVE	NAME: Alissa Yohey
	PHONE: (212) 924-3880		PHONE: (518) 282-6019
	EMAIL: timothy.wickes1@gmail.com		EMAIL: alissa.yohey@yoheylaw.com
MANAGER	NAME: Timothy Wickes	LANDLORD	NAME: RXR SL Owner LLC
	PHONE: (212) 924-3880		PHONE: (516) 506-6000
	EMAIL: Tim@16oncenterchicago.com		EMAIL: bcheeseman@rxrrealty.com
APPLICATION TYPE (<input checked="" type="checkbox"/> <i>Liquor License</i> <input type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i>)			
<input checked="" type="checkbox"/> 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?	National Marketplace LLC, 125 S. Clark St., Chicago IL 60603	
	What were the dates applicant was involved with this former premise?	7/15/2016 - Present	
<input type="checkbox"/> 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="checkbox"/> Alteration	What is the current license # and expiration date?		
	<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="checkbox"/> Restaurant (food hall) <input type="checkbox"/> Cabaret <input type="checkbox"/> Night Club <input type="checkbox"/> Hotel <input 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	Spring 2020
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 type="radio"/> YES	<input checked="" 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	7 am - 9pm	7 am - 9 pm	7 am - 9pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm
	Kitchen	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm
	Music	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm	7 am - 9 pm
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	Not Yet Known	1,026	45	331	2	10	35
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			

How many floors are there? What is the capacity for each floor?	One floor - ground floor	
How frequently will the owner(s) be at the establishment?	The manager of the premises will be on site 7 days a week	
Will there be dancing?	YES <input type="radio"/>	NO <input checked="" type="radio"/>
Will applicant have bottle or table service for beverage alcohol?	YES <input checked="" type="radio"/>	NO <input type="radio"/> There will be table cocktail service in the main bar area
Will you be hosting private; promotional or corporate events?	YES <input checked="" type="radio"/>	NO <input type="radio"/>
Will outside promoters be used on a regular basis? If yes please describe.	YES <input type="radio"/>	NO <input checked="" type="radio"/>
Will you have a security plan? If, yes please attach.	YES <input type="radio"/>	NO <input checked="" type="radio"/> There will be security throughout the premises 7 days a week
Will security plan be implemented?	YES <input type="radio"/>	NO <input type="radio"/> N/A
Will State certified security personnel be used?	YES <input checked="" type="radio"/>	NO <input type="radio"/>
Will New York Nightlife Association and NYPD Best Practices be followed?	YES <input checked="" type="radio"/>	NO <input type="radio"/>
Will applicant be using delivery bicycles? If yes, how many?	YES <input checked="" type="radio"/>	NO <input type="radio"/> 3
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 <input type="radio"/>
Where will delivery bicycles be stored during the day when not in use?	On-site storage within the interior of the premises	

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?	YES	<input checked="" type="radio"/> NO C/O is pending as the premises is still under construction.
Is a Public Assembly permit required?	<input checked="" type="radio"/> YES	<input type="radio"/> NO
Are your plans filed with DOB?	YES	<input checked="" type="radio"/> NO They will be.

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	Please see attached list
	# 2	
	# 3	
	# 4	
	# 5	
Please provide dates when applicant met with the groups listed above.	N/A	
Who was your contact person at each group you met with?	N/A	
When did applicant post the notice that was provided?	January 27, 2020	
Where did applicant post the notice that was provided?	At the building entrance on 11th Avenue	
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	<input type="radio"/> NO (312) 545-7850
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	<input type="radio"/> NO

BUILDING DESIGN			
State the name and type of business previously located in the space.	Verizon garage		
Has a liquor-licensed establishment previously occupied this space at any time? If yes, please provide the name of the business.	YES	<input checked="" type="radio"/> NO	
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	
Will applicant use a storm enclosure?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
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) N/A	FRENCH DOORS	GARAGE DOORS	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 type="radio"/> NO	N/A
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 type="radio"/> NO	N/A
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	The applicant will be doing so.
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?	YES	<input checked="" type="radio"/> NO	
Will the establishment have an illuminated sign?	<input checked="" type="radio"/> YES	<input 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?	AC unit is located in the Back of House area. It is a water cooled package unit		
When was the air conditioner installed?	2019		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ	N/A - NO OUTDOOR AREAS	
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 N/A - NO OUTDOOR AREAS			
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 cafe?	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)

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*

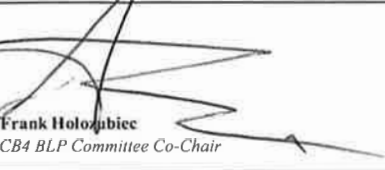
To the extent any additional stipulation on pages 7 and 8 of this application conflicts with any response on pages 1 – 6 of this application, the stipulations on pages 7 and 8 control.


Manhattan Community Board 4 (MCB4) recommends:
 (MCB4's recommendation is based on a vote taken at its
 March 4, 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
 CB4 Assistant District Manager


 Frank Holoubiec
 CB4 BLP Committee Co-Chair


 Yoni Bokser
 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 →	Alissa Yohey		02/05/2020
	PRINT NAME OF APPLICANT	SIGNATURE OF APPLICANT	DATE

ERIC SCHAMBOUSS
 AUTHORIZED
 PERSON



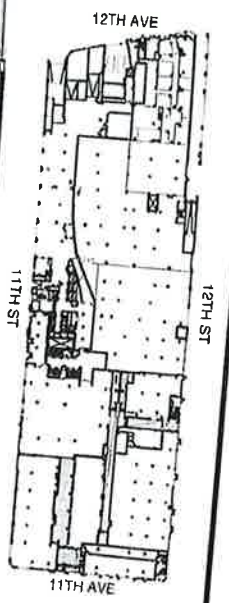
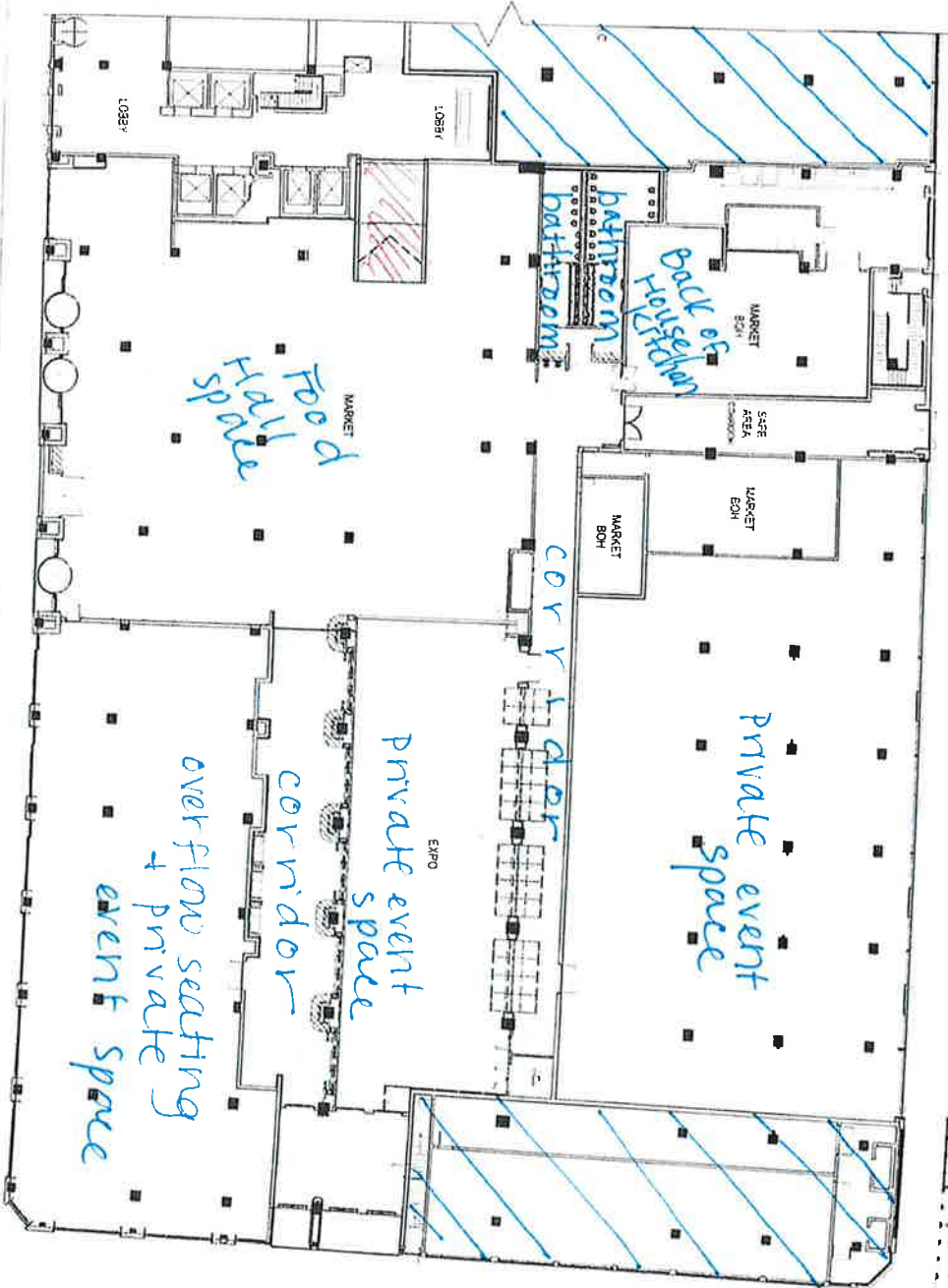
2/14/20

PUBLIC ACCESS AREA LEASE EXHIBIT

1ST FLOOR
601 WEST 26TH STREET
NEW YORK, NEW YORK

6,435 SF
SCALE: N.T.S.

PROJECT LOCATION:
DATE: NOV 13, 11
DRAWN BY: [signature]



KEY PLAN

RXR SL JV MT LLC and Marathonomotaspitz LLC
d/b/a TBD
601 West 26th Street
New York, NY 10001

Community Organizations Notified

Council Chelsea Block Association
100/200 West 15 Street
200 West 15th Street
100 West 16th Street
200 West 16th Street
Fulton House Tenant Association
100 West 17th/18th Street
300 West 18th/19th Street
100 West 19th/20th/21st/22nd Street
200 West 19th/20th/21st/22nd/23rd Street
500 West 19th Street
300 West 20th Street
400 West 20th Street
300 West 21st/22nd/23rd Street
400 West 21st/22nd/23rd Street
100 West 25th Street
100 West 26th Street
Chelsea-Eliot Tenant Association
Penn South
London Terrace Towers
London Terrace Gardens
London Terrace Tenants Association
Hotel Americano
Highline537
Donna Langman Costumes





RXR SL JV MT LLC and Marathomotaspitz LLC
d/b/a TBD
601 West 26th Street
New York, NY 10001

Menu

There will be ten (10) food locations operated by food vendors in the food hall. The food offerings of the ten (10) food vendors will be as follows: Seafood, Mediterranean, Hot Dog/Burger, Pizza, Smoothie/Juice Bar, Salad/Health Focused, Taqueria, Dim Sum, Bakery, Sushi. The exact vendors and their menus are still being determined.