

Manhattan Community Board 4

Liquor License/Sidewalk Cafe Stipulations Application

(All Fields Must Be Completed)

CORPORATION NAME		DOING BUSINESS AS (DBA)	
Quadrum 38 F&B, LLC. & GG W38, LLC.		Arlo Midtown	
STREET ADDRESS		CROSS STREETS	ZIP CODE
351 W. 38th Street, New York, New York, New York 10018		Between 8th & 9th Avenue	10018
OWNER <small>(Attach a list of all the people that will be associated/listed with the license)</small>	NAME: Quadrum 38, LLC.	ATTORNEY/ REPRESENTAIVE	NAME: Donald Bernstein Bernstein Redo, P.C.
	PHONE: (646) 668-5094		PHONE: (212) 651-3100
	EMAIL: arustgi@quadrumglobal.com		EMAIL: Donald@brpclaw.com
MANAGER	NAME: GG W38, LLC.	LANDLORD	NAME: Quadrum 38 LLC.
	PHONE: (212) 755-9619		PHONE: (646) 668-5094
	EMAIL: mferrer@gerberbars.com		EMAIL: arustgi@quadrumglobal.com
APPLICATION TYPE (<input checked="" type="checkbox"/> <i>Liquor License</i> <input type="checkbox"/> <i>Unenclosed Sidewalk Cafe</i>)			
<input type="radio"/> New	Has applicant owned or managed a similar business?	<input type="checkbox"/> YES	<input type="checkbox"/> NO
	What is/was the name and address of establishment?		
	What were the dates applicant was involved with this former premise?		
<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="checkbox"/> YES	<input type="checkbox"/> NO
	If alterations or operational changes are being made, please describe/list all changes.		
<input checked="" type="radio"/> Alteration	What is the current license # and expiration date?		
	Please list/describe the nature of all the changes and attach the plans: Change in Method of Operation and Alteration Application See Attached Letter Describing Change (Attachment 2)		
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 type="radio"/> Restaurant <input type="radio"/> Cabaret <input type="radio"/> Night Club <input checked="" 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 checked="" type="radio"/> YES	<input type="radio"/> NO	Applicant has a conditionally approved license and will file for its alteration after CB4 appearance
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	N/A - Not applicable to a change in method of operation and alteration application
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	N/A - Not applicable to a change in method of operation or alteration application
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		*** SEE RIDER ON	NEXT PAGE ***				
	Kitchen		*** SEE RIDER ON	NEXT PAGE ***				
	Music		*** SEE RIDER ON	NEXT PAGE ***				

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

BACKGROUND
 LIVE MUSIC*
 DJ
 JUKE BOX
 KARAOKE

* Private Events Only
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	1000+ (including guest rooms and meeting rooms)	1000+	59	232	0	2	12
OUTSIDE <i>(Other than sidewalk café)</i>	74	74	22	57	1	0	0
SIDEWALK CAFÉ							

How many floors are there? What is the capacity for each floor? 26

How frequently will the owner(s) be at the establishment? As needed - manager will be on-site daily

Will there be dancing? YES NO *Private events only

Will applicant have bottle or table service for beverage alcohol? YES NO

Will you be hosting private; promotional or corporate events? YES NO

Will outside promoters be used on a regular basis? If yes please describe. YES NO

Will you have a security plan? If, yes please attach. YES NO

Will security plan be implemented? YES NO

Will State certified security personnel be used? YES NO

Will New York Nightlife Association and NYPD Best Practices be followed? YES NO Applicant is for a hotel, not a nightclub or bar. Applicant will not have the Nightlife Assc. security guard requirement of 1:75

Will applicant be using delivery bicycles? If yes, how many? YES 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 - No delivery bicycles

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Restaurant							
Hours of Operations	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am
Kitchen*	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am
Music Types	Background						
Capacity (C of O)	81 Occupants						
Max. # of Persons Anticipated	72 Persons						
Number of Tables	23 Tables						
Number of Seats	72 Seats						
Number of Service Bars	0 Bars						
Number of Stand-Up Bars	0 Bars						
Number of Seats at Stand Up Bars	0 Bars						

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Lobby Bar							
Hours of Operations	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am
Kitchen*	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am
Music Types	Background, DJ, Live						
Capacity (C of O)	149 Occupants						
Max. # of Persons Anticipated	86 Persons						
Number of Tables	20 Tables						
Number of Seats	86 Seats						
Number of Service Bars	0 Bar						
Number of Stand-Up Bars	1 Bar						
Number of Seats at Stand Up Bars	12 Seats						

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Backyard (Courtyard)							
Hours of Operations	6am-12am	6am-12pm	6am-12pm	6am-12am	6am-12am	6am-12am	6am-12am
Kitchen*	6am-12am	6am-12am	6am-12am	6am-12am	6am-12am	6am-12am	6am-12am
Music Types	Background						
Capacity (C of O)	70 Occupants						
Max. # of Persons Anticipated	34 persons						
Number of Tables	8 Tables						
Number of Seats	34 Seats						
Number of Service Bars	0 Bars						
Number of Stand-Up Bars	0 Bars						
Number of Seats at Stand Up Bars	0 Seats						

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
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Rooftop Terrace							
Hours of Operations	6am-10pm	6am-10pm	6am-10pm	6am-10pm	6am-11pm	6am-11pm	6am-10pm
Kitchen*	6am-10pm	6am-10pm	6am-10pm	6am-10pm	6am-11pm	6am-11pm	6am-10pm
Music Types	Background						
Capacity (C of O)	74 Occupants						
Max. # of Persons Anticipated	58 persons						
Number of Tables	22 Tables						
Number of Seats	58 Seats						
Number of Service Bars	1 Bars						
Number of Stand-Up Bars	0 Bars						
Number of Seats at Stand Up Bars	0 Seats						

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Meeting Rooms							
Hours of Operations	8am-2am	8am-2am	8am-2am	8am-2am	8am-2am	8am-2am	8am-2am
Kitchen*	8am-2am	8am-2am	8am-2am	8am-2am	8am-2am	8am-2am	8am-2am
Music Types	Background						
Capacity (C of O)	87 Occupants						
Max. # of Persons Anticipated	70 Persons						
Number of Tables	15 Tables						
Number of Seats	70 Seats						
Number of Service Bars	0 Bars						
Number of Stand-Up Bars	0 Bars						
Number of Seats at Stand Up Bars	0 Seats						

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
Coffee Bar							
Hours of Operations	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am
Kitchen*	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am	6am-2am
Music Types	Background						
Capacity (C of O)	38 Occupants						
Max. # of Persons Anticipated	20 Persons						
Number of Tables	1 Table						
Number of Seats	4 Seats						
Number of Service Bars	0 Bars						
Number of Stand-Up Bars	1 Bar						
Number of Seats at Stand Up Bars	0 Seats						

*There is one kitchen in the hotel that will service all of the designated areas

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

Community Notification/Relations			
NOTIFICATION: List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted	# 1	[See Attached List of Outreach Activity (Attachment 3)]	
	# 2		
	# 3		
	# 4		
	# 5		
Please provide dates when applicant met with the groups listed above.		[See Attached List of Outreach Activity (Attachment 3)]	
Who was your contact person at each group you met with?		[See Attached List of Outreach Activity (Attachment 3)]	
When did applicant post the notice that was provided?		10/02/2020	
Where did applicant post the notice that was provided?		Street corners of 37th & 8th, 37th & 9th; 38th & 8th, 38th & 9th; and 39th & 8th, and 39th & 9th.	
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
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.	Commercial building / offices		
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.	<input checked="" type="radio"/> YES	NO	Previous building demolished - entirely new facade
Has the applicant/owner(s) read MCB 4 ADA Guidelines Memo?	<input checked="" type="radio"/> YES	NO	
Is the entrance ADA Compliant?	<input checked="" type="radio"/> YES	NO	
Do you plan any changes to the existing façade? If yes, please describe.	<input checked="" type="radio"/> YES	NO	Previous building demolished - entirely new facade
Will applicant have a vestibule within the establishment?	YES	<input checked="" type="radio"/> NO	
Will applicant use a storm enclosure?	YES	<input checked="" 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	NO	
Will applicant comply with the NYC noise code?	<input checked="" type="radio"/> YES	NO	
Will the establishment have any of the following: (circle all that apply)	<input checked="" 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	Applicant would like to keep operable windows open during reasonable hours when weather permits.
Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?	<input checked="" type="radio"/> YES	NO	
Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?	<input checked="" type="radio"/> YES	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	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	NO	
Will the establishment have a canopy extending over the sidewalk?	<input checked="" type="radio"/> YES	NO	
Where will the air conditioner be located? What type is it?	27th Floor Bulkhead		
When was the air conditioner installed?	Air conditioning system not yet installed		

OUTDOOR ITEMS - OTHER THEN SIDEWALK CAFÉ

Has the applicant/owner(s) read MCB 4 Rear Yard Rooftop Policy?	<input checked="" type="radio"/> YES	<input type="radio"/> 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	<input type="radio"/> NO	Rooftop will be used as a restaurant.
Are the floorplans for the outdoor space(s) included?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant close and vacate the outdoor space(s) by 11PM on Friday & Saturday and 10 PM on all other days?	<input checked="" type="radio"/> YES	<input 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	<input type="radio"/> NO	
Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will there be no amplified music, as per the law?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	Applicant requests the ability to have background music in rooftop dining area
If amplified sound is played inside the establishment, will windows and doors be closed?	<input type="radio"/> YES	<input checked="" type="radio"/> NO	As noted above, Applicant would like the ability to open operable windows when weather permits
Will applicant agree to post signs outside asking customers to respect the neighbors'?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant agree to train staff to encourage a peaceful environment?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will applicant provide effective sound control (landscaping enclosure, soundproofing tenants apartments)	<input checked="" type="radio"/> YES	<input type="radio"/> NO	
Will there be a lighting plan that allows safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="radio"/> YES	<input type="radio"/> NO	

OUTDOOR ITEMS – SIDEWALK CAFÉ NOT APPLICABLE

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)

- Rooftop outdoor space will be closed and vacated no later than 10 p.m. Sunday - Thursday, and 11 p.m. Friday & Saturday.
- Retractable roof on rear outdoor terrace on first floor will be fully closed at all times.
- All recommendations of acoustilog report dated 10/1/19 will be implemented and adhered to.
- There will be no planters next to street level doors or on sidewalk.
- There will be no outdoor music or speakers in front of building.

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
 November 4, 2020 full board meeting, with 44 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

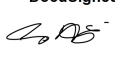

 Nelly Gonzalez
 CB4 Assistant District Manager


 Frank Holozubiec
 CB4 BLP Committee Co-Chair


 Burt Lazarin
 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.

<p>SIGN HERE →</p>	<p>Anoop Rustgi PRINT NAME OF APPLICANT</p>	<p>DocuSigned by:  <small>ACE6B795DBA041E...</small> SIGNATURE OF APPLICANT</p>	<p>October 13, 2020 DATE</p>
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Attachment #2

Description of Changes

Arlo

Hotels

September 25, 2020

Mr. Frank Holozubiec, Co-Chair
Mr. Burt Lazarin, Co-Chair
Business Licenses & Permits Committee
Manhattan Community Board 4
PO Box 2622
New York, NY 10108

Dear Co-Chairs Holozubiec and Lazarin,

In December 2019, the Arlo Hotel appeared before Manhattan Community Board 4's Business Licenses & Permits (BLP) Committee. With tremendous community support and outreach which included the Hells' Kitchen Neighborhood Association, Hudson Yards Hell Kitchen Neighborhood Association, Midtown South Precinct Community Council and the Garment Center BID coupled with a deep community engagement which also included the elected officials, and local residents - the BLP Committee and the full Community Board unanimously approved our application.

In our original proposal, we presented a roof top plan which limited this area to permitted usage only as an accessory provided through rental of the hospitality suite on the 26th floor. At the time, as part of our plan, no one had envisioned a worldwide pandemic that would bring our City, our State and tourism to a halt.

This has clearly altered our plans and the way we envision the service of food and hospitality to our guests and those who live, work, and visit our community.

Given that the rooftop represents our only outdoor service area, we are respectfully requesting that Community Board 4 approve a change in the method of operations which includes transferring the rooftop area from an accessory only area whereby rental of the hospitality suite is linked to the rooftop space to a public restaurant serving three meals daily as an amenity to our hotel guests and those within the community.

We respectfully request that this change be considered by the Committee and the full Community Board. As always, the Arlo team looks forward to continuing the partnership we have developed and look forward to remaining an active member of the community as we have continued to be.

Thank you for your time and attention as well as the careful and thoughtful consideration of this request.

Sincerely,

Amir Setayesh
Arlo Midtown

**Arlo 38th Street- Change in Method of Operations
Side By Side Comparison**

	December 2019 Proposal
Location (Indoor/Outdoor)	Roofftop
Method of Operation	Use only available through rental of the hospitality suite
Hours of Operation (Sun - Thursday)	6am - 10pm
Hours of Operation (Fri & Sat)	6am - 11pm
Food Service Hours	Same as noted above
Type of Music	Background
Capacity (CofO)	74
Max number of people including Employees Expected	66
Number of Tables	26
Number of Seats	66
Number of Service Only Bars	0
Number of Stand Up Bars	0
Number of seats at Stand Up Bar	0

**Arlo 38th Street- Change in Method of Operations
Side By Side Comparison**

October 2020 Proposal
Rooftop
Public restaurant
6am -10pm
6am -11pm
Same as noted above
Background
74
66
22
58
1
0
0

Attachment #3

Community Outreach

Arlo

Hotels

September 25, 2020

Mr. Frank M. Holozubiec, Co-Chair
Mr. Burt Lazarin, Co-Chair
Co-Chairs, Business Licenses & Permits Committee
Manhattan Community Board 4
PO Box 2622
New York, New York 10108

Dear Co-Chairs Holozubiec & Lazarin,

In December 2019, The Arlo Midtown Hotel appeared before Manhattan Community Board 4's Business Licenses & Permits Committee having completed extensive community and stakeholder outreach in advance of the application that was presented for approval before the Business Licenses & Permits Committee on Tuesday, December 10, 2019.

This outreach began eighteen months prior, in advance of beginning construction by circulating eblast to the local community and having met on a few occasions with the community board to inform them of the design of the building. Additionally, we were proud to partner with a number of organizations to help complete the canoe project – which represented the culmination of years of dedicated work by a number of local community activists and stakeholders.

The onset of the covid-19 pandemic has led us to request the consideration of a minor modification to the application that was widely supported in the community and unanimously by the BLP Committee.

Elected Officials

As part of these community outreach efforts, we met with the following elected officials or their designated staff members, who represent the property site on both the concept as well as the operations of the members' club.

Those elected officials include:

- Manhattan Borough President Gale Brewer (Brian Lewis)
- State Senator Brad Hoylman (Maia Berlow)
- State Assembly Member Richard Gottfried (Matthew Tighe)
- City Council Speaker Corey Johnson

Manhattan Community Board 4

On September 25, we briefed the Chairs of the BLP Committee along with neighbor and committee member Christine Berthet.

Community Organizations and local residents

As part of the broad outreach efforts we've made we have also met with the following organizations and had extensive conversations with the following:

- Hudson Yards Hells Kitchen Alliance
- Garment Center BID
- Hells Kitchen Neighborhood Association

Sincerely,

The Arlo Midtown Hotel Team



September 28, 2020

Mr. Burt Lazarin, Co-Chair
Mr. Frank M. Holozubiec, Co-Chair
Co-Chairs, Business Licenses & Permits Committee
Manhattan Community Board 4
330 West 42nd Street, 26th Floor
New York, New York 10036

Dear Co-Chairs Lazarin & Holozubiec,

Last year we sent the committee a letter of support for Arlo Midtown's application and were pleased that it was approved. Given the profound changes our community has experienced since their application was approved, outdoor amenity space is more critical than ever and we are pleased that this development continues to move toward completion. As a follow-up to our previous letter of support, we have reviewed the modification that is being requested and find it to be acceptable and worth of the community's support.

To remind you of our prior letter of support, we met with the Arlo Midtown team to review their plans. They provided an overview of their project and answered questions from the Alliance. The Arlo Midtown team expressed their commitment to the neighborhood and demonstrated how the project will add vitality to the area.

A few items of note that we were especially pleased with included:

- The addition of two new street trees along West 38th Street (between 8th and 9th Avenues) – we understand a feasibility study was conducted and the maximum number of trees feasible are being installed.
- The design of the loading dock, which will allow trucks to queue internally with the loading dock door closed, and the inclusion of a trash storage area in the lower level that is refrigerated.

We are pleased to see that the Arlo Midtown team has performed extensive community outreach and do not see any potential negative impacts associated with the project or the requested modification. The Garment District Alliance has no objection to the application.

Sincerely,

Jonathan Hawkins
Manager, Streetscape & District Planning



September 28, 2020

Mr. Burt Lazarin, Co-Chair
Mr. Frank M. Holozubiec, Co-Chair
Co-Chairs, Business Licenses & Permits Committee
Manhattan Community Board 4
330 West 42nd Street, 26th Floor
New York, New York 10036

Dear Co-Chairs Lazarin & Holozubiec:

The Hudson Yards Hells' Kitchen Alliance (HYHK) is a not-for-profit organization dedicated to enhancing the quality of life of the diverse population who lives, works and visits within the district. The Hudson Yards special district, encompassing W 30th to W 42nd Street and 9th to 11th Avenue, was created as part of an effort to grow Midtown's central business district, and to transform the area into a mixed-used space and pedestrian friendly space.

While the Arlo Midtown doesn't technically fall within the boundaries of the Alliance – we feel compelled to note that the developers of this project have already made significant contributions to the district in a variety of ways. Prior to beginning construction, they have shared their plans with us and throughout construction have kept the community apprised of construction activities on a weekly basis.

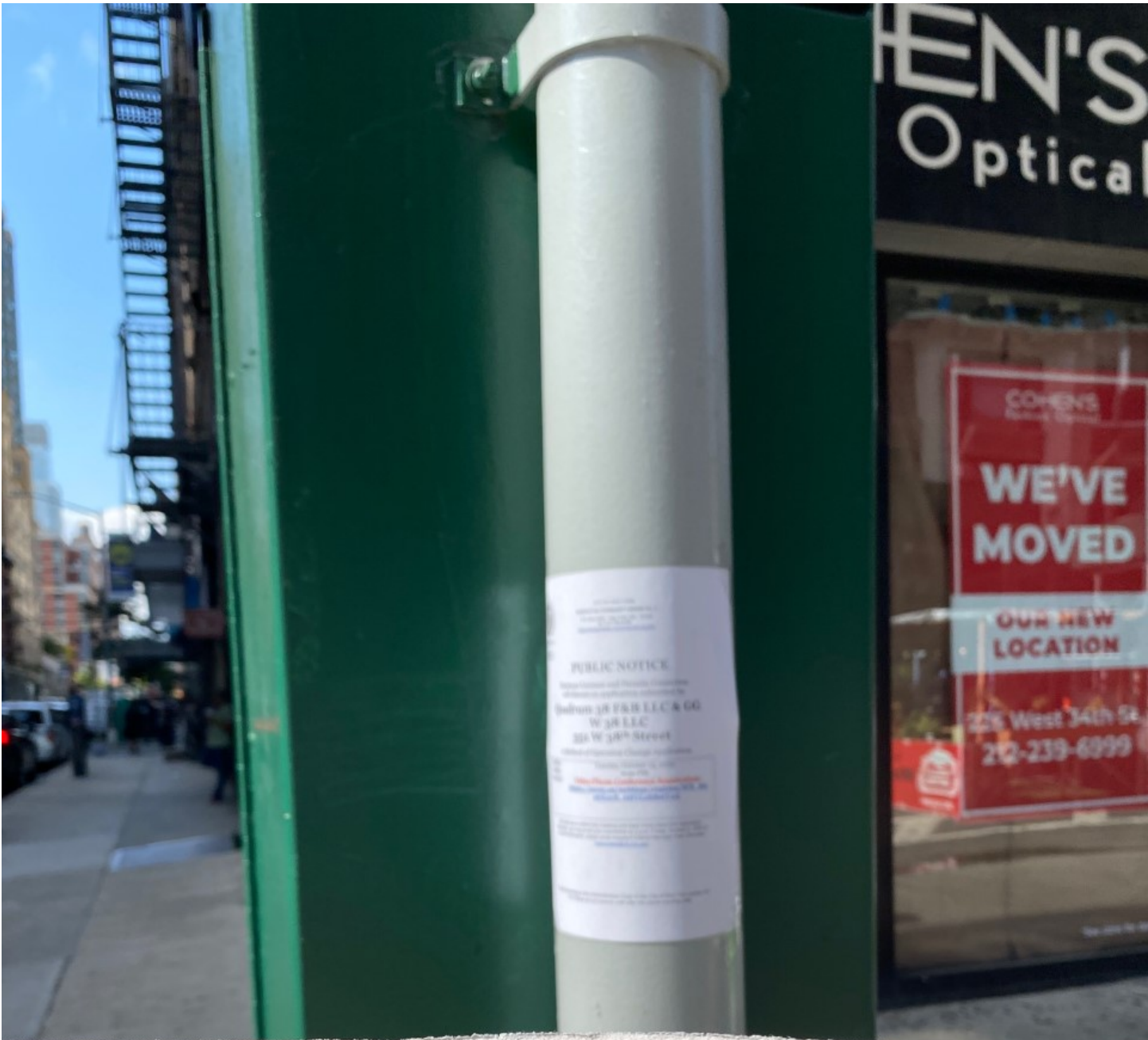
Further, we partnered with these applicants to complete the stalled canoe project – which after a decade of bureaucratic slowdown has finally been completed and enjoyed by many. Given the amount of change that has happened in the district a few short months after this approval and it is clear why the modification and need for outdoor space is crucial and their request remains consistent with the previous application which was approved unanimously by the committee and full Community Board with significant community support.

Thank you for your time and consideration.

Sincerely,

A handwritten signature in black ink that reads "Robert J. Benfatto, Jr." followed by a vertical line.

Robert Benfatto



The New York Times

2020 The New York Times Company NEW YORK, MONDAY, SEPTEMBER 28, 2020

Late Edition
Today, showers, afternoon sunshine, humid, high 78. **Tonight**, cloudy, warm, humid, low 68. **Tomorrow**, some sunshine, showers, high 76. Weather map appears on Page A24.

\$3.00

IT'S TAXES CHART CHRONIC LOSSES, BATTLE AND INCOME TAX AVOIDANCE

YEARS OF TRIP



W 37 St

ONE WAY

The New York Times

"All the News That's Fit to Print"

NEW YORK, MONDAY, SEPTEMBER 28, 2020

VOL. CLXX, No. 58,830

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PRESIDENT'S TAXES CHART CHINA AUDIT BATTLE AND INCOME TAX

Ransomware May Threaten Election Night

Officials Fear Hackers Will Sow Chaos

By NICOLE PERLROTH and DAVID E. SANGER

A Texas company that sells software that cities and states use to display results on election night was hit by ransomware last week, the latest of nearly a thousand such attacks over the past year against small towns, big cities and the contractors who run their voting systems.

Many of the attacks are conducted by Russian criminal groups, some with shady ties to President Vladimir V. Putin's intelligence services. But the attack on Tyler Technologies, which continued on Friday night with efforts by outsiders to log into its clients' systems around the country, was particularly rattling: less than 40 days before the election.



President Trump paid no U.S. income tax for much of the past two decades. Tax returns that the president fought to keep secret and were examined by The New York Times in a harsh light on his finances. He regularly reported losing far more than he made, and he has reduced his federal income tax bill many years to zero. The year he became president



The president is locked in an audit battle with the I.R.S. Mr. Trump claimed a \$72.9 million tax refund as his Atlantic City casino business. The move effectively erased the taxes he had paid on hundreds of millions of dollars in income from "The Apprentice" and from branding deals. The I.R.S. has been auditing the president and could force him to pay it back with interest and penalties: a sum that could



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This notice is published in accordance with the provisions of the New York State Public Access Law, Chapter 100 of the Laws of 2017, and the New York State Public Access Regulations, Chapter 100 of the Rules of the State Office of General Services, 2017. This notice is published in accordance with the provisions of the New York State Public Access Law, Chapter 100 of the Laws of 2017, and the New York State Public Access Regulations, Chapter 100 of the Rules of the State Office of General Services, 2017.



PUBLIC NOTICE
Notice is hereby given that the City of New York, Department of City Planning, is conducting a public hearing on the proposed Special Use Zoning for the site located at 224 W 28th Street, Manhattan, New York City. The hearing will be held on September 28, 2020, at 10:00 AM, at the City Planning Office, 110 West 30th Street, New York, NY 10018. The hearing will be held in person and via video conference. The hearing will be open to the public and anyone interested in the proposed zoning should attend the hearing to voice their comments. The hearing will be held in person at the City Planning Office, 110 West 30th Street, New York, NY 10018. The hearing will be held via video conference on Zoom. The Zoom link is available on the City Planning Office website. The hearing will be held on September 28, 2020, at 10:00 AM. The hearing will be held in person and via video conference. The hearing will be open to the public and anyone interested in the proposed zoning should attend the hearing to voice their comments. The hearing will be held in person at the City Planning Office, 110 West 30th Street, New York, NY 10018. The hearing will be held via video conference on Zoom. The Zoom link is available on the City Planning Office website.





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The New York Times

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IDENT'S TAXES CHART CHRONIC LOSS T BATTLE AND INCOME TAX AVERAGE



PUBLIC NOTICE
Public Works and Planning Department
City of New York
100 City Hall East
New York, NY 10002
Tel: (212) 312-3100
Fax: (212) 312-3101
www.nyc.gov

Proposed Project:
**Quadrum 28 F&B LLC & GG,
W 38 LLC,
321 W 38th Street**
A Method of Proposed Street Application

Project Location:
321 W 38th Street
City Block:
1000
City Grid:
1000
City Block:
1000
City Grid:
1000

Public Hearing:
Date: **September 28, 2020**
Time: **5:00 PM to 7:00 PM**
Location: **321 W 38th Street**

For more information, please contact:
Public Works and Planning Department
City of New York
100 City Hall East
New York, NY 10002
Tel: (212) 312-3100
Fax: (212) 312-3101
www.nyc.gov



Attachment #4

Updated Sound Report

ACOUSTILOG[®] INC.

00 Mercer Street NY NY 0000 000000000000 Fax 000000000000 www.acoustilog.com

September 18, 2020

Mr. Robert Hendrickson
Quadrum 38 LLC
261 5th Ave, Suite 1802,
New York, NY 10016

Re: New Hotel with Rooftop and Ground Level Terraces, Arlo Midtown, 351 West 38th Street,
New York, NY 10018

Dear Mr. Hendrickson,

I have previously provided a report, dated October 1, 2019 in which I stated that:

The design of the spaces and the level of ambient noise in the area will keep sound levels within Noise Code limits for the neighbors at all hours, and not time dependent. Recommendations are provided.

I understand that you are amending the use of the rooftop to public dining instead of being an amenity to the adjacent hospitality suite.

There will be no change in the number of seats.

Based on this information, there will be no acoustical factors that will change from the previous report and my existing recommendations remain the same to prevent noise disturbances to the neighbors from music and voices.

If I can be of further assistance, please call.

It is strongly recommended that all complicated construction projects get regular inspection visits at critical times, to make sure the system performs properly. This is an optional service which I can provide. All Acoustilog, Inc.-designed information supplied is for the original client and may not be copied in any way for different projects by any architect, consultant, engineer or other party. Copyright Acoustilog, Inc. © 2020. All rights reserved. No reproduction of any type permitted without written permission of Acoustilog, Inc.

Yours Truly,

Alan Fierstein



President
acoustilog1@verizon.net

All readings re: .0002 microbar. Readings taken with Bruel & Kjaer 2250/2260/2270 Analyzer, Bruel & Kjaer 4135, 4145, 4165, 4189 or 4190 Microphone, Acoustilog 232A Reverberation Timer. Calibrated to Bruel & Kjaer 4220 Sound Source or Quest CA-15A.

Attachment #5

Menu

ARLO HOTEL

351 West 38th Street
NY NY 10018

HUMMUS 16 (v)
crudité, pita chips

CHIPS & GUAC 20 (g/v)
blue corn tortilla chips

TUNA TARTARE 20
avocado, taro chips, sesame seeds, ponzu

FISH TACOS 18
red cabbage, pickled red onion, lime mayo

BEEF TACOS 14
black beans, manchego, tomato, lettuce, cream fraiche

QUESO BLANCO DIP 13
crumbled chorizo, diced tomato, serrano, micro cilantro

CHEESE + CHARCUTERIE BOARD 25

SLIDERS 16
potato bun, tomato, harissa aioli, lettuce with fries or salad

SMASHED AVOCADO TOAST 16 (v)
olive oil, aleppo chile on 7 grain toast

GRILLED CHEESE 13
aged gruyere, smoked mozzarella with fries or salad

MR. PURPLE BURGER 16
double patty, lettuce, tomato, american cheese

BUTTERMILK FRIED CHICKEN SLIDERS 17
bibb lettuce, kolhrabi slaw, aioli

KALE & BRUSSELS SALAD 16 (g)
toasted pistachio, pecorino, mint

CAESAR SALAD 16
romaine, kale, parmesan, croutons

COBB SALAD 17
romaine, avocado, bacon, blue cheese
add organic chicken +6
add grilled shrimp +7
add salmon +8

PROSCIUTTO FLATBREAD 18
mozzarella, parmesan, roasted garlic

MARGHERITA FLATBREAD 17
stracciatella, heirloom tomatoes, basil

SALT & PEPPER FRIES 10 (g)
aioli

VERMONT CHEDDAR FONDUE (SERVES 2-4 GUESTS)
romenesco, prosciutto, filone crutons, pretzel bites, asian pear, endive 45

CHOCOLATE FONDUE (SERVES 2-4 GUESTS)
toasted marshmallow, strawberries,
asian pear, blackberries, graham crackers, house made dark chocolate

35

Vegan (v), Gluten Free (g)

Attachment #6

Floor Plans

