

# Manhattan Community Board 4

# Liquor License Stipulations Application

(All Fields Must Be Completed)

|                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                         |                                                            |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------|------------------------------------------------------------|
| <b>CORPORATION NAME</b><br>42nd and 10th Hotel LLC, Yotel Management (New York) Co., LLC, and Green Fig NYC, LLC                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>DOING BUSINESS AS (DBA)</b><br>Yotel New York, Studio, and Green Fig |                                                            |
| <b>STREET ADDRESS</b><br>570 Tenth Avenue                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                  | <b>CROSS STREETS</b><br>Btwn. 41st and 42nd Street                      | <b>ZIP CODE</b><br>10036                                   |
| <b>OWNER</b><br><i>(Attach a list of all the people that will be associated/listed with the license)</i>                                                                                          | <b>NAME:</b> 42nd and 10th Hotel, LLC                                                                                                                                                                                                                                                                                                                                                                                                            | <b>ATTORNEY/ REPRESENTATIVE</b>                                         | <b>NAME:</b> Alexander Victor                              |
|                                                                                                                                                                                                   | <b>PHONE:</b> (646) 449-7700                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                         | <b>PHONE:</b> (212) 557-7200                               |
|                                                                                                                                                                                                   | <b>EMAIL:</b> c/o michael@yotelnewyork.com                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                         | <b>EMAIL:</b> abv@dhclegal.com                             |
| <b>Contact MANAGER</b>                                                                                                                                                                            | <b>NAME:</b> Gil Rubenstein                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>LANDLORD</b>                                                         | <b>NAME:</b> 42nd and 10th Hotel, LLC                      |
|                                                                                                                                                                                                   | <b>PHONE:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                         | <b>PHONE:</b> (646) 449-7700                               |
|                                                                                                                                                                                                   | <b>EMAIL:</b> gil@beancountersnyc.com                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                         | <b>EMAIL:</b> c/o Michael Teplin, michael@yotelnewyork.com |
| <b>APPLICATION TYPE (Check One)</b>                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                         |                                                            |
| <input type="radio"/> <b>New</b>                                                                                                                                                                  | 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"/> <b>Transfer</b>                                                                                                                                                             | What is the prior 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"/> <b>Alteration</b>                                                                                                                                                | What is the current license # and expiration date?                                                                                                                                                                                                                                                                                                                                                                                               | Serial No. 1259111, Expires January 31, 2018                            |                                                            |
|                                                                                                                                                                                                   | Please list/describe the nature of all the changes and attach the plans: <small>(1) Convert the coat room to an espresso/coffee bar, which will also function as a service bar. (2) Permit the banquet/meeting room to also be used for public eating and drinking w/ incidental entertainment.</small>                                                                                                                                          |                                                                         |                                                            |
| <b>METHOD OF OPERATION</b>                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                         |                                                            |
| <b>TYPE OF ALCOHOL</b>                                                                                                                                                                            | <input checked="" type="radio"/> Liquor/Wine/Beer <input type="radio"/> Beer <input type="radio"/> Wine & Beer                                                                                                                                                                                                                                                                                                                                   |                                                                         |                                                            |
| <b>ESTABLISHMENT TYPE</b>                                                                                                                                                                         | <input checked="" 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<br><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="checkbox"/> YES                                                                                                                                                                                                                                                                                                                                                                                                                     | <input checked="" type="radio"/> NO                                     | On or about January 19, 2016                               |
| 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="checkbox"/> 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="checkbox"/> 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="checkbox"/> NO                                             |                                                            |

**OPERATIONAL DETAILS (\*Closing time will be when establishment is vacated of all patrons )**

|                                       | MONDAY           | TUESDAY                                                                                                                              | WEDNESDAY | THURSDAY | FRIDAY | SATURDAY | SUNDAY |  |
|---------------------------------------|------------------|--------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|--------|----------|--------|--|
| <b>HOURS*</b><br><i>(Indoor Only)</i> | <b>Operation</b> | Hotel: 24 hours, daily<br>Restaurant: 7AM-4AM, daily (restaurant may open later or close earlier)                                    |           |          |        |          |        |  |
|                                       | <b>Kitchen</b>   | The full kitchen will typically operate from 7AM to 11PM but food will be available during all hours alcoholic beverages may be sold |           |          |        |          |        |  |
|                                       | <b>Music</b>     | During all hours of operation but in accordance with previously agreed upon stipulations (copy attached).                            |           |          |        |          |        |  |

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 checked="" 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 |
|-----------------------------------------------------|-------------------------------------|------------------------------------------------------------------------------|------------------|-----------------|-----------------------------|-------------------------|---------------------------------|
| <b>INSIDE</b>                                       | 316                                 | Up to 316                                                                    | ~45              | ~180            | 1                           | 1                       | Approx. 18                      |
| <b>OUTSIDE</b><br><i>(Other than sidewalk café)</i> | 142                                 | Up to 142                                                                    | ~30              | ~120            | 0                           | 1 (can be enclosed)     | 0                               |
| <b>SIDEWALK CAFÉ</b>                                | N/A                                 | N/A                                                                          | N/A              | N/A             | N/A                         |                         |                                 |

How many floors are there? What is the capacity for each floor? Hotel occupies 23 floors of the building.

How frequently will the owner(s) be at the establishment? Hotel GM is on site every day.

|                                                                                                                                                  |                                         |                                        |                                                                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------|----------------------------------------|------------------------------------------------------------------------------------|
| Will you be applying or intending to apply for a cabaret license with DCA? If yes, will there be dancing?                                        | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |                                                                                    |
| Will applicant have bottle or table service for beverage alcohol?                                                                                | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |                                                                                    |
| Will you be hosting private; promotional or corporate events?                                                                                    | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |                                                                                    |
| Will outside promoters be used on a regular basis? If yes please describe.                                                                       | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO |                                                                                    |
| Will you have a security plan? If, yes please attach.                                                                                            | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            | The hotel employs security.                                                        |
| Will security plan be implemented?                                                                                                               | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |                                                                                    |
| Will State certified security personnel be used?                                                                                                 | <input checked="" type="checkbox"/> YES | <input type="checkbox"/> NO            |                                                                                    |
| Will New York Nightlife Association and NYPD Best Practices be followed?                                                                         | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO | The premises are a hotel, there will not be 1 security guard for every 75 persons. |
| Will applicant be using delivery bicycles? If yes, how many?                                                                                     | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> 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? | <input type="checkbox"/> YES            | <input checked="" type="checkbox"/> NO | N/A                                                                                |
| Where will delivery bicycles be stored during the day when not in use?                                                                           | N/A                                     |                                        |                                                                                    |

The numbers provided above are for the food and beverage portion of the premises on the 4th floor. This floor has multiple rooms which are capable of multiple configurations depending on use (e.g., dining, private event, meeting space, etc.). The numbers indicated are approximations for the typical, day-to-day layout of the entire floor and include lounge, banquette, dining counter and communal seating areas.

| 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?                                                     | <input checked="" type="radio"/> YES | NO                                  |
| Are your plans filed with DOB?                                                            | <input checked="" type="radio"/> YES | NO                                  |

**Community Notification/Relations**

|                                                                                                                                                                                                                                                                                      |                                                                                                   |                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------|----------------------------------------------------------------|
| <b>NOTIFICATION:</b><br>List all block associations; tenant associations, co-op boards or condo boards of residential buildings; and community groups that applicant has notified regarding its application. For each please list both the organization and individual you contacted | # 1                                                                                               | Manhattan Community Board 4                                    |
|                                                                                                                                                                                                                                                                                      | # 2                                                                                               | See list attached.                                             |
|                                                                                                                                                                                                                                                                                      | # 3                                                                                               |                                                                |
|                                                                                                                                                                                                                                                                                      | # 4                                                                                               |                                                                |
|                                                                                                                                                                                                                                                                                      | # 5                                                                                               |                                                                |
| Please provide dates when applicant met with the groups listed above.                                                                                                                                                                                                                | Email notification sent on January 5, 2017                                                        |                                                                |
| Who was your contact person at each group you met with?                                                                                                                                                                                                                              | See list attached.                                                                                |                                                                |
| When did applicant post the notice that was provided?                                                                                                                                                                                                                                | On January 4 and 5, 2017                                                                          |                                                                |
| Where did applicant post the notice that was provided?                                                                                                                                                                                                                               | In window of Yotel, at 4 closest street corners, and distributed to nearby residential buildings. |                                                                |
| 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<br>Manager on duty: (917) 239-6560<br>Owner: (917) 551-0811 |
| Will applicant inform the Community Board office of its job openings and/or provide a hyperlink to applicants jobs webpage?                                                                                                                                                          | <input checked="" type="radio"/> YES                                                              | NO                                                             |

| First name     | Last name   | ORGANIZATION                                           | E-MAIL                                                                           |
|----------------|-------------|--------------------------------------------------------|----------------------------------------------------------------------------------|
| Kathleen       | Treat       | HKNA (incl. Dog Run)                                   | <a href="mailto:kathleentreat123@gmail.com">kathleentreat123@gmail.com</a>       |
| Frank          | Strock      | West 36th Street                                       | <a href="mailto:mcgee79@aol.com">mcgee79@aol.com</a>                             |
| Joe            | Restuccia   | CHDC (incl. Bob's & bird parks)                        |                                                                                  |
| Brian          | Kehoe       | 500-506 West 42nd Street T.A.                          |                                                                                  |
| Eduardo        | Zeiger      | West 43rd Street (b. 9th/10th)                         | <a href="mailto:eduardozeiger@compuserve.com">eduardozeiger@compuserve.com</a>   |
| Douglas        | Leland      | Manhattan Plaza T.A. (400 W. 43rd St.)                 | <a href="mailto:mpata@mptnanis.com">mpata@mptnanis.com</a>                       |
| Linda          | Ashley      | West 44 Street Better Block Association                | <a href="mailto:ashlevll@aol.com">ashlevll@aol.com</a>                           |
| Renee & Gordon | Stanley     | West 44th Street (b. 9th/10th)                         | <a href="mailto:twocatsld@worldnet.att.net">twocatsld@worldnet.att.net</a>       |
| Rudy           | Papiri      | West 45th Street BA                                    | <a href="mailto:Rudi_Papiri@timemagazine.com">Rudi_Papiri@timemagazine.com</a>   |
| Tim            | Tanner      | West 45th Street (b. 9th/12th)                         | <a href="mailto:tangotanner@gmail.com">tangotanner@gmail.com</a>                 |
| Chana          | Widawski    | West 46th Street (8th Ave to 12th Ave)                 | <a href="mailto:chanawid@gmail.com">chanawid@gmail.com</a>                       |
| Allison        | Tupper      | West 46 Street Block Association (8th Ave to 12th Ave) | <a href="mailto:AllisonTupper@verizon.net">AllisonTupper@verizon.net</a>         |
| Steve          | Fanto       | West 47th/48th Streets                                 | <a href="mailto:stephenfanto@gmail.com">stephenfanto@gmail.com</a>               |
| Phil           | Kassen      | West 47th/48th Streets                                 |                                                                                  |
| Elke           | Fears       | West 47th/48th Streets                                 | <a href="mailto:aefearshk@earthlink.net">aefearshk@earthlink.net</a>             |
| Larry          | Roberts     | West 47th/48th Streets                                 | <a href="mailto:larrymichaelroberts@gmail.com">larrymichaelroberts@gmail.com</a> |
| Jim            | Bogues      | West 47th/48th Streets                                 | <a href="mailto:jamesbogues@gmail.com">jamesbogues@gmail.com</a>                 |
| Chuck          | Vassallo    | West 47th/48th Streets                                 | <a href="mailto:chasmv@hotmail.com">chasmv@hotmail.com</a>                       |
| Stefan         | Riedl       | West 47th/48th Streets                                 | <a href="mailto:chluderernyc@yahoo.com">chluderernyc@yahoo.com</a>               |
| Nancy          | Roylance    | West 47th/48th Streets                                 | <a href="mailto:nancyroylance@ymail.com">nancyroylance@ymail.com</a>             |
| Karen          | Nightengale | Flats Tenants Association                              |                                                                                  |
| Maria          | Guzman      | Harborview Terrace T.A. (525 W. 55th St.)              | <a href="mailto:mariagnys@aol.com">mariagnys@aol.com</a>                         |
| Frank          | Baker       | 400 West 56th Street                                   |                                                                                  |
| Ellen          | Celnik      | The Aurora                                             | <a href="mailto:ecelnik@actorsfund.org">ecelnik@actorsfund.org</a>               |
| Richard        | Pimentel    | The Aurora                                             | <a href="mailto:rpimentel@commonground.org">rpimentel@commonground.org</a>       |
| Derrick        | Sage        | The Aurora                                             | <a href="mailto:dsage@commonground.org">dsage@commonground.org</a>               |
| Bill           | Strezempek  | The Camelot                                            |                                                                                  |
| Marjorie       | Kagen       | The Colonnade                                          | <a href="mailto:buzany@rcn.com">buzany@rcn.com</a>                               |
| Nancy          | Kyriacou    | Oasis Gardens I 10th Ave., b. 51/52                    | <a href="mailto:nkyriacou@yahoo.com">nkyriacou@yahoo.com</a>                     |
| Gary           | Dipasquale  | Oasis Gardens II 52nd St/10th Ave.                     | <a href="mailto:gdclay@att.net">gdclay@att.net</a>                               |
| J.D.           | Noland      | Midtown North Pct. Council                             | <a href="mailto:jeandaniel@aol.com">jeandaniel@aol.com</a>                       |
| John           | Mudd        | Midtown North/South Pct. Council                       | <a href="mailto:john.mudd@usa.net">john.mudd@usa.net</a>                         |
| William        | Otterson    | Midtown North/South Pct. Council                       | <a href="mailto:bill@midtownsouthhcc.org">bill@midtownsouthhcc.org</a>           |
| Carl           | Carmen      | Midtown North/South Pct. Council                       |                                                                                  |
| Sarah          | Desmond     | Housing Conservation Coordinators [10th Ave., b.52/53] | <a href="mailto:sdesmond@hcc-nyc.org">sdesmond@hcc-nyc.org</a>                   |
| Paul           | Loeb        | 300 W 55th St                                          | <a href="mailto:ploeb315@aol.com">ploeb315@aol.com</a>                           |
| Christine      | Gorman      | West 55th Block Association                            | <a href="mailto:west55ba@gmail.com">west55ba@gmail.com</a>                       |
| Steve          | Belida      | 50/51st Street Block Association                       | <a href="mailto:hk5051@gmail.com">hk5051@gmail.com</a>                           |
| Jeff           | Robins      | 50/51st Street Block Association                       | <a href="mailto:hk5051@gmail.com">hk5051@gmail.com</a>                           |
| Raul           | Larios      | Hudson Hotel Residents                                 | <a href="mailto:rriarios@hotmail.com">rriarios@hotmail.com</a>                   |
| Amanda         | Cernitz     | Westmore 333 W 57                                      | <a href="mailto:acernitz@gmail.com">acernitz@gmail.com</a>                       |
| Anita          | McDonagh    | Parc Vendome 340 W 57th Street                         | <a href="mailto:awm3333@me.com">awm3333@me.com</a>                               |
| Jesse          | Bondy       | Colonnade 347 W 57th Street                            | <a href="mailto:jessbondy@aol.com">jessbondy@aol.com</a>                         |

**Manhattan Community Board No. 4  
Clinton Block Association**

## **Victor, Alexander B.**

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**From:** Victor, Alexander B.  
**Sent:** Thursday, January 05, 2017 5:28 PM  
**To:** Alexander Victor (abv@dhclegal.com)  
**Cc:** Alexander Victor (abv@dhclegal.com)  
**Subject:** Yotel/Green Fig @ CB4 on 1/10/2017

Dear Sir or Madam,

I received your contact from Community Board 4 and I am writing on behalf of my clients 42nd and 10th Hotel LLC, Yotel Management (New York) Co., LLC, and Green Fig NYC, LLC which, collectively, own/operate the Yotel New York hotel and its food and beverage areas known as Green Fig and Studio at 570 Tenth Avenue (between 41<sup>st</sup> Street and 42<sup>nd</sup> Street)

We will be appearing at Manhattan Community Board 4's Business Licenses & Permits Committee Meeting on January 10, 2017 in connection with a corporate change and an alteration application to be filed with the State Liquor Authority.

The corporate change applies only to Green Fig NYC, LLC (the entity operating the 4<sup>th</sup> floor food and beverage service). The only change is that Gil Rubenstein, who is currently an owner and who is currently oversees the food/beverage operations, will become the sole owner of Green Fig NYC, LLC.

The alteration has two parts. The first is that the room currently being used as a coat check will be converted into a coffee/espresso counter, which will also function as a service bar (not a customer bar). The second is that there will be another table/seating layout for the meeting/banquet room (which room was previously used as the hotel's main restaurant area). The meeting room will continue to be used for various private events but, if not otherwise booked, it may be used by the public for eating and drinking with incidental live music.

Please note that CB4 and the SLA have previously approved the hotel to have live music and we are not asking for any changes to the hotel's permitted method of operation or to any of the existing stipulations we have with CB4.

This matter will be before CB4's BLP Committee on Tuesday, January 10, beginning at 6:30PM at the Intercontinental New York Times Square (300 West 44<sup>th</sup> Street).

If you have any questions about this application or would like additional information please contact me.

Thank you,  
Alex Victor



**Alexander B. Victor, Esq.**

Davidoff Hutcher & Citron LLP

605 Third Avenue, New York, NY 10158

Firm: 212.557.7200 Direct: 646.428.3293

Fax: 212.286.1884 Email: [abv@dhclegal.com](mailto:abv@dhclegal.com)

[Website](#)

| <b>BUILDING DESIGN</b>                                                                                                                                                                                                    |                                                     |                                    |                                                                                                                                                                          |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------|------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| State the name and type of business previously located in the space.                                                                                                                                                      | N/A - previously/currently Yotel                    |                                    |                                                                                                                                                                          |
| 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           | Yotel New York                                                                                                                                                           |
| Do you plan any changes to the existing façade? If yes, please describe.                                                                                                                                                  | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Will applicant have a vestibule within the establishment?                                                                                                                                                                 | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Will applicant use a storm enclosure?                                                                                                                                                                                     | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Will applicant not place any items or obstructions on the sidewalk, for example, sandwich boards, sidewalk signs, freestanding menus and plants, as per the law?                                                          | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Will applicant comply with the NYC noise code?                                                                                                                                                                            | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Will the establishment have any of the following: (circle all that apply)                                                                                                                                                 | <input checked="" type="radio"/> Sliding Partitions | <input type="radio"/> GARAGE DOORS | <input type="radio"/> WINDOWS THAT CAN BE OPENED                                                                                                                         |
| Will applicant close all windows, French doors, garage doors when any music or amplified sound (including televisions) is played inside the establishment?                                                                | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           | Not for light background music, but will close sliding partitions if there is an event with DJ/live music that might be heard outside if the partitions were not closed. |
| Will applicant close all windows, French doors, garage doors by 11 PM Friday and Saturday and 10 PM on all other days even if no music or amplified sound is played inside the establishment?                             | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Has applicant obtained an acoustical report from a certified sound engineer to assess potential noise disturbance to the neighboring residents and buildings?                                                             | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           | Done prior to original license being issued.                                                                                                                             |
| Will applicant follow the recommendations of a certified sound engineer to mitigate potential noise disturbance to the neighboring residents and buildings, including placing speakers on the floor of the establishment? | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Will the kitchen exhaust system extend to the roof?                                                                                                                                                                       | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Will the establishment have an illuminated sign?                                                                                                                                                                          | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Will the establishment have a canopy extending over the sidewalk?                                                                                                                                                         | <input checked="" type="radio"/> YES                | <input type="radio"/> NO           |                                                                                                                                                                          |
| Where will the air conditioner be located? What type is it?                                                                                                                                                               | Existing.                                           |                                    |                                                                                                                                                                          |
| When was the air conditioner installed?                                                                                                                                                                                   | Prior to hotel opening.                             |                                    |                                                                                                                                                                          |

**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            | 4th floor terrace                                                                                                                         |
| 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 type="radio"/> YES            | <input checked="" type="radio"/> NO | The licensee is licensed to have its outdoor area close at 12:30AM on Sun.-Wed. and at 1:30AM on Thurs.-Sat.                              |
| Will the service and consumption of alcohol in any outdoor space only be via seated food service?                                        | <input type="radio"/> YES            | <input checked="" type="radio"/> NO | The licensee has a stand-up bar that, weather permitting, is unenclosed.                                                                  |
| Will applicant not allow standing space for patrons to drink or smoke in any outdoor space(s)?                                           | <input type="radio"/> YES            | <input checked="" type="radio"/> NO | There is space for patrons to stand around the outdoor stand-up bar.                                                                      |
| Will there be no amplified music, as per the law?                                                                                        | <input type="radio"/> YES            | <input checked="" type="radio"/> NO | Per prior stipulations with CB4, there is music outside at background levels; however, there will be no live music or DJ located outside. |
| If amplified sound is played inside the establishment, will windows and doors be closed?                                                 | <input checked="" type="radio"/> YES | <input type="radio"/> NO            | If the amplified music being played inside is above background levels then yes.                                                           |
| Will applicant agree to post signs outside asking customers to respect the neighbors'?                                                   | <input type="radio"/> YES            | <input checked="" 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****\*\*N/A - No Sidewalk Cafe\*\***

|                                                                                                                                                                                                                                            |     |    |  |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|--|
| Has the applicant/owner(s) read MCB4 Sidewalk Café Policy?                                                                                                                                                                                 | YES | NO |  |
| Will applicant be applying for a sidewalk café now or in the future?                                                                                                                                                                       | YES | NO |  |
| Is applicant in this application seeking to include a sidewalk café in its liquor license?                                                                                                                                                 | YES | NO |  |
| If yes, has applicant submitted an application and plans to NYC Dept. of Consumer Affairs? Please attach application and plans.                                                                                                            | YES | NO |  |
| Will applicant close and vacate the sidewalk café by 11 PM on Friday & Saturday and 10 PM on all other days?                                                                                                                               | YES | NO |  |
| Will applicant be serving alcohol in the sidewalk café? If so, will you have waiter service?                                                                                                                                               | YES | NO |  |
| Will the café have a 3 ft. wide serving aisle running the entire length of the sidewalk 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 <sup>st</sup> and March 21 <sup>st</sup> , 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)**

- Capacity of outdoor space will be limited to 142 persons at all times
- All prior stipulations dated 7/23/13 (attached) remain in effect

***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.***

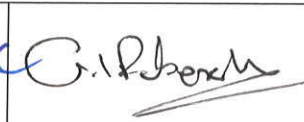
|                                                |                                                                                                                                                                                                 |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Manhattan Community Board 4 (MCB4) recommends: | <input checked="" type="radio"/> Denial unless all stipulations agreed to by applicant/owner are part of the method of operation<br><input type="radio"/> Denial <input type="radio"/> Approval |
|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**CB4 REPRESENTATIVES**

|                                                                                                                                                     |                                                                                                                                                   |                                                                                                                                                 |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|
| <br><b>Nelly Gonzalez</b><br><i>CB4 Assistant District Manager</i> | <br><b>Frank Holozubiec</b><br><i>CB4 BLP Committee Co-Chair</i> | <br><b>Burt Lazarin</b><br><i>CB4 BLP Committee Co-Chair</i> |
|-----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------|

**APPLICANT AGREEMENT WITH THE COMMUNITY**

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

|                    |                                |                                                                                    |             |
|--------------------|--------------------------------|------------------------------------------------------------------------------------|-------------|
| <b>SIGN HERE</b> → | GREEN FIG NYC LLC              |  | 1-10-17     |
|                    | <b>PRINT NAME OF APPLICANT</b> | <b>SIGNATURE OF APPLICANT</b>                                                      | <b>DATE</b> |

July 22, 2013

Yotel - CB4 Stipulations:

- 1) The hotel will operate as a 24 hour a day business but the indoor 4<sup>th</sup> floor restaurant and lounge areas will operate no earlier than 6:00 am and no later than 4:00 am, every day of the week. The 4<sup>th</sup> floor terrace (outdoor area) of the premises will operate no later than 12:30 am Sunday through Wednesday, and no earlier than 6:00 am and no later than 1:30 am Thursday through Saturday.
- 2) The sliding partitions separating the indoor and outdoor space will be kept closed no later than 10:00 pm Sunday through Thursday and no later than 11:00 pm Friday and Saturday. Those sliding partitions will also be closed during any private events in the indoor portion of the 4<sup>th</sup> floor where there is amplified music.
- 3) The fourth floor will have a total capacity of no more than 468, or as the premises' Place of Assembly Permit may allow.
- 4) There will be one stand up bar located entirely inside, a second stand up bar that will be partially inside and partially outside and a third stand up bar and seating on the outdoor terrace.
- 5) The service and consumption of alcohol on the fourth floor terrace will be primarily via seated food service and stand up bar service.
- 6) The licensee will follow the security plan as previously provided.
- 7) The licensee has engaged Acoustilog Inc. to conduct a reassessment of the premises' operation and physical layout and to make recommendations for potential additional sound attenuating measures, if any, that could be implemented at the premises.
- 8) To ensure that neighbors are not negatively impacted by sound emanating from the terrace, the licensee's security personnel will monitor the area.
- 9) The licensee intends to have live, background and DJ music in the inside space on the fourth floor; and live music or DJ music must use hotel equipment, including use of a limiter. Only music at background levels will be played in the outside space in compliance with the limitations as set forth in the report to be prepared by Acoustilog Inc. There will be no live music or DJ located on outdoor portions of the fourth floor.
- 10) The licensee is not applying for a cabaret license with this current application.
- 11) The licensee will retain all control and responsibility for operation and security of the establishment. If any outside promoter is used, their role will be limited to marketing.

July 22, 2013

- 12) Kitchen exhaust will be compliant with NY DOB code and will not unreasonably disturb residents.
- 13) Licensee will provide 24 hour contact details to CB4 and pertinent community representatives. Licensee will also use reasonable efforts to notify the Community Board and residents of planned upcoming large private events out of the ordinary course.
- 14) Licensee will arrange for representatives to attend Precinct Council Block Association and Community Board meetings, if requested, to address and resolve any community problems that may arise from this establishment. The hotel and community associations will report progress and/or issues back to CB4 regularly by email, writing or in person.

Agreed to:

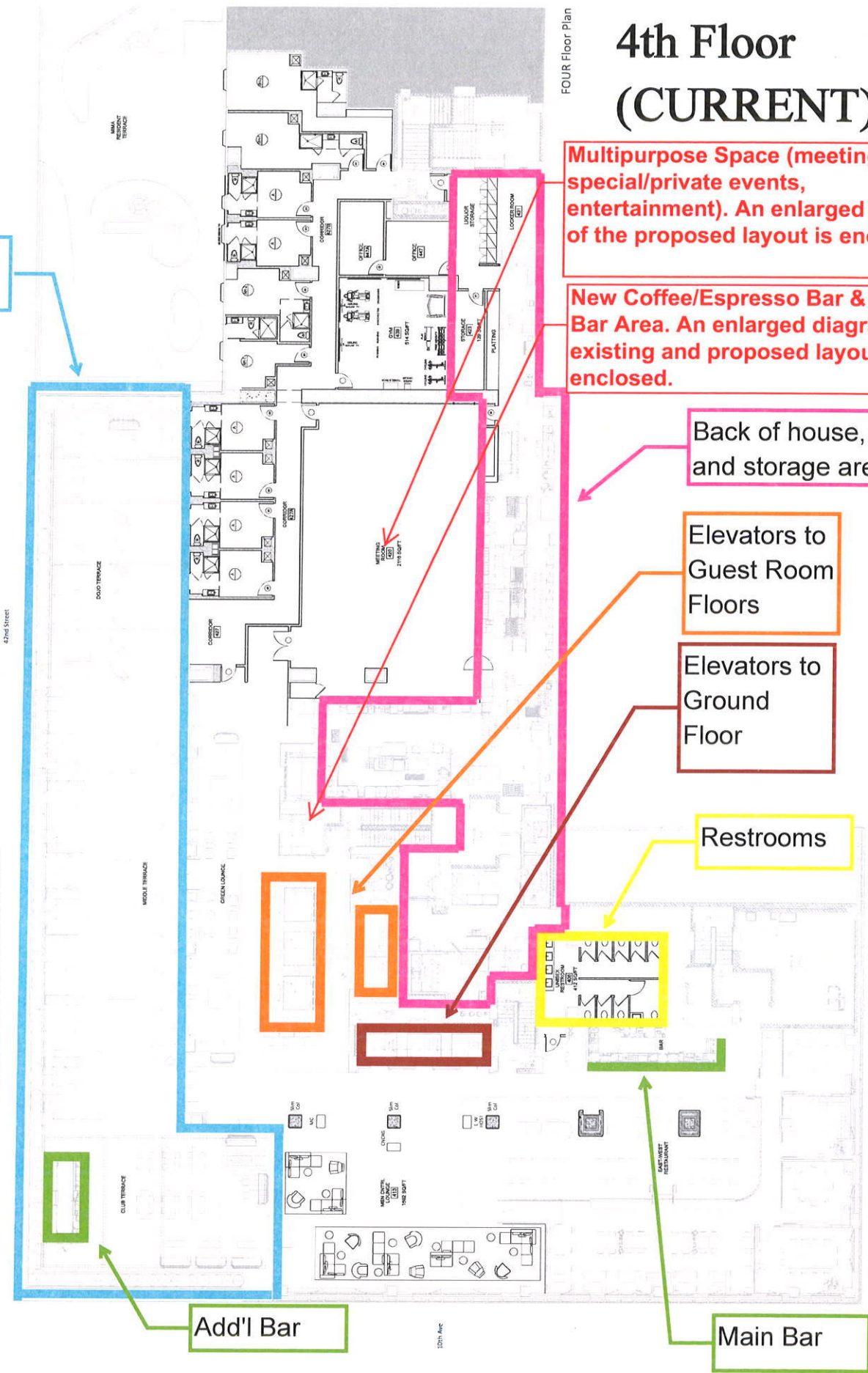
42<sup>nd</sup> & 10<sup>th</sup> HOTEL LLC

By: \_\_\_\_\_

A large, stylized handwritten signature in black ink is written over the signature line and extends upwards into the text area.

Outdoor Space

SOtel NEW YORK FOUR with CLUB LOUNGE IMPROVEMENTS  
Created 2 Feb 15, UPDATED 1 MAR 15



# 4th Floor (CURRENT)

FOUR Floor Plan

Multipurpose Space (meetings, special/private events, entertainment). An enlarged diagram of the proposed layout is enclosed.

New Coffee/Esspresso Bar & Service Bar Area. An enlarged diagram of the existing and proposed layout is enclosed.

Back of house, kitchen and storage areas.

Elevators to Guest Room Floors

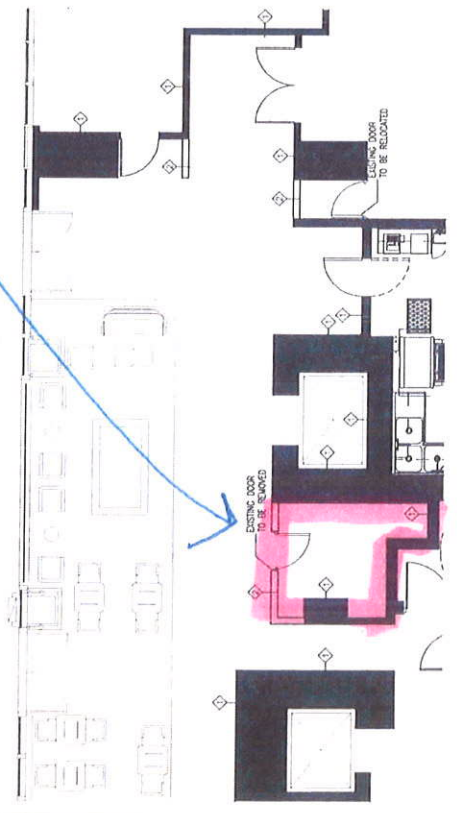
Elevators to Ground Floor

Restrooms

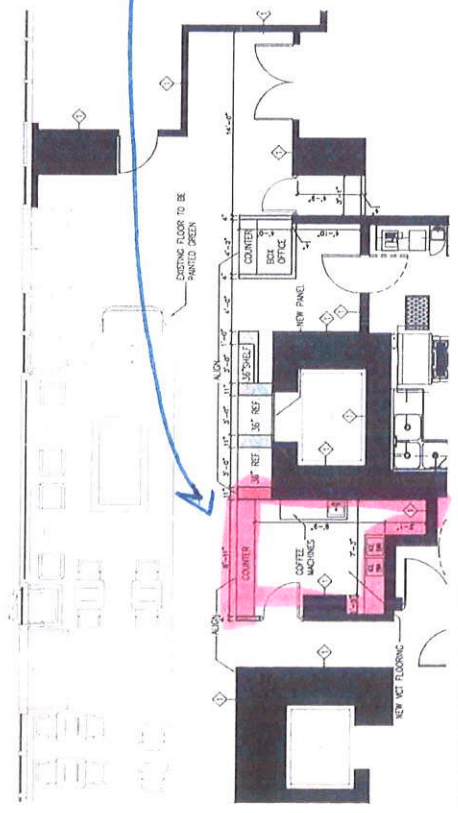
Add'l Bar

Main Bar

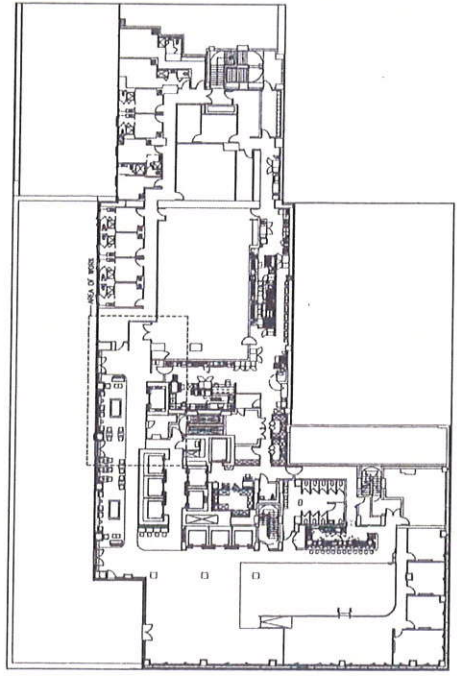
CURRENT COAT ROOM



1 DEMOLITION FLOOR PLAN - PARTIAL FOURTH FLOOR  
SCALE: 1/4" = 1'-0"  
A.100



2 PROPOSED FLOOR PLAN - PARTIAL FOURTH FLOOR  
SCALE: 1/4" = 1'-0"  
A.100



3 LOCATION PLAN  
SCALE: 1/4" = 1'-0"  
A.100

Proposed Coffee & Service BAR

ME ARCHITECT P.C.  
Architect P.C.  
100 W. 11th Street, New York, NY 10011  
Tel: 212 279 1234  
www.me-architect.com

THE DRAWING AND ANY INFORMATION CONTAINED HEREIN IS THE PROPERTY OF ME ARCHITECT P.C. AND IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREIN. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF ME ARCHITECT P.C.

DATE: 01/15/2020

REVISIONS

REVISIONS

PROJECT

NEW COFFEE BAR  
AT  
570 10TH AVENUE  
FOURTH FLOOR  
NEW YORK, NY 10036

DRAWN BY

EXISTING/DEMOLITION  
LAYOUT  
PROPOSED FLOOR PLAN

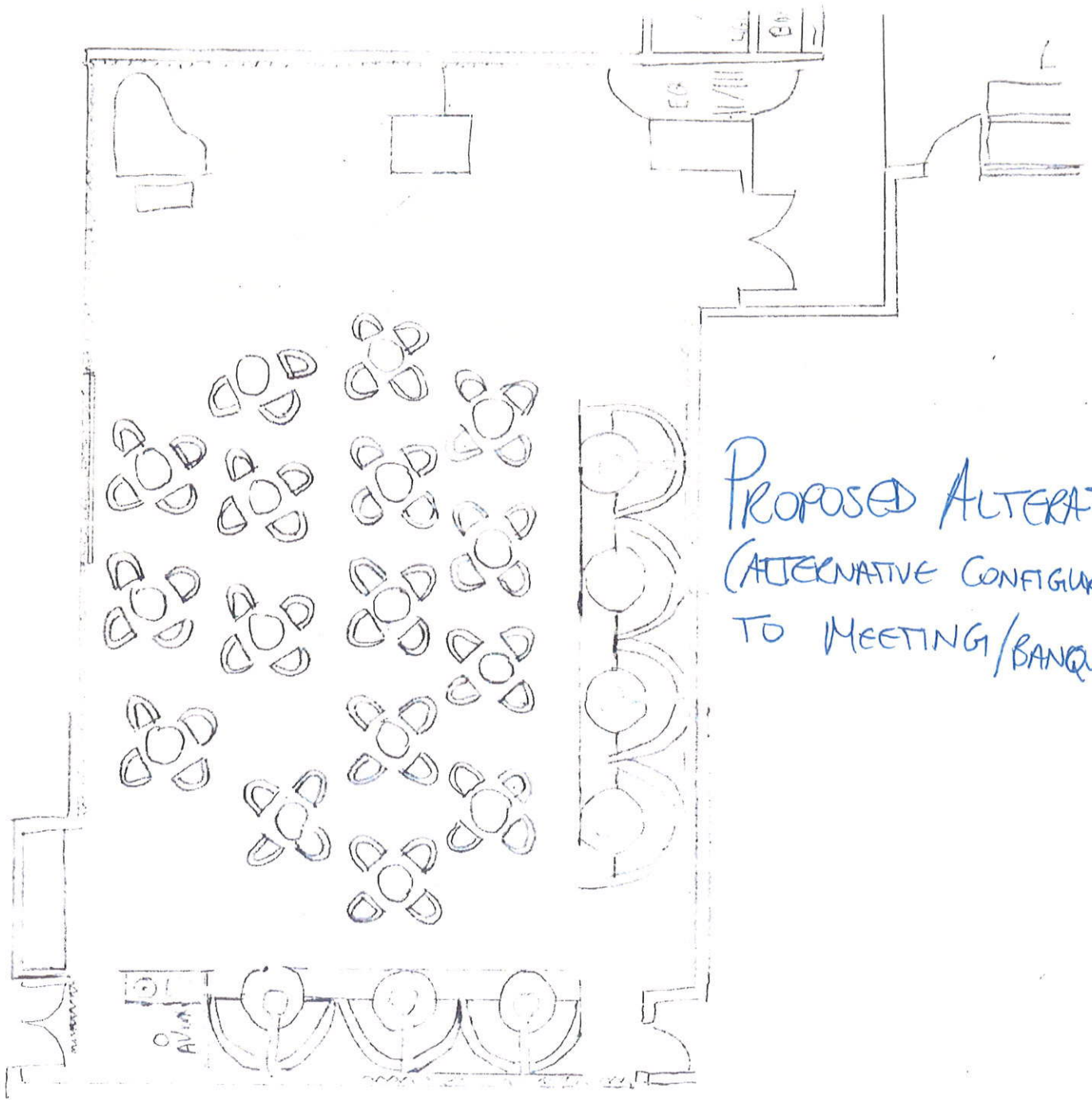
DATE: 01/15/2020

BY: ME ARCHITECT P.C.

SCALE: 1/4" = 1'-0"

NO. A-100.00

SHEET 3 OF 3



PROPOSED ALTERATION  
(ALTERNATIVE CONFIGURATION)  
TO MEETING/BANQUET



PROJECT: HOTEL 6TH-20TH FLOORS  
 PROJECT NUMBER: 10000000000000000000

Prepared by: J. J. ...  
 12 ...  
 NEW YORK, NY 10010  
 TEL: 212-465-4600  
 FAX: 212-465-4600  
 CONTRACT: T&E 0401

OWNER: ...  
 HOTEL NEW YORK  
 12 ...  
 NEW YORK, NY 10010  
 TEL: 212-465-4600  
 FAX: 212-465-4600  
 EMAIL: ...@... .COM

DESIGNER: ...  
 12 ...  
 NEW YORK, NY 10010  
 TEL: 212-465-4600  
 FAX: 212-465-4600  
 EMAIL: ...@... .COM

STRUCTURAL & MECHANICAL  
 ROOM-GARDENING ENGINEERING  
 12 ...  
 NEW YORK, NY 10010  
 TEL: 212-465-4600  
 CONTRACT: LASLO BINKA, P.E.

DATE: ...

NO. | DATE | DESCRIPTION

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

NYC Department of Buildings  
Property Profile Overview

570 TENTH AVENUE  
10 AVENUE  
WEST 42 STREET

562 - 574  
432 - 492

MANHATTAN 10036

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

BIN# 1088437

Tax Block : 1051  
Tax Lot : 7502  
Condo : YES  
Vacant : NO

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

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

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

Special District: UNKNOWN

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

Department of Finance Building Classification: R0-CONDOMINIUMS

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

|                                                             | Total | Open | <a href="#">Elevator Records</a>                 |
|-------------------------------------------------------------|-------|------|--------------------------------------------------|
| <a href="#">Complaints</a>                                  | 91    | 1    | <a href="#">Electrical Applications</a>          |
| <a href="#">Violations-DOB</a>                              | 196   | 12   | <a href="#">Permits In-Process / Issued</a>      |
| <a href="#">Violations-ECB (DOB)</a>                        | 79    | 0    | <a href="#">Illuminated Signs Annual Permits</a> |
| <a href="#">Jobs/Filings</a>                                | 253   |      | <a href="#">Plumbing Inspections</a>             |
| <a href="#">ARA / LAA Jobs</a>                              | 7     |      | <a href="#">Open Plumbing Jobs / Work Types</a>  |
| <b>Total Jobs</b>                                           | 260   |      | <a href="#">Facades</a>                          |
| <a href="#">Actions</a>                                     | 389   |      | <a href="#">Marquee Annual Permits</a>           |
| OR Enter Action Type:                                       |       |      | <a href="#">Boiler Records</a>                   |
| OR Select from List: <input type="text" value="Select..."/> |       |      | <a href="#">DEP Boiler Information</a>           |
| AND <input type="button" value="Show Actions"/>             |       |      | <a href="#">Crane Information</a>                |
|                                                             |       |      | <a href="#">After Hours Variance Permits</a>     |

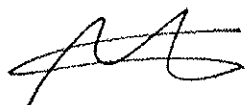
If you have any questions please review these [Frequently Asked Questions](#), the [Glossary](#), or call the 311 Citizen Service Center by dialing 311 or (212) NEW YORK outside of New York City.

*Certificate of Occupancy*

**CO Number: 104844581T032**

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.*

|                                                                                                                                                                    |                                                                                                                       |                              |                                    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|------------------------------|------------------------------------|
| <b>A.</b>                                                                                                                                                          | <b>Borough:</b> Manhattan                                                                                             | <b>Block Number:</b> 01051   | <b>Certificate Type:</b> Temporary |
|                                                                                                                                                                    | <b>Address:</b> 440 WEST 42 STREET                                                                                    | <b>Lot Number(s):</b> 53     | <b>Effective Date:</b> 12/14/2016  |
|                                                                                                                                                                    | <b>Building Identification Number (BIN):</b> 1088437                                                                  |                              | <b>Expiration Date:</b> 03/14/2017 |
|                                                                                                                                                                    |                                                                                                                       | <b>Building Type:</b><br>New |                                    |
| <i>For zoning lot metes &amp; bounds, please see BISWeb.</i>                                                                                                       |                                                                                                                       |                              |                                    |
| <b>B.</b>                                                                                                                                                          | <b>Construction classification:</b> 1-A                                                                               | (1968 Code)                  |                                    |
|                                                                                                                                                                    | <b>Building Occupancy Group classification:</b> J2                                                                    | (1968 Code)                  |                                    |
|                                                                                                                                                                    | <b>Multiple Dwelling Law Classification:</b> HAEA                                                                     |                              |                                    |
|                                                                                                                                                                    | <b>No. of stories:</b> 59                                                                                             | <b>Height in feet:</b> 627   | <b>No. of dwelling units:</b> 1483 |
| <b>C.</b>                                                                                                                                                          | <b>Fire Protection Equipment:</b><br>Standpipe system, Fire alarm system, Sprinkler system                            |                              |                                    |
| <b>D.</b>                                                                                                                                                          | <b>Type and number of open spaces:</b><br>None associated with this filing.                                           |                              |                                    |
| <b>E.</b>                                                                                                                                                          | <b>This Certificate is issued with the following legal limitations:</b><br>Easement(s) - Recording Info: MTA EASEMENT |                              |                                    |
| <b>Outstanding requirements for obtaining Final Certificate of Occupancy:</b><br>There are 22 outstanding requirements. Please refer to BISWeb for further detail. |                                                                                                                       |                              |                                    |
| <b>Borough Comments:</b> None                                                                                                                                      |                                                                                                                       |                              |                                    |



Borough Commissioner



Commissioner

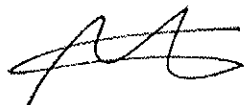
*Certificate of Occupancy*

CO Number: 104844581T032

**Permissible Use and Occupancy**

All Building Code occupancy group designations are 1968 designations, except RES, COM, or PUB which are 1938 Building Code occupancy group designations.

| Floor From To | Maximum persons permitted | Live load lbs per sq. ft. | Building Code occupancy group | Dwelling or Rooming Units | Zoning use group | Description of use                                                                                   |
|---------------|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|------------------------------------------------------------------------------------------------------|
| CEL           |                           | 100                       | B-2                           |                           | 2, 5             | ACCESSORY OFF STREET PARKING GARAGE (158 SPACES), STORAGE                                            |
| CEL           | 1                         | 75                        | E                             |                           | 2                | PARKING ATTENDANTS OFFICE                                                                            |
| CEL           |                           | 75                        | D-2                           |                           | 2                | FIRE PUMP ROOM, UTILITY ROOMS, ELECTRIC ROOMS, TELECOM ROOMS, COMPACTOR ROOM, ELEVATOR MACHINE ROOMS |
| SUB           |                           | OG                        | B-1                           |                           | 2                | FUEL OIL STORAGE ROOM                                                                                |
| SUB           |                           | OG                        | B-2                           |                           | 2, 5             | ACCESSORY OFF STREET PARKING GARAGE (188 SPACES), STORAGE, LOCKER ROOMS                              |
| SUB           | 1                         | OG                        | E                             |                           | 2                | SUPER'S OFFICE AND WORKSHOP, BREAKROOM, TEMPORARY AMENITIES, BASKETBALL COURT AND RESTROOMS          |
| SUB           |                           | OG                        | D-2                           |                           | 2                | UTILITY AND MECHANICAL EQUIPMENT ROOMS, ELEVATOR MACHINE ROOM                                        |
| 001           | 274                       | 100                       | F-4                           |                           | 6                | EATING & DRINKING ESTABLISHMENT AND KITCHEN                                                          |
| 001           |                           | 100                       | J-1<br>D-2                    |                           | 5                | MECHANICAL EQUIPMENT ROOMS, LAUNDRY, HOUSEKEEPING                                                    |
| 001           |                           | 100                       | D-1                           |                           | 5                | THREE (3) LOADING BERTHS                                                                             |
| 001           |                           | 100                       | F-1A<br>B-2<br>D-2            |                           | 8A               | THEATRE LOBBY, BOX OFFICE, STORAGE AND MECHANICAL EQUIPMENT ROOMS                                    |
| 001           |                           | 100                       | D-2                           |                           | 2                | CON-ED VAULTS, MECHANICAL EQUIPMENT ROOMS                                                            |



Borough Commissioner



Commissioner

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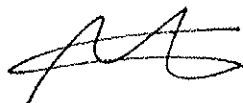
*Certificate of Occupancy*

CO Number: 104844581T032

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|---------------|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|---------------------------------------------------|
| 001           |                           | 100                       | J-2<br>D-2                    |                           | 2                | MECHANICAL EQUIPMENT ROOMS, STORAGE               |
| 001           |                           | 100                       | J-1<br>D-2                    |                           | 5                | HOTEL LOBBY                                       |
| 001           |                           | 100                       | J-2<br>D-2                    |                           | 2                | RESIDENTIAL LOBBY- RENTAL-RESIDENTIAL LOBBY-CONDO |
| 002           | 50                        | 100                       | F-3                           |                           | 8A               | REHEARSAL STUDIO #1                               |
| 002           | 269                       | 100                       | F-1A                          |                           | 8A               | THEATRE #2                                        |
| 002           | 50                        | 100                       | E<br>D-2                      |                           | 8A               | MECHANICAL EQUIPMENT ROOMS, DRESSING ROOMS        |
| 002           | 299                       | 100                       | F-1A                          |                           | 8A               | THEATRE #1                                        |
| 002           | 199                       | 100                       | F-1A                          |                           | 8A               | THEATRE #3                                        |
| 002           | 120                       | 100                       | F1-A                          |                           | 8A               | REHERSAL STUDIO #2                                |
| 003           |                           | 75                        | D-2                           |                           | 2                | MECHANICAL EQUIPMENT ROOMS                        |
| 003           |                           | 100                       | B-2                           |                           | 2                | LOCKER ROOMS                                      |
| 003           | 23                        | 50                        | F-3<br>E                      |                           | 2                | ACCESSORY OFFICES, DOG PLAY ROOM                  |



Borough Commissioner



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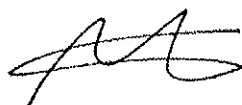
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|---------------|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 003           | 105                       | 100                       | F-4                           |                           | 2                | PARTY ROOM 1 & PARTY ROOM 2 (BANQUET ROOM), ACCESSORY OUTDOOR RECREATION (OUTDOOR RECREATION NON SIMULTANEOUS WITH INDOOR OCCUPANCY, (105) INDOOR & (24) OUTDOOR)                                                                                             |
| 003           | 85                        | 50                        | E<br>D-2                      |                           | 5                | HOTEL OFFICES, HOTEL STAFF CREW ROOM, MECHANICAL EQUIPMENT ROOMS                                                                                                                                                                                              |
| 003           | 489                       | 100                       | F-3                           |                           | 2                | ACCESSORY GYM, POOL, LOUNGE, PANTRY, GAME ROOM, BUSINESS CENTER, ACCESSORY OUTDOOR RECREATION (NORTH & SOUTH TERRACES) (OUTDOOR RECREATION) (NORTH & SOUTH TERRACES) NON -SIMULTANEOUS WITH INDOOR OCCUPANCY, (296) INDOOR & (489) OUTDOOR) (EXCEPT TERRACES) |
| 004           | 10                        | 100                       | B-2<br>E                      |                           | 5                | ACCESSORY OFFICES & STORAGE                                                                                                                                                                                                                                   |
| 004           |                           | 75                        | D-2                           |                           | 5                | MECHANICAL EQUIPMENT ROOMS                                                                                                                                                                                                                                    |
| 004           | 316                       | 100                       | F-4<br>D-2                    |                           | 5                | EATING & DRINKING ESTABLISHMENT, CLUB ROOM, ACCESSORY HOTEL GYM, KITCHEN                                                                                                                                                                                      |
| 004           |                           | 40                        | J-2                           | 6                         | 2                | SIX (6) APARTMENTS                                                                                                                                                                                                                                            |
| 004           | 7                         | 75                        | D-2                           |                           | 2                | MECHANICAL EQUIPMENT ROOMS                                                                                                                                                                                                                                    |
| 004           | 10                        |                           | E                             |                           |                  | ACCESSORY OFFICES                                                                                                                                                                                                                                             |
| 004           | 142                       | 100                       | F-4                           |                           | 5                | ASSEMBLY OUTDOOR RECREATION (EATING & DRINKING)                                                                                                                                                                                                               |
| 005           |                           | 40                        | J-2                           | 8                         | 2                | EIGHT (8) APARTMENTS                                                                                                                                                                                                                                          |



Borough Commissioner



Commissioner

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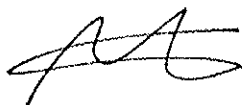
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CO Number: 104844581T032

**Permissible Use and Occupancy**

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|---------------|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|--------------------------------------------|
| 005           |                           | 75                        | D-2                           |                           | 2                | TELECOM & ELECTRIC ROOMS                   |
| 005           |                           | 40                        | J-1                           | 17                        | 5                | SEVENTEEN (17) HOTEL ROOMS                 |
| 005           |                           | 75                        | D-2                           |                           | 5                | BUTLERS ROOM, HOUSEKEEPING & TELECOM ROOMS |
| 006 009       |                           | 40                        | J-2                           | 17                        | 2                | SEVENTEEN (17) APARTMENTS PER FLOOR        |
| 006 019       |                           | 40                        | J-1                           | 37                        | 5                | THIRTY SEVEN (37) HOTEL ROOMS PER FLOOR    |
| 006 019       |                           |                           | D-2                           |                           | 2                | TELECOM & ELECTRICAL ROOMS PER FLOOR       |
| 006 019       |                           |                           | D-2                           |                           | 5                | HOUSEKEEPING, TELECOM ROOMS PER FLOOR      |
| 010 019       |                           | 40                        | J-2                           | 17                        | 2                | SEVENTEEN (17) APARTMENTS PER FLOOR        |
| 020           |                           | 40                        | J-2                           | 16                        | 2                | SIXTEEN (16) APARTMENTS                    |
| 020           |                           |                           | D-2                           |                           | 2                | TELECOM & ELECTRICAL ROOMS                 |
| 020           |                           | 40                        | J-1                           | 37                        | 2                | THIRTY SEVEN (37) HOTEL ROOMS              |
| 020           |                           |                           | D-2                           |                           | 5                | HOUSEKEEPING & TELECOM ROOMS               |
| 021           |                           |                           | D-2                           |                           | 5                | HOUSEKEEPING & TELECOM ROOMS               |



Borough Commissioner



Commissioner

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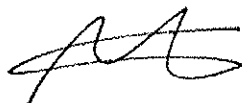
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|---------------|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|------------------------------------------------------|
| 021           |                           |                           | J-2<br>D-2                    | 16                        | 2                | SIXTEEN (16) APARTMENTS (TELECOM AND ELECTRIC ROOMS) |
| 021           |                           | 40                        | J-1                           | 35                        | 5                | THIRTY-FIVE (35) HOTEL ROOMS                         |
| 022           |                           |                           | J-2<br>D-2                    | 16                        | 2                | SIXTEEN (16) APARTMENTS, TELECOM & ELECTRIC ROOMS    |
| 022           |                           | 40                        | J-1                           | 31                        | 2                | THIRTY (31) ONE HOTEL ROOMS                          |
| 022           |                           |                           | D-2                           |                           | 5                | HOUSEKEEPING & TELECOM ROOMS                         |
| 023           |                           | 40                        | J-2                           | 16                        | 2                | SIXTEEN (16) APARTMENT                               |
| 023           |                           |                           | D-2                           |                           | 2                | TELECOM & ELECTRIC ROOMS                             |
| 023           | 64                        | 40                        | J-1                           | 31                        | 5                | THIRTY-ONE (31) HOTEL ROOMS                          |
| 023           |                           |                           | D-2                           |                           | 5                | HOUSEKEEPING AND TELECOM ROOMS                       |
| 024           |                           |                           | D-2                           |                           | 2                | TELECOM & ELECTRIC ROOMS                             |
| 024           |                           |                           | D-2                           |                           | 5, 2             | BOILER ROOM & MECHANICAL ROOM                        |
| 024           |                           | 40                        | J-2                           | 16                        | 2                | SIXTEEN (16) APARTMENTS                              |
| 025           |                           | 40                        | J-2                           | 14                        | 2                | FOURTEEN (14) APARTMENT                              |



Borough Commissioner



Commissioner

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*Certificate of Occupancy*

CO Number: 104844581T032

**Permissible Use and Occupancy**

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|---------------|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|----------------------------------------------------|
| 025           |                           |                           | D-2                           |                           | 2                | MECHANICAL EQUIPMENT ROOMS                         |
| 025           |                           |                           | D-2                           |                           | 5                | HOTEL ELEVATOR MACHINE ROOM                        |
| 026           |                           | 40                        | J-2                           | 15                        | 2                | FIFTEEN (15) APARTMENTS                            |
| 026           |                           |                           | D-2                           |                           | 2                | ELECTRIC & TELECOM ROOM                            |
| 027 028       |                           | 40                        | J-2                           | 16                        | 2                | SIXTEEN (16) APARTMENTS PER FLOOR                  |
| 027 033       |                           |                           | D-2                           |                           | 2                | ELECTRIC & TELECOM ROOMS PER FLOOR                 |
| 029 033       |                           | 40                        | J-2                           | 16                        | 2                | SIXTEEN (16) APARTMENTS PER FLOOR                  |
| 034           |                           |                           | D-2                           |                           | 2                | ELECTRIC AND TELECOM ROOMS                         |
| 034           |                           | 40                        | J-2                           | 16                        | 2                | SIXTEEN (16) APARTMENTS                            |
| 035 036       |                           | 40                        | J-2                           | 15                        | 2                | FIFTEEN (15) APARTMENTS PER FLOOR                  |
| 035 042       |                           | 75                        | D-2                           |                           | 2                | ELECTRIC & TELECOM ROOMS PER FLOOR                 |
| 037 043       |                           | 40                        | J-2                           | 15                        | 2                | FIFTEEN (15) APARTMENTS PER FLOOR                  |
| 044           |                           | 40                        | J-2<br>D-2                    | 14                        | 2                | FOURTEEN (14) APARTMENTS) ELECTRIC & TELECOM ROOMS |



Borough Commissioner



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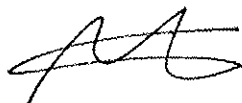
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|---------------|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|---------------------------------------------------|
| 045           |                           | 40                        | J-2                           | 12                        | 2                | TWELVE (12) APARTMENTS                            |
| 045           |                           | 75                        | D-2                           |                           | 2                | ELECTRIC & TELECOM & MECHANICAL EQUIPMENT ROOMS   |
| 046           |                           | 40                        | J-2                           | 13                        | 2                | THIRTEEN (13) APARTMENTS                          |
| 046           |                           | 75                        | D-2                           |                           | 2                | TELECOM ROOMS/ELECTRIC ROOM                       |
| 047 048       |                           | 40                        | J-2                           | 12                        | 2                | TWELVE (12) APARTMENTS PER FLOOR                  |
| 047 048       |                           | 75                        | D-2                           |                           | 2                | ELECTRIC & TELECOM ROOMS PER FLOOR                |
| 049           |                           | 75                        | D-2                           |                           | 2                | ELECTRIC AND TELECOM ROOMS, ELEVATOR MACHINE ROOM |
| 049           |                           | 40                        | J-2                           | 11                        | 2                | ELEVEN (11) APARTMENTS                            |
| 050 055       |                           | 40                        | J-2                           | 12                        | 2                | TWELVE (12) APARTMENTS PER FLOOR                  |
| 050 055       |                           | 75                        | D-2                           |                           | 2                | ELECTRIC AND TELECOM ROOMS PER FLOOR              |
| 056 059       |                           | 40                        | J-2                           | 11                        | 2                | ELEVEN (11) APARTMENTS PER FLOOR                  |
| 056 059       |                           | 75                        | D-2                           |                           | 2                | ELECTRIC TELECOM ROOM PER FLOOR                   |
| RO F          |                           | 75                        | D-2                           |                           | 2                | ELEVATOR MACHINE ROOM                             |



Borough Commissioner



Commissioner

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*Certificate of Occupancy*

CO Number: 104844581T032

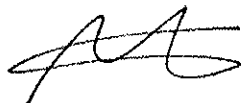
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|---------------|---------------------------|---------------------------|-------------------------------|---------------------------|------------------|-----------------------------------------------------------------|
| PEN           |                           | 75                        | D-2                           |                           | 2                | MECHANICAL EQUIPMENT ROOMS/ELEVATOR RUN-BY                      |
| PEN           |                           | 75                        | D-2                           |                           | 2                | MECHANICAL EQUIPMENT ROOMS, ELEVATOR MACHINE ROOM (RESIDENTIAL) |

NOTE: USES LOCATED ON THE GROUND FL LEVEL OR WITHIN FIVE FEET OF CURB LEVEL SHALL BE LIMITED TO RETAIL, PERSONAL SERVICE OR AMUSEMENT USES PERMITTED BY THE UNDERLYING ZONING DISTRICT REGULATIONS BUT NOT INCLUDING USES IN USE GROUP 6B, 6F, 7C, 8C, 9B, 10B, 11 & 12D OR AUTOMATIC SHOWROOMS EASEMENT GRANTED FOR SUBWAY MECHANICAL EASEMENTS AND SUBWAY STATION IMPROVEMENTS..APPLICATION N90156ZCM, PURSUANT TO SEC 96-25 OF THE NYC RESOLUTION, FOR THE INCLUSION OF AN ADDITIONAL 3.0 FAR AS A F AREA BONUS FOR A NEW LEGITIMATE THEATRE USE HAS BEEN CERTIFIED BY THE CPC. THE BONUS REQUIRE THAT 63,933SF MUST BE USED AS LEGITIMATE THEATRE SPACE. INCLUSIONARY HOUSING BONUS RECEIVED FOR BOTH ON SITE NEW CONSTRUCTION & OFF-SITE INCLUSIONARY HOUSING. ON-SITE LOWER INCOME HOUSING 25,008SF PROVIDED THAT GENERATES BONUS AT A RATE OF 3.7SF. OFF SITE INCLUSIONARY HOUSING OF 11,335SF PROVIDED THAT GENERATES A BONUS OF 45,430SF AT A RATE OF 4.0SF

**END OF SECTION**



Borough Commissioner



Commissioner

**END OF DOCUMENT**

## Proximity Report for Location:

January 3, 2017

570 10 Ave, New York, NY, 10036

\* This report is for informational purposes only in aid of identifying establishments potentially subject to 500 and 200 foot rules. Distances are approximated using industry standard GIS techniques and do not reflect actual distances between points of entry. The NYS Liquor Authority makes no representation as to the accuracy of the information and disclaims any liability for errors.

### Closest Liquor Stores

| Name                          | Address           | Approx. Distance |
|-------------------------------|-------------------|------------------|
| 42 & 10TH SPIRITS LTD         | 507 W 42ND STREET | 285 ft           |
| GRACE WINE & SPIRITS INC      | 610 10TH AVENUE   | 680 ft           |
| 589 NINTH AVENUE CORP         | 589 9TH AVENUE    | 850 ft           |
| GRAND CRU WINE \$ SPIRITS INC | 560 11TH AVE      | 985 ft           |
| ODYSSEY WINE & SPIRITS INC    | 490 10TH AVE      | 1020 ft          |
| VERITAS STUDIOS INC           | 527 W 45TH ST     | 1105 ft          |
| SHILORI INC                   | 486 9TH AVENUE    | 1395 ft          |

### Churches within 500 Feet

| Name                                     | Approx. Distance |
|------------------------------------------|------------------|
| Saint Raphael's Croatian Catholic Church | 385 ft           |

### Schools within 500 Feet

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

### On-Premise Licenses within 750 Feet

| Name                                             | Address                | Approx. Distance |
|--------------------------------------------------|------------------------|------------------|
| 42ND&10THHOTELL;42ND&10THUSOPCPLLC;<br>YOTEL     | 570 10TH AVENUE 4TH FL | 125 ft           |
| 42ND KAVA AND KAVA MIMA ASSOCIATES LLC           | 470 W 42ND ST          | 235 ft           |
| 42ND STREET HOTEL LLC 42ND STREET<br>KITCHEN LLC | 508 510 W 42ND ST      | 275 ft           |
| SIGNATURE THEATRE COMPANY INC                    | 450 W 42ND ST          | 340 ft           |
| ROSIERAE'S INC                                   | 500 W 43RD ST          | 395 ft           |
| DIVISION ONE MANAGEMENT GROUP INC                | 500 W 43RD ST          | 435 ft           |
| MR BIGGS BAR & GRILL INC                         | 596 10TH AVE           | 460 ft           |
| CANARD INC                                       | 503 W 43RD STREET      | 490 ft           |
| WEST SIDE STEAKHOUSE LLC                         | 597 10TH AVENUE        | 520 ft           |
| THEATRE ROW RESTAURANT INC                       | 424 WEST 42ND STREET   | 545 ft           |
| 599 TENTH AVENUE CORP                            | 599 10TH AVE           | 550 ft           |
| THEATRE REFRESHMENT CO OF NY INC &<br>MIDSUMMER  | 422 W 42ND ST          | 570 ft           |
| PIO PIO OCHO INC                                 | 604 10TH AVE           | 585 ft           |
| SWEET CONCESSIONS INC                            | 416 W 42ND ST          | 650 ft           |

| Name                         | Address              | Approx. Distance |
|------------------------------|----------------------|------------------|
| CHEZ JOSEPHINE LTD           | 414 W 42ND STREET    | 670 ft           |
| TOR RESTAURANT LLC           | 607 10TH AVE         | 685 ft           |
| OLLIES 42ND LLC              | 411 W 42ND STREET    | 715 ft           |
| 42ND STREET DEVELOPMENT CORP | 410 WEST 42ND STREET | 720 ft           |

### Pending Licenses within 750 Feet

| Name                        | Address        | Approx. Distance |
|-----------------------------|----------------|------------------|
| CREATIVE FOOD CRAFTS LLC    | 500B W 42ND ST | 165 ft           |
| 460 WINE MARKET INC         | 460 W 42ND ST  | 270 ft           |
| 510 W42 HOTEL OPERATING LLC | 510 W 42ND ST  | 345 ft           |

### Unmapped licenses within zipcode of report location

| Name | Address |
|------|---------|
|------|---------|

Yotel & Green Fig  
570 Tenth Avenue  
New York, NY 10036

**Premises Photographs**

**Meeting Room (area to be reconfigured on occasion)**



**Coat Room (area to be converted to espresso/coffee bar and service bar)**





Yotel & Green Fig  
570 Tenth Avenue  
New York, NY 10036

*Premises Photographs*

Other areas of 4<sup>th</sup> Floor



Yotel & Green Fig  
570 Tenth Avenue  
New York, NY 10036

*Premises Photographs*



|                                                                                                                                                         |    |
|---------------------------------------------------------------------------------------------------------------------------------------------------------|----|
| <b>mezze</b>                                                                                                                                            | 18 |
| hummus • tahini • tzatziki charred eggplant • labane • red pepper salad<br>served with laffa - homemade flatbread                                       |    |
| <b>light</b>                                                                                                                                            |    |
| <b>the cantine cauliflower</b> • green tahini • mint • “green fire” • toasted almonds • za'atar<br>• paprika • feta • cilantro                          | 12 |
| <b>the carrot steak</b> • homemade mozzarella • carrot pesto • paprika oil • spiced crumble<br>• micro fennel • toasted almonds • cilantro • mint       | 12 |
| <b>octopus carpaccio</b> • shallots • black eggplant puree • walnut cream • carrots                                                                     | 15 |
| <b>tuna tartar</b> • pomegranate & sumac foam • pickled beet • labane cheese<br>• beet chips • red mustard                                              | 14 |
| <b>medium</b>                                                                                                                                           |    |
| <b>mediterranean style salad</b> • eggplant • cured lemon • tahini • sumac • onions • shaved egg<br>• cilantro • lemon • olive oil                      | 14 |
| <b>gnocchi a la israel</b> • charred eggplant • mushrooms • garlic confit • cumin • olive oil                                                           | 15 |
| <b>“bar-vaz” duck</b> • carrot puree • peanuts crumble • honey                                                                                          | 19 |
| <b>skin charred sea bream</b> • “hraieme” crema • charred leeks • smoked red peppers<br>• chickpeas • lemon juice • olive oil • root vegetable puree    | 19 |
| <b>jaffa to tijuana</b> • pork belly • mexican corn • jerusalem bagel • feta cheese<br>• pomegranate-mustard seed glaze • smoked paprika                | 23 |
| <b>hearty</b>                                                                                                                                           |    |
| <b>persian lamb couscous</b> • homemade couscous • persian lemon broth<br>• herbs • lamb loin • garden carrots • king oysters smoked mushrooms • tahini | 26 |
| <b>quartered chipotle chicken</b> • lentil ragout • charred leek • yogurt • zucchini<br>• micro leaves • olive oil                                      | 27 |
| <b>the “not kosher” bbq</b> • pork short ribs • homemade bbq sauce • potato wedges<br>• za'atar • “green fire” • labane dip • kohlrabi salad            | 28 |
| <b>om kalthoum steak</b> • chanterelle mushrooms • cauliflower puree • shaved daikon<br>• smoked corn • fava beans                                      | 31 |

Yotel & Green Fig  
570 Tenth Avenue  
New York, NY 10036

*Addresses & Photographs of Public Notice Postings*

A copy of the Public Notice for Community Board 4's Business Licenses & Permits Committee meeting on January 10, 2017, was posted in the window of the licensed premises, at the four closest street corners, and distributed to the following addresses:

- MiMA (450 West 42<sup>nd</sup> Street)
- The Victory (561 Tenth Avenue)
- Manhattan View (460 West 42<sup>nd</sup> Street)
- The Strand (500 West 43<sup>rd</sup> Street)
- Manhattan Plaza (484 West 43<sup>rd</sup> Street)



Yotel & Green Fig  
570 Tenth Avenue  
New York, NY 10036

Addresses & Photographs of Public Notice Postings

