

Manhattan Community Board 4

Liquor License Stipulations Application

(All Fields Must Be Completed)

APPLICANT 289 Hospitality LLC		DOING BUSINESS AS (DBA) Marquee	
STREET ADDRESS 289 10 th Avenue		CROSS STREETS W 26 th & W 27 th Street	
OWNER	NAME: Noah Tepperberg, LLC Member/Mgr.	ATTORNEY	NAME: Thomas McCallen, Esq.
	PHONE: 212-420-9420 Ext. 4		PHONE: 212-732-3640
	FAX: 212-481-3763		FAX: 212-732-3670
MANAGER	NAME:	LANDLORD	NAME: Allan Rosenberg
	PHONE:		PHONE: 212-370-3769
	FAX:		FAX: 212-370-4196

DESCRIPTION OF BUSINESS

Establishment Type:

Bar/Tavern
 Bed & Breakfast
 Eating Place Beer
 Cabaret
 Night Club
 Hotel
 Restaurant
 Catering Establishment
 Club (Fraternal Organization – Members Only)
 Other (Explain): _____

Method of Operation:

Restaurant
 Dance Club
 Sports Bar
 Adult Entertainment
 Wine Bar
 Pizzeria
 Cafe
 Other (Explain): Live Music

License Type:

On-Premise
 Wine
 Beer
 Wine & Beer

APPLICATION TYPE (check one)	<input type="radio"/> New	Has applicant owned or managed a similar business?	YES	NO
		What is/was the name of establishment?		
		What is/was the address of the establishment?		
		What were the dates the applicant was involved with this former premise?		
	<input checked="" type="radio"/> Transfer	What is the prior license #?	1139450	
		What is the expiration date on the prior license?	November 30, 2013	
		Are you making any alterations or operational changes?	YES	NO
		If alterations or operational changes are being made, please attach the plans to this form. See attached		
	<input type="radio"/> Alteration	What is the current license #?		
		What is the expiration date on the current license?		
Please describe the nature of the alterations and attach the plans				

OPERATIONAL ISSUES

HOURS		MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY	SUNDAY
	Operation	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.
	Music	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.
	Kitchen	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.	8 p.m. – 4 a.m.

OCCUPANCY	INDOOR				BAR			OUTSIDE	
	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 Bars	Number of Seats	Number of Tables
	597	550	25	64	N/A	3	N/A	N/A	N/A

How many floors are there? What is the capacity for each floor? (please respond in space provided)	<input checked="" type="checkbox"/> 1-2	<input type="checkbox"/> 3-4	<input type="checkbox"/> 5+	1 st Floor – 504; Mezzanine – 93
Will you be applying or intending to apply for a cabaret license? If yes, will there be dancing? (please respond in space provided)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	There will be dancing
Will applicant have bottle service?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
Will you be hosting private parties and promotional events?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
Will outside promoters be used?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
Will the security plan submitted be implemented?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
Will State certified security personnel be used?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
Will New York Nightlife Association recommendations and NYPD Best Practices be followed?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	
Will the applicant be using delivery bicycles? If yes, have you applied to DOT for bicycle rack? Delivery bicycles are to be clearly marked with the name of the restaurant and staff will wear attire clearly noting name. (please respond in space provided)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	
Will the applicant be applying for a Sidewalk Café now or in the future? (please respond in space provided)	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A	
If yes to the above, are plans attached and submitted to DCA? How many tables/seats? (please respond in space provided)	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A	
Will applicant provide contact information to neighbors and respond to complaints that arise?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A	

If you plan to have music, what type(s)?	<input type="checkbox"/> BACKGROUND	<input checked="" type="checkbox"/> LIVE MUSIC	<input checked="" type="checkbox"/> DJ
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BUILDING DESIGN

Doors and windows will be closed when any amplified music is played and in the event of no amplified sound, will be closed by 11 PM Friday and Saturday and 10 PM on all other days.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
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="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Do you agree to comply with DOB rules concerning a storm enclosure? Storm enclosures can be used between November 15 and April 15, but they may NOT project more than 18 inches from the store front.)	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A

OUTDOOR ITEMS			
Will applicant use the rooftop, rear yard or any outdoor space?	YES	<input checked="" type="checkbox"/> NO	N/A
If yes to the above, the rear yard, rooftop, and any outdoor space will be closed and vacated by 11 PM on Friday & Saturday and 10 PM on all other days.	YES	NO	<input checked="" type="checkbox"/> N/A
The service and consumption of alcohol in the rear yard, on the rooftop, or in any other outdoor space will be only via seated food service.	YES	NO	<input checked="" type="checkbox"/> N/A
The rear yard, rooftop, and any other outdoor space will not allow standing space for patrons to drink or smoke.	YES	NO	<input checked="" type="checkbox"/> N/A
Applicant will do everything in their power to provide an effective sound baffling or sound controlled environment through landscaping or some type of enclosure, where possible; provided they do not violate any fire or building code regulations? This includes possibly working with landlords for soundproofing tenants apartments (such as installing soundproofing windows, acoustical tiles, etc.).	<input checked="" type="checkbox"/> YES	NO	N/A
Applicant will enforce a quiet environment in the outdoor space, so as not to disturb nearby residents (e.g. there will be no amplified music, as per the law, and windows and doors to areas that play amplified music shall be closed). The applicant will make every effort possible to limit the noise emanating from diners by posting signs outside and also on menus asking for respect of the neighbor's privacy and peace. The staff will also encourage a peaceful environment amongst the outdoor diners.	<input checked="" type="checkbox"/> YES	NO	N/A
Applicant will have a lighting plan that will allow safe usage of the outdoor space without disrupting neighbors?	<input checked="" type="checkbox"/> YES	NO	N/A

LOCATION & ZONING			
Primary Zoning District:	M1-5	Overlay (If Applicable):	
Is this a Special District? If yes, is it Clinton, West Chelsea or Hudson Yards?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Does the building have a Certificate of Occupancy ("C of O") or a letter of no objection?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Is the 500 Foot Rule or 200 Foot Rule Triggered? If yes, which? Please attach a diagram of the establishments that triggers the rule.	YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A
Is a Public Assembly permit required?	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	<input type="checkbox"/> N/A
Are your plans filed with DOB?	YES	<input checked="" type="checkbox"/> NO	<input type="checkbox"/> N/A
Building Type	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
Adjacent Buildings	<input type="radio"/> Residential <input checked="" type="radio"/> Commercial <input type="radio"/> Mixed Use <input type="radio"/> Other, describe: _____		
NOTIFICATION: What organizations / community groups have you notified regarding your application?	# 1	Hudson Guild	
	# 2		
	# 3		

ADDITIONAL INFORMATION: (Applicant Use)

- 500 Foot Hearing Public Interest Statement: The applicant's operating principals have extensive experience in the nightlife food & beverage industry having operated the Marquee Night Club in Manhattan since 2003. The applicant will operate a bar/night club venue along Manhattan's "Clinton & West Chelsea" 10th Avenue Special Districts. The applicants establishments will promote convenience, advantage and the public's interest will be served in that its patron's will enjoy premium alcoholic beverages and mixed cocktails with a light fare menu in an elegant club atmosphere. The establishment is convenient to all mass transit and pedestrian traffic, and will not increase traffic in the neighborhood. The names of all on-premise liquor establishments within 500 ft of the proposed preemies, as determined by the NYSLA Lamp database is attached.

ADDITIONAL NOTES: (Office Use Only)

ADDITIONAL STIPULATIONS: (Office Use Only)

- **No other changes to the method of operation**
- **Applicant will meet with CB office and 10th Pct to consider sidewalk barrier removal/reconfiguration**
- **Applicant will work with movie companies and production companies to address truck parking and idling**


Manhattan Community Board 4 (MCB4) recommends:

Approval Denial unless all agreed to by applicant is part of the

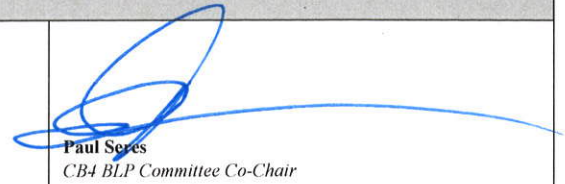
method of operation

Denial

CB4 REPRESENTATIVES


Nelly Gonzalez
CB4 Community Associate


Lisa Daglian
CB4 BLP Committee Co-Chair


Paul Seres
CB4 BLP Committee Co-Chair

APPLICANT AGREEMENT WITH THE COMMUNITY

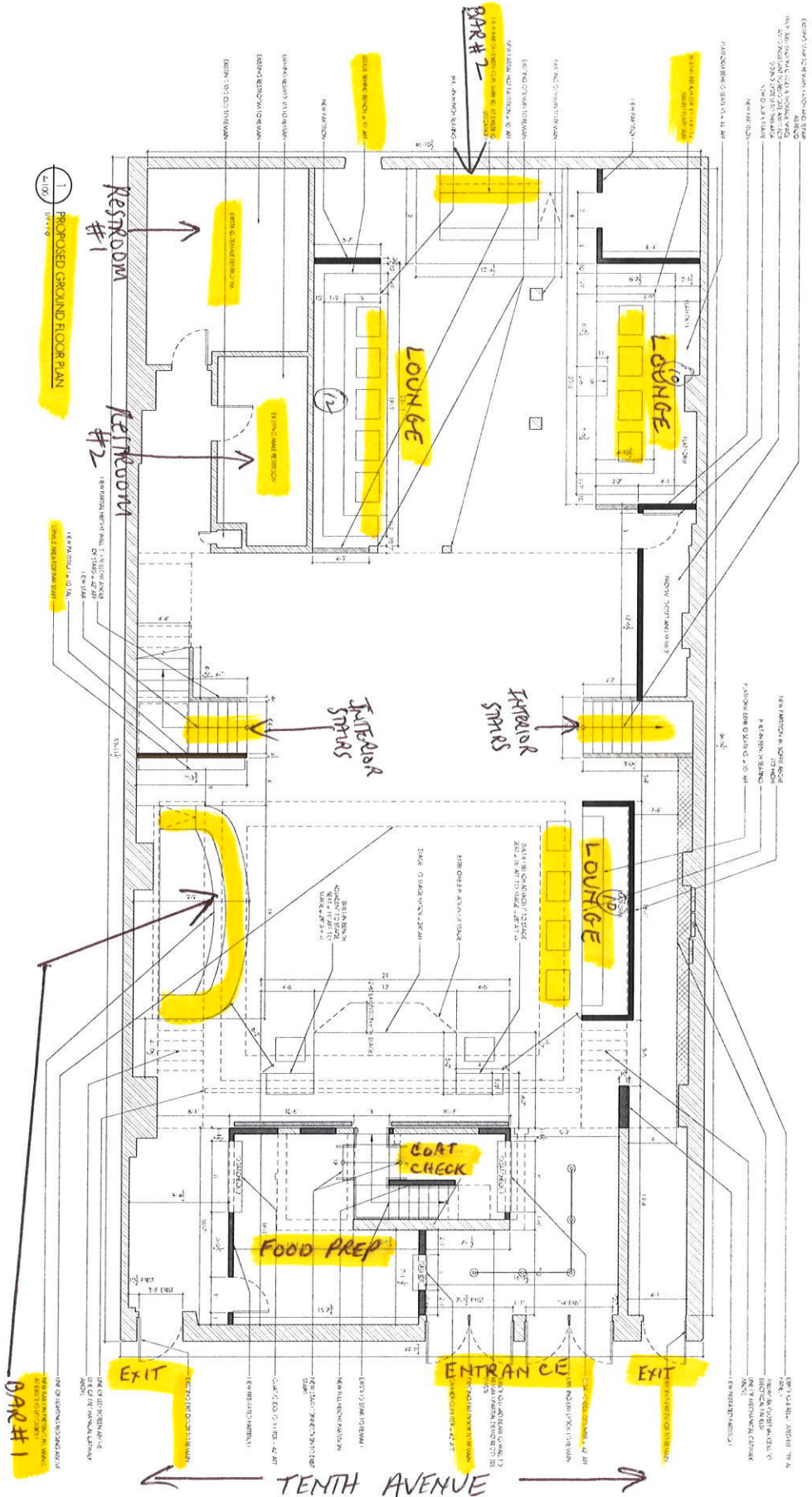
Pursuant to these stipulations, this applicant agrees to have these provisions incorporated in the method of operation of their liquor license. Additionally, the applicant agrees to the community agreements as the basis for the community supporting this application.

SIGN HERE →

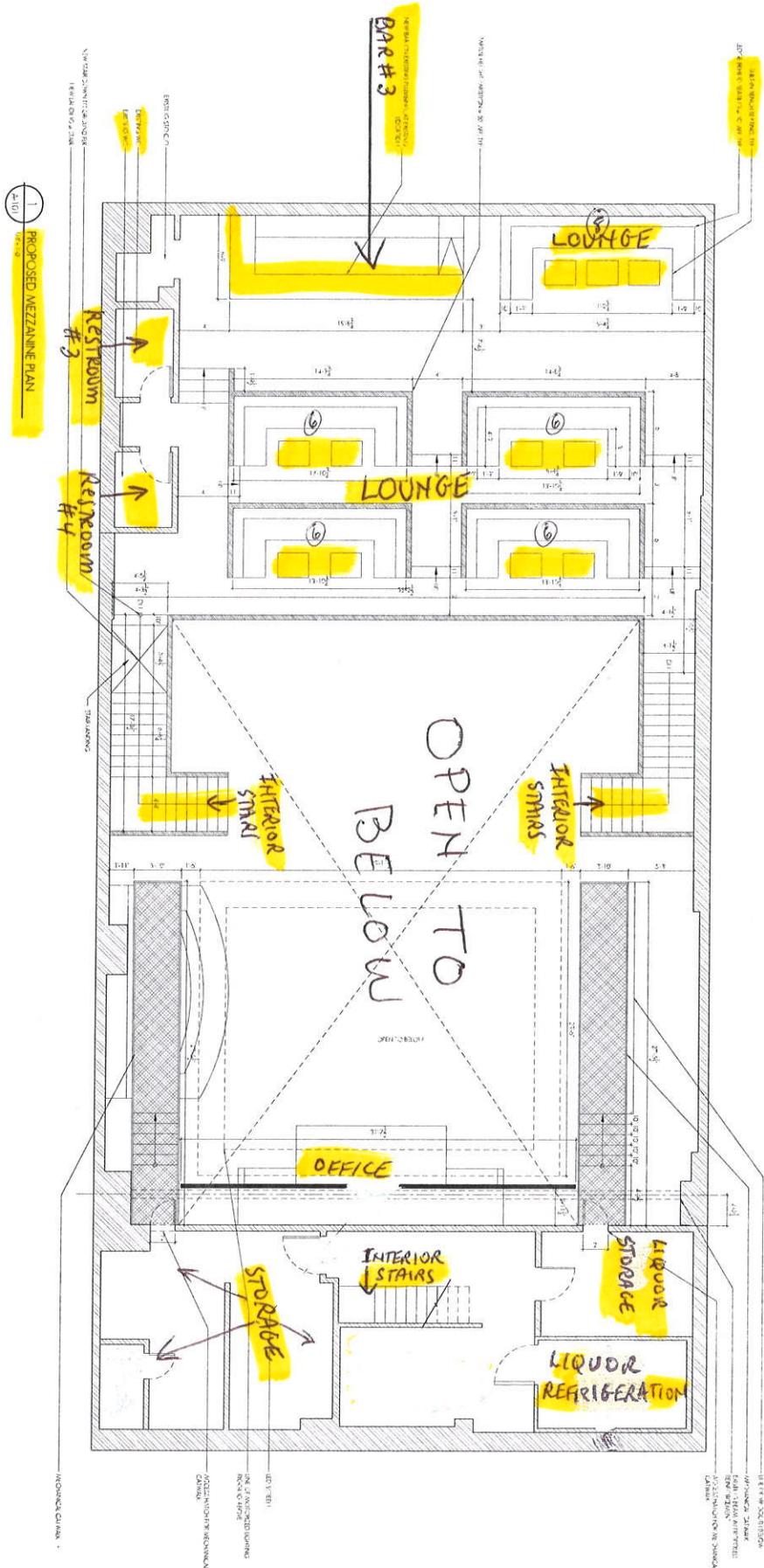

SIGNATURE OF APPLICANT

Tuesday, July 10, 2012

DATE



289 HAS PITATY LLC
 d/d/s propose
 289 10th Avenue, New York, NY 10001
 - proposed Floor Plan -
 Ground Floor level



289 HOSPITALITY LLC
 289 10th Avenue, New York, NY 10011
 - Proposed Floor Plan -
 MEZZANINE LEVEL

MARQUEE NIGHT CLUB
 289 10th Avenue
 New York, NY 10001

STUDIO 17

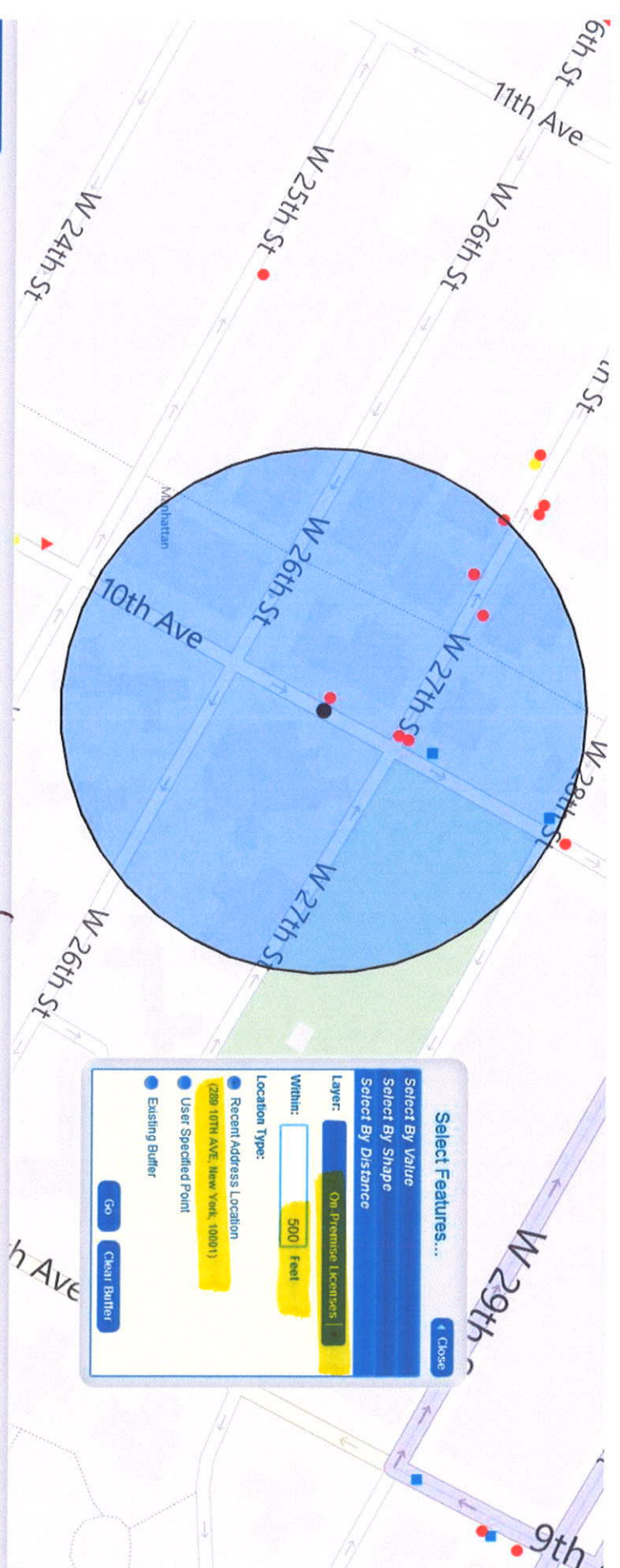
CONTRACT #
 PROJECT #
 DATE #
 SCALE #

REVISIONS
 DATE ISSUE
 EDITIONS / REVISIONS 1 / 19/2012
 NOT FOR CONSTRUCTION

SEAL

DATE # 1/18/2012
 PROJECT # MARQUEE
 SCALE # AS SHOWN
 A-101
 PROPOSED MEZZANINE

289 ASPARMERY LLC
 410/B DRACQUE
 289 10th Avenue, New York, NY 10011
 920 FORT KENNY 1



Select Features...

Select By Value
 Select By Shape
 Select By Distance

Layer: On-Premise Licenses

Within: 500 Feet

Location Type:
 Recent Address Location
 (289 10TH AVE, New York, 10011)
 User Specified Point
 Existing Buffer

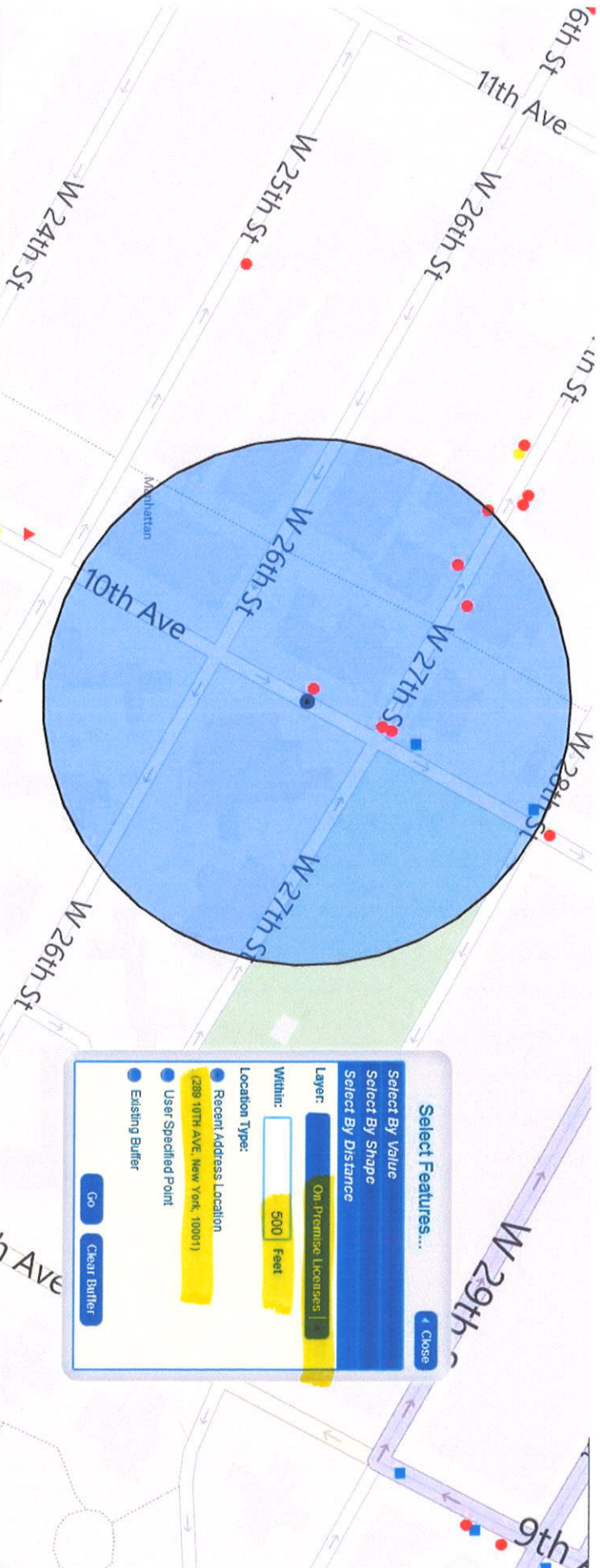
Go Clear Buffer

Results : On-Premise Licenses (0 records)

OBJECT	Seraino	License	License Zone	County	Name	DBA	Address1	Address2	City	State	ZIP	License	License
19820	1251659	CR	256	1	NEW	SLEEPNO MORE NA LLC	SLEEP NO MORE	530 W 27TH STREET	NEW YORK	NY	10001	1	OPL
20447	1232070	HL	242	1	NEW	W 27 HIGHLINE OWNER LLC	518 518 W 27TH ST		NEW YORK	NY	10036	1	OPL
20819	1130460	OP	252	1	NEW	10TH AVENUE HOSPITALITY GROUP LLC	289 10TH AVENUE	28 & 27TH STREETS	NEW YORK	NY	10001	1	OPL
20819	1234303	OP	252	1	NEW	CAFFE PICASSO LTD	513 W 27TH STREET	10TH AVENUE & 11TH AVENUE	NEW YORK	NY	10001	1	OPL
20890	1137185	OP	252	1	NEW	THANKS 18 LLC	297 10TH AVE AKA 503 W 27TH ST	GRN 27TH STREET	NEW YORK	NY	10001	1	OPL

3
4

259 ASPINERY LLC
 5100 MADISON
 259 10th Avenue, New York, NY 10011
 - 100 FOOT BUFFER 2-



Results : On-Premise Licenses (6 records)

OBJECT	Seraino	License	License Zone	County	Name	DBA	Address1	Address2	City	State	ZIP	License	License
26767	1430469	OP	252	NEW	10TH AVENUE HOSPITALITY GROUP LLC	MARQUEE	289 10TH AVENUE	28 & 27TH STREETS	NEW YORK	NY	10001	1	OPPL
26949	1294909	OP	252	NEW	CAFFE PICASSO LTD	OVEST PIZZOTECA	513 W 27TH STREET	10TH AVENUE & 11TH AVENUE	NEW YORK	NY	10001	1	OPPL
26990	1137183	OP	252	NEW	THANKS 18 LLC	BRITE BAR	297 10TH AVE AKA 903 W 27TH ST	CNN 27TH STREET	NEW YORK	NY	10001	1	OPPL
23775	1232046	OP	252	NEW	W 27 HIGHLINE OWNER LLC		516 518 W 27TH ST RESTAURANT		NEW YORK	NY	10038	1	OPPL
43592	1257329	OP	252	NEW	PORTENO LLC		299 10TH AVE		NEW YORK	NY	10001	1	OPPL

6

289 Hospitality LLC d/b/a Marquee
 289 16th Avenue, New York, NY 10011

SPECIALTY DRINKS

Peach Ritual	20
<i>Peach vodka, Absinthe, fresh lemon juice, fresh lime juice, agave nectar, raspberries</i>	
Breezy Swede	20
<i>Grapefruit vodka, St. Germain Elderflower Liqueur, Fruitsential Organic Blood Orange, fresh lemon juice, bitters, agave nectar *garnished with Rock Candy Stick</i>	
Raspberry Doble	18
<i>Raspberry vodka, Maraschino Liqueur, agave nectar, grapefruit juice, bitters, fresh lemon juice</i>	
Vanilla Sprig	18
<i>Vanilla vodka, agave nectar, fresh lime juice, muddled blueberries, and mint leaves</i>	
Sage Collins	18
<i>Vodka, muddled sage leaves, agave nectar, fresh lime juice topped with club soda</i>	
Cosmopolitan	18
<i>Lemon vodka, triple sec, cranberry juice, fresh lime juice</i>	
La Poire Berry	20
<i>Pear vodka, blackberry brandy, agave nectar, muddled blackberries, fresh lime juice</i>	
The Chelsea	18
<i>Orange vodka, St. Germain Elderflower Liqueur, apple juice</i>	
Strawberry '75	25
<i>Gin, fresh lemon juice, agave nectar, and strawberries topped with champagne</i>	
Strawberry Mojito	20
<i>Rum, brown sugar, muddled mint leaves and strawberries, fresh lime juice</i>	
Blackberry Margarita	20
<i>Tequila, black raspberry vodka, triple sec, muddled blackberries, fresh lime juice</i>	

WINES BY THE GLASS

WHITE

Casa Lapostolle Sauvignon Blanc	15
Newton Red Label Chardonnay	21

RED

Domaine Chandon Pinot Noir	20
Flowers Sonoma Coast Pinor Noir	30
Terrazas Cabernet Sauvignon	15

CHAMPAGNES BY THE GLASS

Moët & Chandon Imperial	25
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WINES BY THE BOTTLE

WHITE

Cakebread Chardonnay	375
Livio Felluga Terre Alte	425
Trimbach Clos Ste. Hune Riesling	465



— MENU —
 FOOD

Artichoke Basille's Classic Pie	40
<i>Creamy artichoke, spinach sauce with pecorino romano and reggiano cheese topped with fresh artichokes</i>	
Artichoke Basille's Margarita Pie	38
<i>Tomato sauce with mozzarella and reggiano cheese topped with fresh basil</i>	
Tomato & Mozzarella Salad	15
<i>Fresh tomatoes and mozzarella cheese with a balsamic vinegar dressing</i>	
House Salad	15
<i>Sprig mix with artichoke hearts, red onions, olives, tomatoes mozzarella cheese and hose dressing</i>	
Homemade Meatballs	20
<i>Six beef and pork mixed meatballs served with tomato sauce parmesan cheese</i>	
Basille's Garlic Sticks	15
<i>Homemade bread sticks with tomato sauce</i>	

DESSERT

Berries & Cream Martini	16
<i>Fresh, seasonal berries marinated in a sweet berry purée served with whipped cream</i>	
Chocolate Covered Strawberries	14
<i>Fresh strawberries hand dipped in rich dark chocolate and drizzled with white chocolate</i>	

*each dessert serves two

SOFT DRINKS



289 HOSPITALITY UC
1/10/2 MARQUEE
289 10th Avenue
New York, NY 10011
— EXTERIOR STORAGE —



289 Hospitallery LLC
d/o/a MARQUISE
A. → 289 10th Avenue
New York, NY 10001
— EXTERIOR VIEW —