



THE CITY OF NEW YORK
MANHATTAN COMMUNITY BOARD 3
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Andrea Gordillo, Board Chair

Susan Stetzer, District Manager

June 25, 2025

New York State Liquor Authority
80 South Swan Street, Suite 900
Albany, New York 12210-8002

Re: Nine Orchard F&B Subtenant LLC and NO F&B Management LLC
9 Orchard Street
New York, NY 10002

Dear New York State Liquor Authority,

At the June 2025 Full Board Meeting, Community Board 3 passed the following resolution:

TITLE: Community Board 3 Recommendation To Deny Unless Stipulations Agreed To—Stipulations Attached

WHEREAS, Orchard Street Restaurant Management LLC doing business as Corner Bar; Swam Room, is seeking a full on-premises liquor license, in the premises located at 9 Orchard Street, Corner of Canal Street and Orchard Street with Allen Street to the west, New York, New York; and

WHEREAS, this is an application for a sale of assets for an establishment with of 803 people, 68(maximum) tables and 439(maximum) seats with 3 bars 30'10" 1st fl (corner) with 14 seats; 27' 1st fl (lobby) with 12 seats; 15' 14th fl with, Restaurant within a hotel with meeting/event spaces serving food during [all hours of operation 2 TVs (TBD), with live musician (3-4 instrument ensembles); DJs Streaming services/playlists and

WHEREAS, there are 15 full on-premises liquor licenses within 500 feet per the SLA LAMP map;

WHEREAS, This location has been licensed to the current establishment since 2018, this is a sale of assets; and

WHEREAS, the applicant has never been a license holder in NY State but has had work experience similar to the proposed business in other states;

WHEREAS, there were 18 commercial 311 complaints at this location with NYPD action necessary since 2022; and

WHEREAS, 47 residents who live within two blocks of the location signed a petition in favor of the application; and

WHEREAS, the applicant intends to keep the same stipulations that were approved October 26, 2018 with the only amendment being that the 2nd floor space and the 14th floor space

will be accessible for hotel guests when there are no events, and if there is additional capacity it will be open to the public by reservation only; and

THEREFORE, BE IT RESOLVED that Community Board 3 recommends the denial of the application for a full on-premises liquor license for Orchard Street Restaurant Management LLC for the premises located at 9 Orchard St, New York, New York, unless the applicant agrees to the following signed notarized stipulations that

- 1) it will operate as a Restaurant within a hotel with meeting/event spaces with a full kitchen,
- 2) its hours of operation will be opening no later than 07:00 A.M and closing by 02:00 A.M ALL DAYS Except: Ground Fl Space on Allen and Canal, 7am-Midnight, Sunday-Wednesday; 14th Fl Exterior 7am-Midnight Daily,
- 3) it will close all outdoor dining allowed under the temporary Open Restaurants program and any other outdoor uses by 10:00 P.M. all days and not have any speakers or TV monitors,
- 4) it will close any front or rear facade doors and windows at 10:00 P.M. every night or when amplified sound is playing, including but not limited to DJs, live music and live non-musical performances, or during unamplified live performances or televised sports
- 5) it will play live music, at background level, OR entertainment level, DJs, promoted events, scheduled performances or any event at which a cover fee will be charged,
- 6) it will not apply for any alteration in its method of operation or for any physical alterations without first appearing before Community Board 3,
- 7) it will not host pub crawls or party buses,
- 8) it will not have unlimited drink specials, including boozy brunches, with food,
- 9) it may have "happy hours" until 08:00 P.M. each night
- 10) it will ensure that there are no wait lines outside and will designate an employee for ensuring no loitering, noise or crowds outside,
- 11) it will conspicuously post this stipulation form beside its liquor license inside of its business, and
- 12) it will provide a telephone number for residents to call with complaints and immediately address any resident complaints
- 13) it will accept all stipulations approved October 26, 2018 (attached) and amend to include use of the 2nd floor space and 14th floor space by hotel guests, and if capacity allows public with reservations.

Please see the attached supplemental materials and contact the community board office with any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Andrea Gordillo".

Andrea Gordillo, Chair
Community Board 3

A handwritten signature in blue ink, appearing to read "Clint Smeltzer".

Clint Smeltzer, Chair
SLA & DCA Licensing Committee

CC: Martha M. Redo, Applicant's Representative