

Community Board 12 Licensing Committee

Minutes, April 8, 2015

Committee Members Present: Rolando Cespedes, Aldemar Diaz, Isidro Medina, Martin Restituyo, Angela Sanchez

Committee Members Excused:

Committee Members Absent: Terriell Peters

CB12 Members Present:

CB12 Staff Members Present:

Community Members Present:

A. Welcome & Opening Remarks – Aldemar Diaz, Chair

B. State Liquor Authority *Renewal* Licenses:

On-Premises Liquor License

1. The Element Restaurant Group Inc., doing business as Cabrini 181, located at 854 West 181st Street (between Cabrini Boulevard & Pinehurst Avenue)

New or Renewal? License Type	Renewal On-Premises Liquor
Owner/Representative	Owner: Jose Carrillo, manager
Type of Establishment	American Restaurant
Hours of Operation	7am to midnight
Tables/Chairs	20 tables, 48 chairs
Music	iPod
Security Cameras	10 cameras (6 inside, 4 outside)
Security Personnel	None
ADA Compliant?	Yes
Employees	10
Capacity	45
Emergency Exits	2
Restaurant Letter Grade	Grade Pending (As of November 2014)
33rd/34th Precinct	No objection
Community Comments	"Good job." The community is in favor of the application.
Stipulations	None
Notes	No changes to method of operation.

Committee Vote	Yes: Céspedes, Díaz, Medina, Restituyo No: 0 Abstain: 0
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Restaurant Wine License

2. AKV Restaurant Corp., doing business as Inwood Local Wine Bar & Beer Garden, located at 4957 Broadway (between West 207th & Isham Streets)

New or Renewal? License Type	Renewal Restaurant Wine
Owner/Representative	Kathleen Stathopoulos, Attorney (Gus Anton, owner, not present)
Type of Establishment	Modern American Restaurant & Bar
Hours of Operation	Mon-Thu, 4pm-2am; Fri-Sun, Noon-3am
Tables/Chairs	Inside: 6 tables, 12 chairs, 12 bar stools; Outside (patio): 9 tables, 44 chairs
Music	iPod; DJ & live Friday & Saturday
Security Cameras	12 (5 outside, 7 inside)
Security Personnel	None
ADA Compliant?	Yes
Employees	9
Capacity	75
Emergency Exits	2
Restaurant Letter Grade	A (As of September 2014)
33rd/34th Precinct	No objection
Community Comments	1. Neighbor who faces rear yard of the restaurant is concerned regarding the restrictions of the rear garden. The current restrictions on the license are working well, but he is concerned if the business is interested in expanding the use and supports the application if the current space is not augmented. 2. Martin Collins supports.
Stipulations	
Notes	Method of operation remains the same; not looking to expand. Previous commitments to installing sound governor and posting good neighbor sign have been complied with. Councilman Rodriguez requests customary meeting.
Committee Vote	Yes: Céspedes, Díaz, Medina, Restituyo No: 0 Abstain: 0

3. Jach Restaurant Corp., doing business as Park View Café Restaurant, located at 219 Dyckman Street (between Seaman Avenue & Broadway)

New or Renewal? License Type	Renewal Restaurant Wine
Owner/Representative	Kathleen Stathopoulos, Attorney (Gus Anton, owner, not present)
Type of Establishment	American Café/Restaurant
Hours of Operation	Mon-Thu, 7am-11pm; Fri, 7am-midnight; Sat, 8am-midnight; Sun, 8am-11pm
Tables/Chairs	17 tables, 36 chairs, 2 benches
Music	iPod
Security Cameras	(13) 2 outside, 11 inside
Security Personnel	None
ADA Compliant?	Yes
Employees	12
Capacity	60
Emergency Exits	2
Restaurant Letter Grade	B
33rd/34th Precinct	No objections
Community Comments	1. Community supports this application. 2. Martin Collins stated that this business has been operating for 48 years in this community and is a good business.
Stipulations	None
Notes	The method of operation has not changed.
Committee Vote	Yes: Cespedes, Díaz, Medina, Restituyo No: 0 Abstain: 0

4. L' Fonda Inc., located at 2023 Amsterdam Avenue (at the corner of West 160th Street)

New or Renewal? License Type	Renewal Restaurant Wine
Owner/Representative	Jose Morel, Owner
Type of Establishment	Dominican Restaurant
Hours of Operation	7:30am-11pm
Tables/Chairs	9 tables, 23 chairs
Music	iPod, no sound limiter
Security Cameras	3 inside
Security Personnel	None
ADA Compliant?	Yes
Employees	8

Capacity	
Emergency Exits	2
Restaurant Letter Grade	A (as of October 2014)
33rd/34th Precinct	No objections
Community Comments	<p>1) The owners agreed to post good neighbor signs two years ago; why was this never done?</p> <p>2) There was concern that the business is also operating on the second floor without the proper licensing from the SLA. The owner explained that the second floor has been in use at the location since the present owners opened in 2005, and by the previous owners as well.</p> <p>3) A representative of the Assembly of God, a church located near the establishment, concurred that there does not appear to be a good neighbor sign posted.</p>
Stipulations	<p>1) Install ADA-compliant ramp at entrance (Done)</p> <p>2) Install sound limiter (Pending)</p> <p>3) Post bilingual good neighbor sign (Done)</p> <p>4) Submit alteration application to SLA before the General Meeting on April 28, 2015. (Pending)</p>

Notes	<p>1) Mr. Morel's sister, co-owner of the restaurant, agreed to post a good neighbor sign in April of 2013, but this was never done.</p> <p>2) This business was not ADA-compliant at the time of the Committee meeting, but the owner has since purchased and installed a ramp; per the photographs supplied to the Board office, said ramp appears to be ADA-compliant.</p> <p>3) Most nights, this restaurant closes at 9:30pm although they are allowed to remain open until 11pm.</p> <p>4) Although the applicant states that no construction has been carried out, seats have been rearranged so that the seating capacity appears to have been reduced by several seats. The Committee Chair is awaiting guidance from the SLA regarding proper licensing for the second floor and for the current seating capacity and floor plan.</p>
Committee Vote	<p>Yes: Céspedes, Díaz, Restituyo, Sánchez</p> <p>No: 0</p> <p>Abstain: Medina</p>

5. Zervian Café Corp., doing business as Burgos Restaurant, located at 206 Dyckman Street (between Broadway & Vermilyea Avenue)

New or Renewal? License Type	Renewal Restaurant Wine
Owner/Representative	No one appeared to represent this business. (Not required for renewal applications.)
Type of Establishment	
Hours of Operation	
Tables/Chairs	
Music	
Security Cameras	
Security Personnel	
ADA Compliant?	
Employees	
Capacity	
Emergency Exits	
Restaurant Letter Grade	
33rd/34th Precinct	No objection
Community Comments	
Stipulations	
Notes	

Committee Vote	Yes: Céspedes, Díaz, Medina, Restituyo, Sánchez No: 0 Abstain: 0
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6. Il Posto Trattoria Rustica Corp., doing business as Café Tabu, located at 227 Dyckman Street (between Broadway & Seaman Avenue)

New or Renewal? License Type	Renewal Restaurant Wine
Owner/Representative	Carlotta Chevere, Owner
Type of Establishment	
Hours of Operation	4pm-midnight weekdays; 4pm-2am weekends
Tables/Chairs	12 tables, 25 chairs
Music	iPad; Karaoke on Wednesdays until closing time (midnight)
Security Cameras	6
Security Personnel	Summer nights only, to check IDs
ADA Compliant?	No (Grandfathered; establishment too small to accommodate accessible bathroom.)
Employees	4
Capacity	25
Emergency Exits	
Restaurant Letter Grade	A (As of February 2014)
33rd/34th Precinct	No objection
Community Comments	1) For some time now, a damaged bench has been seen outside this establishment and elsewhere on the same block, often covered in litter. The owner explained that her business owned the bench and gave it to the proprietors of Mayi Fashion, the boutique next door, who apparently have failed to care for it or keep it within legal boundaries. The owner has agreed to speak with the boutique's management and ask them to discard this eyesore or obtain permission to do so herself. 2) What public interest is served by having another hookah tapas bar on Dyckman?
Stipulations	Obtain permission to remove the damaged bench from the street and complete this task by April 9, 2015.

Notes	<p>1) There have been noise complaints against this business in the past, but it has not been possible to ascertain whether the noise came from this establishment or from any of several other locations on the same block. No violations have been given.</p> <p>2) This business was previously operated as an Italian restaurant and is now a Mediterranean hookah bar. Approval for the new method of operation was obtained from the SLA last year. Currently Tabu a hookah bar, previously Il Posto an Italian restaurant. Mediterranean cuisine and have hookahs. Adheres to hours agreed upon with former Councilman Jackson.</p>
Committee Vote	<p>Yes: Céspedes, Díaz, Medina, Restituyo, Sánchez No: 0 Abstain: 0</p>

7. Cristina & Rachel Restaurant Inc., doing business as Cristina Restaurant, located at 179 Audubon Avenue (at the corner of West 174th Street)

New or Renewal? License Type	Renewal Restaurant Wine
Owner/Representative	No one appeared to represent this business. (Not required for renewal applications.)
Type of Establishment	
Hours of Operation	
Tables/Chairs	
Music	
Security Cameras	
Security Personnel	
ADA Compliant?	
Employees	
Capacity	
Emergency Exits	
Restaurant Letter Grade	
33rd/34th Precinct	The 33 rd Precinct objects due to a history of noise complaints, including a summons for noise code violations given this past February. The Precinct is also concerned that there are other illicit activities taking place at this location.
Community Comments	<p>1. There are concerns that this business has been a source of noise in the recent past.</p> <p>2. There was a violent fight outside the business recently and there appears to be insufficient security to control the patrons and the noise they create.</p>

Stipulations	
Notes	
Committee Vote	Yes: 0 No: Medina Abstain: Céspedes, Díaz, Restituyo, Sánchez

C. NYC Department of City Planning Renewal of Enclosed Sidewalk Café Licenses:

8. Broadway & 166th, LLC., doing business as Dallas BBQ, located at 3956 Broadway (at the corner of West 166th Street)

New or Renewal? License Type	Renewal Enclosed Sidewalk Cafe
Owner/Representative	Neil Weisbard, Attorney
Type of Establishment	Barbecue Restaurant
Hours of Operation	Sun-Thu, 11am-midnight; Fri & Sat, Noon-1am
Tables/Chairs	Dining Room: 50 tables, 175 chairs; Enclosed café: 19 tables, 48 chairs; Unenclosed café: 12 tables, 48 seats
Music	Pandora
Security Cameras	16
Security Personnel	1 NYS-licensed on Fri, Sat & Sun
ADA Compliant?	Yes
Employees	61
Capacity	
Emergency Exits	4
Restaurant Letter Grade	A (As of October 2014)
33rd/34th Precinct	No objection
Community Comments	Martin Collins stated that this business has been a good member of the community for many years.
Stipulations	
Notes	The Board has not previously objected to any OPL or sidewalk café applications from this business. The method of operation has not changed.
Committee Vote	Yes: Céspedes, Díaz, Medina, Restituyo, Sánchez No: 0 Abstain: 0

D. NYC Department of Consumer Affairs New of Unenclosed Sidewalk Café Licenses:

9. 151 Dyckman Corp., doing business as Lotus Café, located at 151 Dyckman Street (at the corner of Sherman Avenue)

New or Renewal? License Type	New Unenclosed Sidewalk Cafe
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Owner/Representative	Michael Kelly, Representative; Daniel and Natalie Gonzalez, owners
Type of Establishment	Hispanic restaurant
Hours of Operation	Weekdays: Noon to midnight; Weekends: Noon to 3am
Tables/Chairs	12 tables and 24 chairs
Music	iPod
Security Cameras	28 (3 outside, 25 inside)
Security Personnel	As needed, from licensed security company (CF Security)
ADA Compliant?	Yes
Employees	8
Capacity	74
Emergency Exits	1
Restaurant Letter Grade	No inspection yet; restaurant only open 3 weeks.
33rd/34th Precinct	The Precinct has been concerned about this location since a previous owner operated it as Insomnia. They cannot support this application until they have had a meeting with the owner and conducted a walkthrough. (The applicant states that he emailed the 34 th Precinct on March 12 but did not receive a response.)
Community Comments	
Stipulations	<ol style="list-style-type: none"> 1. Meet with the 34th Precinct for walk-through. 2. Operate the sidewalk café in compliance with the Jackson Accord hours (closing at 10pm weeknights and midnight weekends).
Notes	<ol style="list-style-type: none"> 1. The applicant submitted a petition with several signatures supporting this application; however, most were not from District residents. 2. The café will use approximately 10' of the 19' sidewalk. 3. No other restaurants owned by the applicant have sidewalk cafes. 4. This is a commercial property, and there are no tenants above. 5. This will be the only café on that sidewalk.
Committee Vote	Yes: Céspedes, Díaz, Medina, Sánchez No: 0 Abstain: Restituyo

E. NYC Department of Taxi & Limousine Commission New Livery Base License:

10. Gallant Car Service Corp., located at 5030 Broadway (between West 213th & 214th Streets)

New or Renewal? License Type	New Livery Base License
Owner/Representative	No one appeared to represent this business, as required by the Board for all new applications.
Type of Establishment	Taxi Livery Base
Number of cars	
Number of drivers	
Accessible vehicles	
Parking arrangements	
Security Cameras	
33rd/34th Precinct	
Community Comments	
Stipulations	
Notes	
Committee Vote	Yes: 0 No: Céspedes, Díaz, Medina, Restituyo, Sánchez Abstain: 0

F. State Liquor Authority New Licenses:

On-Premises Liquor License

11. DC 544 West 27th LLC., doing business as Don Coqui, located at 186 Dyckman Street (at the corner of Vermilyea Avenue)

New or Renewal? License Type	New On-Premises Liquor License
Owner/Representative	Ariel Ferreira, Representative; Rene & Jimmy Rodriguez, Owners
Type of Establishment	Puerto Rican restaurant serving breakfast and dinner only.
Hours of Operation	11am-4am seven days a week; Kitchen closing at 2am
Tables/Chairs	20 tables, 80 chairs
Music	iPod, DJ playing ambient music, Live music weekend afternoons ending in the early evening; occasional karaoke night. Current sound system has been replaced to make it more “community friendly”. (Smaller speakers will be installed in such a way to keep the music inaudible outside.)
Security Cameras	32
Security Personnel	4 NYS-licensed personnel; they will be supervised by the owners’ brother-in-law, a retired police officer.
ADA Compliant?	Yes
Employees	25

Capacity	150
Emergency Exits	2 on Dyckman Street
Restaurant Letter Grade	N/A
33rd/34th Precinct	No objection, but requests a meeting with the owner and a walk-through.
Community Comments	<ol style="list-style-type: none"> 1. This seems like a small space for Don Coqui; residents are concerned that it might expand, similar to its other larger establishments. 2. There are concerns regarding congestion on this block. 3. The two previous owners had a very troubled history at that location. 4. Are the owners planning to apply for a cabaret license? 5. The owner has spoken with Councilman Rodriguez and obtained his approval.
Stipulations	<ol style="list-style-type: none"> 1. Re-do soundproofing. 2. Meet and arrange for walk-through with the 34th Precinct. 3. Install sound governor. 4. Will not apply for cabaret license. 5. Last call will be at 3:00 AM at all times. 6. Post bilingual good neighbor sign.
Notes	<ol style="list-style-type: none"> 1. This business is still under construction. The owner expects to open in 6 weeks. 2. The owners are no longer affiliated with Don Coqui in Astoria and has filed suit to have the name removed from the establishment, which operates as a nightclub. 3. The owners are also no longer affiliated with Sofrito in midtown east. They have not been involved there for 5 years, and sold their stake in that business before the recent problems with noise began. 4. The owner are not looking to expand beyond the current size and do not intend to obtain a cabaret license.
Committee Vote	<p>Yes: Céspedes, Díaz, Medina, Restituyo, Sánchez</p> <p>No: 0</p> <p>Abstain: 0</p>

12. Kismat Indian Restaurant Inc., located at 603 Fort Washington Avenue (at the corner of West 187th Street)

New or Renewal? License Type	New On-Premises Liquor
Owner/Representative	Shamin Ahmed, Owner
Type of Establishment	Indian restaurant serving authentic, home style food.
Hours of Operation	7 days a week, 11am to 11pm
Tables/Chairs	15 tables, 60 chairs
Music	Classical Indian music on iPod.
Security Cameras	9 (2 outside, 7 inside)
Security Personnel	None
ADA Compliant?	Yes
Employees	7
Capacity	67
Emergency Exits	3 (2 on Fort Washington Avenue, 1 on 187 th Street)
Restaurant Letter Grade	A (as of August 2014)
33rd/34th Precinct	No objection
Community Comments	Martin Collins and other community members support this application. This business has been in the area for 31 years and been a good neighbor.
Stipulations	Email a copy of the floor plan (applicant presented original at the meeting) to the Committee Chair.
Notes	1. The owner is seeking this license because he is currently expanding into a new space. He had this type of license in 1998 but returned it because the space was too small for a bar. 2. The applicant expects to reopen in June or July of this year.
Committee Vote	Yes: Céspedes, Díaz, Medina, Restituyo, Sánchez No: 0 Abstain: 0

13. Hudson Heights Bar & Grill Corp., located at 701 West 180th Street (at the corner of Broadway)

New or Renewal? License Type	New On-Premises Liquor
Owner/Representative	No one appeared to represent this business, as required by the Board for all new applications.
Type of Establishment	
Hours of Operation	
Tables/Chairs	
Music	
Security Cameras	

Security Personnel	
ADA Compliant?	
Employees	
Capacity	
Emergency Exits	
Restaurant Letter Grade	
33rd/34th Precinct	
Community Comments	
Stipulations	
Notes	
Committee Vote	Yes: 0 No: Céspedes, Díaz, Medina, Restituyo, Sánchez Abstain: 0

14. 186 Sushi Restaurant Inc., doing business as Mia Sushi, located at 1506 St. Nicholas Avenue (between West 185th & 186th Streets)

New or Renewal?	New On-Premises Liquor
License Type	
Owner/Representative	No one appeared to represent this business, as required by the Board for all new applications.
Type of Establishment	
Hours of Operation	
Tables/Chairs	
Music	
Security Cameras	
Security Personnel	
ADA Compliant?	
Employees	
Capacity	
Emergency Exits	
Restaurant Letter Grade	A, as of March 2015
33rd/34th Precinct	Objection; several violations have been issued and arrests made due to underage drinking, including an arrest made last week. On March 23 there was a shooting at the location, and the owner was cited for permitting the premises to become disorderly.
Community Comments	The community is concerned about the recent shooting.
Stipulations	
Notes	
Committee Vote	Yes: 0 No: Céspedes, Díaz, Medina, Restituyo, Sánchez Abstain: 0

Restaurant Wine License

15. Novvo Restaurant Inc., located at 5009 Broadway (between West 213th & 214th Streets)

New or Renewal? License Type	New Restaurant Wine
Owner/Representative	No one appeared to represent this business, as required by the Board for all new applications.
Type of Establishment	
Hours of Operation	
Tables/Chairs	
Music	
Security Cameras	
Security Personnel	
ADA Compliant?	
Employees	
Capacity	
Emergency Exits	
Restaurant Letter Grade	
33rd/34th Precinct	

Community Comments	<p>1. The community is concerned about the history of this location under the previous ownership (Hashi Sushi).</p> <p>2. Martin Collins made reference to specific details regarding Hashi's tortured history. The license for that establishment was revoked by the SLA in September and the business was closed by court order. At the hearing regarding the revocation, SLA Commissioner Rosen had very stern words for the owner regarding the way this business was operated and the law disregarded. The public convenience and advantage of granting another On-Premises Liquor License at this same location is questionable.</p> <p>3. This business also had a history of nonpayment of rent, as indicated by paperwork affixed to the premises by the landlord, and nonpayment of state taxes (with total arrears exceeding \$100,000).</p> <p>4. Councilman Rodriguez opposed the last application for a liquor license at this location.</p> <p>5. Jennifer Fox lives upstairs from this storefront. Last fall the owners of Novvo reconstructed the storefront and opened a bar there without liquor license, and also operated an illegal sidewalk café.</p> <p>6. There are concerns that the owners of Hashi might be involved in this business, as well.</p>
Stipulations	
Notes	
Committee Vote	<p>Yes: 0 No: Céspedes, Díaz, Medina, Restituyo, Sánchez Abstain: 0</p>

16. GC Restaurant Corp., doing business as Garden Café, located at 4961 Broadway (between West 207th & Isham Streets)

New or Renewal? License Type	New Restaurant Wine
Owner/Representative	Kathleen Stathopoulos, Attorney
Type of Establishment	Modern American restaurant
Hours of Operation	Mon-Fri, 11am-11pm; Sat & Sun, 10am-11pm
Tables/Chairs	Inside: 12 tables, 32 chairs; Backyard: 14 tables, 40 chairs
Music	iPod, Live jazz trio weekends
Security Cameras	8 (2 outside 6 inside)
Security Personnel	None
ADA Compliant?	Yes

Employees	10
Capacity	75
Emergency Exits	2
Restaurant Letter Grade	Grade Pending. This business was closed for health code violations late last year. It has since reopened and passed an inspection in December.
33rd/34th Precinct	No objection
Community Comments	This establishment has been a public benefit for the past 10 years. Martin Collins expresses his support.
Stipulations	
Notes	This business currently holds an On-Premises Liquor license which will expire on November 30, 2015. The current application is being submitted because the business is being transferred from the father to the son, Gus Anton.
Committee Vote	Yes: Céspedes, Díaz, Medina, Restituyo No: 0 Abstain: Sanchez

G. New Business/Adjournment