

## FULL BOARD MINUTES

**DATE:** February 17, 2005

**TIME:** 6:30 P.M.

**PLACE:** NYU Silver Building, 32 Waverly Place, Room 703

**BOARD MEMBERS PRESENT:** Tobi Bergman, Helene Burgess, Maria P. Derr, John Diaz, Doris Diether, Harriet Fields, Elizabeth Gilmore, Edward Gold, Jo Hamilton, Arthur Harris, Anne Hearn, Brad Hoylman, Aubrey Lees, Edward Ma, Don MacPherson, Chad Marlow, Rosemary McGrath, Philip Mouquinho, T. Marc Newell, Rick Panson, Ronald Pasquale, Judy Paul, David Reck, Robert Riccobono, Mark Rosenwasser, Rocio Sanz, Shirley Secunda, Melissa Sklarz, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Shirley H. Smith, Richard Stewart, Sean Sweeney, Martin Tessler, Wilbur Weder, Betty Williams, Michael Xu.

**BOARD MEMBERS EXCUSED:** Steve Ashkinazy, Keith Crandell, Lawrence Goldberg, Don Lee, Dr. John Maggio, Robert Rinaolo, Ruth Sherlip, Carol Yankay.

**BOARD MEMBERS ABSENT:** Galal Chater, Arthur Z. Schwartz

**BOARD STAFF PRESENT:** Arthur Strickler, District Manager

**GUESTS:** Congressman Jerrold Nadler's office; Jon Prosnit, Senator Tom Duane's office; Deborah Lester, Assembly Speaker Sheldon Silver's office; Gregory Brender; Assembly Member Deborah Glick's office; Dirk McCall, Council Member Alan Gerson's office; Council Member Margarita Lopez' office; Kate Seeley-Kirk, Council Member Christine Quinn's office; Frank Bradshaw, Marie Cecllet, Lillian Lee, Marjorie Kouns, Glenn Mills, Catherine Ross, Andrea Osbourne, Delores Osbourne, Camelle Osbourne, Ian Dutton, Barry Mallin, Maralyn Van Metre, Suzanne, Schein, Byrd Hoffman, Claire Evans, Mary R., John Evans, James Solomon, Tanishia Osbourne, Frank Collierius, Karen Groner, Mary Abbott, Marie Evans, Rachel Stone, Michael Edelstein, Demetri Daphnis, Edwin D. Rios, Kevin McGrath, Carter Booth, Miki Grubel, Mr. & Mrs. Thomas Chestaro, Gur Tsabar, B. Quart, Jim Fouratt, Geoff Wahl, Kathrina Miccio, Ethan McCracken, Phebe Mason, Joey Luera, John Evans, Barry Mallin, Frank Bradshaw, Lezli Zwering, Mary Johnson.

### MEETING SUMMARY

Meeting Date February 17, 2005

Board Members Present – 36

Board Members Excused– 8

Board Members Absent - 2

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### Proposed Renovation of Washington Sq. Park

Jim Fouratt spoke regarding the proposed plans.

#### Street Noise

Lezli Zwering and Mary Johnson, WPBA, spoke against street noise.

#### Health Outreach

Lilian Lee, Callen-Lorde Community Health Center, spoke regarding their health outreach program for teens.

### **Business Items**

#### TWIMC, LLC d/b/a Besito, 357 W. Broadway

Geoff Wahl, Kathrina Miccio, Ethan McCracken, Phebe Mason, and Joey Luera spoke in favor of the proposed liquor license application.

Catherine Ross, John Evans, Barry Mallin, and Frank Bradshaw, spoke against the application.

### **Executive Items**

#### “Well-Lit Chess Pieces” Exhibit

Marjorie Kouns, artist, presented her proposed exhibit to be house in Washington Sq. Park.

### **Institutions Items**

#### Construction Problems Concerning New York University

Miki Grubel and B. Quart, spoke in favor of the resolution.

## **III. ADOPTION OF AGENDA**

## **IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Congressman Jerrold Nadler’s office

Jon Prosnit, Senator Tom Duane’s office

Deborah Lester, of Assembly Speaker Sheldon Silver’s office

Gregory Brender, of Assembly Member Deborah Glick's office

Dirk McCall, of Council Member Alan Gerson’s office.

Council Member Margarita Lopez’ office

Kate Seeley-Kirk, of Council Member Christine Quinn's office

## **V. ADOPTION OF MINUTES**

Adoption of December 2004 minutes and distribution of January minutes.

## **VI. EXECUTIVE SESSION**

1. **Chair's Report** Jim Smith reported      2      **District Manager's Report** Arthur Strickler reported.

3. **Installation of “Well Lit Chess Pieces”, Project for Washington Square Park**

**WHEREAS**, Lower Manhattan Cultural Council (LMCC) a 501 (c) (3) non-profit organization is fiscally sponsoring the proposal called, "Well Lit Chess Pieces - Project for Washington Square Park", produced by Marjorie Kouns - Artist, which is a temporary arts installation (lasting no longer than 6 months) to be located along the four comer entrances of Washington Square Park, NYC; and

**WHEREAS**, Well Lit Chess Pieces, Project for Washington Square Park, a two part public art project consisting of 26 lampshade covers made of Klearspan, a flame retardant material supported by welded struts and secured by aviation cable to lightly rest over the globe lampposts on the four comer entrances of the Park and II Life-size Chess Game pieces stationed along the same four comer entrances on the grounds between existing fencing and behind the cement walls away from public access; and

**WHEREAS**, Well Lit Chess Pieces has been supported by NYC Department of Parks (pending a CB#2, Man. resolution); and

**WHEREAS**, said extensive and thorough review process and permission from Department of Transportation (DOT) Division of Street Lighting to temporarily install the lampshades and that it is understood there will be no significant decrease in the amount of lumens as a result of shades installation; and

**WHEREAS**, Commercial liability insurance has commenced by Artist Marjorie Kouns for \$ 1,000,000 to hold harmless City of New York as well as hold harmless the Commissioner of the Department of Transportation of the City of New York from any and all claims of whatever kind or nature arising from the installation during the period of time in which said shades are installed for a short term insurance policy for project and;

**WHEREAS**, Well Lit Chess Pieces has been in application process of City of New York/Parks & Recreation Special Event Permit Application for dates: April 23, 2005 through Sept 23, 2005 and;

**WHEREAS**, Well Lit Chess Pieces has been supported by Commissioner Bill Castro/NYC Parks and Recreation Dept., Councilman Alan Gerson District 1, Andrew Berman of Greenwich Village Society of Historical Preservation, Anne-Marie Sumner-Friends of Washington Square Park, Minetta Block Association, North Fork Bank, Bob Cohen and Michael Haberman - NYU Community Relations, NYC DOT (Department of Transportation Division a Street Lighting), Beatrice Marinello - U.S. Chess Federation, Minetta Block Association, Carmine Block Association; and

**WHEREAS**, Producer/Artist Marjorie Kouns has agreed to absorb all cost relating to installation and removal of the units from Park premises; and

**WHEREAS**, Well Lit Chess Pieces has commenced a pedestrian study of visitors over the duration of the project for demographic study purposes; and

**WHEREAS**, Producer/Artist has followed the Temporary Art Project Guidelines for Art in Parks; and

**WHEREAS**, none of the Park's architecture nor landscaping, nor pedestrian flow will be altered, blocked, modified or altered for this temporary public art project and;

**WHEREAS**, Well Lit Chess Pieces will be a focal point for the upcoming Spring '05 Chess tournaments planned with Councilman Gerson CB#1, and the U.S. Chess Federation and local Chess Clubs and Schools; and

**WHEREAS**, Well Lit Chess Pieces will be part of a best practices model for the future of Washington Square Park and set a precedent as an Urban Park Cultural Arts and Performance Space venue open to the public for enjoyment of events and activities free for all who visit;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. approves the public art project: 'Well Lit Chess Pieces', project for Washington Square Park.

Vote: Unanimous, with 36 Board members in favor.

## **STANDING COMMITTEE REPORTS**

### **BUSINESS**

#### **1. THE PAULIE WALNUTS CORP., 237 Sullivan Street, NYC 10012**

**WHEREAS**, the applicants and their attorney appeared before the committee; and

**WHEREAS**, this application is for a new On Premise liquor license at this 1,600 s.f. (basement and ground floors) establishment between West 3<sup>rd</sup> and Bleecker Streets, with 30 table seats and 15 bar seats that was formerly Zanzana; and

**WHEREAS**, the applicants stated that the premises had been soundproofed by the former tenant; that their lease contained standard “noise” clauses and their current sound engineer advised that the premises was adequately soundproofed; and

**WHEREAS**, the applicant stated that the hours of operation will be 11 a.m. to 4 a.m., seven days a week and the menu consist of appetizers, salads, sandwiches, burgers, wraps, fish, chicken and steak entrees and dessert; and

**WHEREAS**, the music is background only; and

**WHEREAS**, no one from the community appeared in opposition to this application;

**THEREFORE, BE IT RESOLVED** that CB#2, Man., has no objection to the issuance of an On Premise license to **THE PAULIE WALNUTS CORP., 237 Sullivan Street, NYC 10012.**

Vote: Unanimous, with 36 Board members in favor.

## **2. VAD HOSPITALITY GROUP, LLC d/b/a PARTAGE, 92 Seventh Avenue South, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for a new On Premise license located in a mixed use building between Grove and Barrow/Bleecker Streets, consisting of 1,300 s.f., (no basement) that was formerly “Sorisso”; and

**WHEREAS**, the applicant currently owns Paradou at two locations (Little West 12<sup>th</sup> Street and Seventh Avenue); and

**WHEREAS**, the applicant stated that this restaurant will be similar to Paradou and will feature French bistro stews and soups with 60 tables seats and 10 bar seats, in a French farmhouse atmosphere; and

**WHEREAS**, the applicant stated that music will be background only and the hours of operation will be Monday – Wednesday, 5 p.m. to midnight; Thursday & Friday, 5 p.m. to 1 a.m.; Saturday 11 a.m.-1 a.m., Sunday 11a.m. to 10 p.m.; and,

**WHEREAS**, no one from the community appeared in opposition to this application;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license to **VAD HOSPITALITY GROUP, LLC d/b/a PARTAGE, 92 Seventh Avenue South, NYC.**

Vote: Unanimous, with 36 Board members in favor.

## **3. 114 KENMARE ASSOCIATES, LLC d/b/a CORNER DELI, 106 Kenmare Street, NYC**

**WHEREAS**, the applicant and his architect appeared before the committee; and

**WHEREAS**, this application is for a new On-Premise license for a 2,900 s.f. restaurant located between Lafayette and Cleveland Streets, consisting of 121 table seats and 9 bar seats, featuring a “Mexico City” style deli in the upstairs portion of the premises and more formal dining downstairs; and,

**WHEREAS**, the applicant currently owns Pearsons BBQ at 170 East 81<sup>st</sup> Street and was formerly Head of Operations at Smith & Wollensky; and,

**WHEREAS**, the applicant stated that the hours of operation will be Noon to 3 a.m., Wednesday through Saturday and Noon to 1 a.m. Sunday through Tuesday and that music would be background only; and,

**WHEREAS**, no one from the community appeared in opposition to this application;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the approval of an On Premise license to **114 KENMARE ASSOCIATES, LLC d/b/a CORNER DELI, 106 Kenmare Street, NYC.**

Vote: Unanimous, with 36 Board members in favor.

## **4. LIBERTY INN CAFÉ, LTD., 51 Tenth Avenue, NYC, 10014**

**WHEREAS**, the applicant and his attorney appeared before the committee; and

**WHEREAS**, this application is for a new On Premise license in a 10ft x 14ft area of the ground floor of the Liberty Inn at 10<sup>th</sup> Avenue and 14<sup>th</sup> Street, consisting of 12 seats and no standup bar; and

**WHEREAS**, the applicant stated that this license is primarily for the accommodation of the Liberty Inn guests; the music will be background only and the hours of operation will be Sunday to Thursday, 3 p.m. to 1 a.m. and Friday and Saturday, Noon to 4 a.m.; and

**WHEREAS**, no one from the community appeared in opposition to this application;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license to **LIBERTY INN CAFÉ, LTD., 51 Tenth Avenue, NYC 10014.**

Vote: Unanimous, with 36 Board members in favor.

**5. T. HOSPITALITY, INC. d/b/a HIGHLINE, 835 Washington St., NYC 10014**

**WHEREAS**, the applicant failed to appear before the committee or seek a postponement; and

**WHEREAS**, this is an application for an alteration of an on-premise license; and

**WHEREAS**, it is the policy of this committee to deny a recommendation of approval to all applicants who do not make an appearance at the committee meeting;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of an alteration of an on-premise license for T. Hospitality, Inc. d/b/a/ Highline, 835 Washington Street, NYC and calls upon the SLA to return this applicant to the Community Board should the applicant file for an alteration to their existing license without first making their plans known to the community.

Vote: Unanimous, with 36 Board members in favor.

**6A. TWIMC, LLC d/b/a BESITO RESTAURANT, 357 West Broadway, NYC 10013**

**WHEREAS**, the applicant appeared before the committee; and,

**WHEREAS**, this application is for an upgrade to an On Premise license in a 1,900 sq. ft. establishment located between Broome and Grand Streets, consisting of 62 tables seats and 7 bar seats with a Mexican/Latin cuisine; and

**WHEREAS**, members of the community (more than 15 but less than 22) and their attorney appeared, submitted a written statement and a petition in opposition on the following grounds: **1)** over saturation of clubs and bars in this specific location; **2)** general noise impact on area residents; and **3)** excessive traffic and a lack of adequate enforcement; and

**WHEREAS**, this same application has already been denied by this Community Board approximately four months ago; and

**WHEREAS**, the overriding issue is the serious negative impact on the community of SoHo with more than 17 bars within a 500-foot radius;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. objects to the issuance of an On Premise license to **TWIMC, LLC d/b/a BESITO RESTAURANT, 357 West Broadway, NYC 10013.**

**THIS WAS A SUBSTITUTE RESOLUTION THAT WAS VOTED DOWN. SEE ORIGINAL AND FINAL RESOLUTION BELOW:**

**6B. TWIMC, LLC d/b/a BESITO RESTAURANT, 357 West Broadway, NYC 10013**

**WHEREAS**, the applicant appeared before the committee; and,

**WHEREAS**, this application is for an upgrade to an On Premise license in a 1,900 sq. ft. establishment located between Broome and Grand Streets, consisting of 62 tables seats and 7 bar seats with a Mexican/Latin cuisine (entrees from \$19-35.00) in a rustic cantina atmosphere; and

**WHEREAS**, the applicant stated that his hours of operation are Noon to 2 a.m., seven days a week; with background music only; and

**WHEREAS**, the applicant presented a portfolio of reviews from *Time Out*, *Zagat*, *New York Post*, *Daily News* and *City Guide*, as well as a copies of the menus (one for children as well as adults); and

**WHEREAS**, members of the community (more than 15 but less than 22) and their attorney appeared, submitted a written statement and a petition in opposition on the following grounds: **1)** over saturation of clubs and bars in the general area; **2)** general noise impact on area residents; and **3)** excessive traffic; and

**WHEREAS**, the applicant responded that the two residential tenants directly above the restaurant were in favor of this application;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license to **TWIMC, LLC d/b/a BESITO RESTAURANT, 357 West Broadway, NYC 10013.**

Vote: Failed, with 18 Board members in opposition, 16 in favor, and 1 abstention.

## **INSTUTIONS**

### **Construction Problems Concerning New York University**

**WHEREAS**, long-standing on-going problems with daily events and construction activity from NYU buildings are still going on, and

**WHEREAS**, meetings with NYU have not met with any lessening of these problems, and

**WHEREAS**, there currently is removal of hazardous asbestos by NYU in the Brown Building; and

**WHEREAS**, the renovation of the Life Sciences Building is likely to produce a widening of these problems, and

**WHEREAS**, it is believed that only through the involvement of City agencies that handle complaints can the problems be solved and properly monitored,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. calls on Councilman Alan Gerson to create a sitting committee of residents, NYU representatives and CB2 members to meet and monitor on-going complaints and to prevent a widening of problems likely to arise from the Life Sciences bldg. Renovation, and

**BE IT FURTHER RESOLVED** that CB#2, Man. commends Councilman Gerson for calling an initial meeting on February 28<sup>th</sup> to discuss these issues.

Vote: Unanimous, with 36 Board members in favor.

## **LANDMARKS AND PUBLIC AESTHETICS**

### **1<sup>ST</sup> LANDMARKS MEETING**

**Item 3 - 152-156 Wooster Street** (Houston Street)- SoHo-Cast Iron H.D. A Beaux-Arts style store and loft building designed by J. Averit Webster and built in 1890-1891. Application is to legalize the installation of new storefront infill without Landmarks Preservation Commission permits.

**WHEREAS**, the storefront is in character with other storefronts in the district in materials, style, rhythm, symmetry, and it does not detract from the building; and

**WHEREAS**, the installation was careful to retain the rosettes and the historic trim material; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 36 Board members in favor

**Item 4 - 16 West 12th Street** - Greenwich Village Historic District. A rowhouse built in 1845. Application is to alter window openings on the rear façade.

**WHEREAS**, the altered window openings are set back from the rear-yard façade extension and the adjacent building, making the change all but invisible to surrounding viewers; and

**WHEREAS**, the enlargement of the window opening actually is an improvement on the approved smaller windows in balance and harmony of the overall rear facade; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 36 Board members in favor.

**2<sup>ND</sup> LANDMARKS MEETING**

**Item 6 - 172 Mercer Street a/k/a 599 Broadway** - Soho-Cast Iron Historic District. A commercial and loft building, designed by J. Odell Whitenach and built in 1917. Application is to replace storefronts and to install neon signage.

**WHEREAS**, several illegal neon signs have already been installed in the windows prior to the meeting, in clear violation; and

**WHEREAS**, the applicant failed to appear, although the owner of 599 Broadway is well aware of the function of the Landmarks process; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of this application

Vote: Unanimous, with 36 Board members in favor.

**Item 7 - 712 Broadway** - NoHo Historic District. A Romanesque style warehouse designed by Alfred Zucker and built in 1892-93. Application is to legalize the installation of a stretch banner and illuminated box sign without Landmarks Preservation Commission permits.

**WHEREAS** the Landmarks Preservation Commission's publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

**WHEREAS** the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application in the absence of this important step in the review process.

Vote: Unanimous, with 36 Board members in favor.

**Item 8 - 732 Broadway** - NoHo Historic District. A Renaissance Revival style house built pre-1854 and altered in 1885 by H.J. Hardenburgh and in 1900 by Bruno W. Berger. Application is to install a bracket sign, lighting and a new storefront.

**WHEREAS** the Landmarks Preservation Commission's publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the Community Board to arrange for review of the proposal before the public hearing"; and

**WHEREAS** the applicant did not contact the Community Board or appear before the Landmarks Committee to present this application; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application in the absence of this important step in the review process.

Vote: Unanimous, with 36 Board members in favor.

**Item 9 - 240 Waverly Place (W 11<sup>th</sup>)** - Greenwich Village Historic District. A six-story apartment house built in 1916. Application is to alter the front stair and install a barrier-free access lift.

**WHEREAS**, building residents appeared and stated that since no one in the building required the lift, they did not want it to be installed; but

**WHEREAS**, the lift is unobtrusive and is otherwise acceptable in design, scale and materials; and

**WHEREAS**, the work on the front stairs does not destroy historic material and does not detract from the building; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application; but

**BE IT FURTHER RESOLVED** that CB#2, Man. recommends installation of the lift only after the interior elevator has been installed, in order to maintain the integrity of the building for as long as possible.

Vote: Unanimous, with 36 Board members in favor.

**Item 10 - 12 St. Luke's Place** (Hudson/Varick) - Greenwich Village H.D. An Italianate style rowhouse, built in 1852. Application to construct a rear-yard addition. Zoned R6

**WHEREAS**, we appreciate the applicant's renovation of the rear façade; but

**WHEREAS**, the only hesitation that we have is that on the parlor and second-story level, the fenestration is too modern and monolithic in style and detail, and we prefer to see that this fenestration retain the original configuration of these rear facades, that is, three bays separated by brick piers; and

**WHEREAS**, the roof bulkhead will be barely noticeable, even blocks away; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of the roof bulkhead, but wants to see some re-working of the rear façade to evoke the historic configuration.

Vote: Unanimous, with 36 Board members in favor.

### **SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

**1. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Spice Market LLC, d/b/a Spice Market 29-35 Ninth Avenue, York, NY 10014, with 13 tables and 26 seats DCA#1187891.**

**WHEREAS**, the area was posted and the applicant did not appear before the committee; and

**WHEREAS**, this restaurant is located at the corner of 13<sup>th</sup> Street and Ninth Avenue; and

**WHEREAS**, this restaurant is located in a highly congested pedestrian area; and

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. strongly recommends DENIAL of a revocable consent to operate an unenclosed sidewalk café to Spice Market LLC, d/b/a Spice Market 29-35 Ninth Avenue, York, NY 10014, with 13 tables and 26 seats and calls upon DCA to return this applicant to the Community Board should the applicant file for an unenclosed café without first making their plans known to the community.

Vote: Unanimous, with 36 Board members in favor.

**2. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Andikiana Corp. d/b/a Silver Spurs Restaurant, 490 LaGuardia Place, New York, NY 10012, with 16 tables and 32 seats DCA#0941701.**

**WHEREAS**, the area was posted and the applicant's manager appeared before the committee; and

**WHEREAS**, this restaurant is located between Bleecker and West Houston Streets; and

**WHEREAS**, There has been a sidewalk café at the location since 1996; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to for Andikiana Corp. d/b/a Silver Spurs Restaurant, 490 La Guardia Place, New York, N.Y. 10012, with 16 tables and 32 seats.

Vote: Unanimous, with 36 Board members in favor.

**3. Renewal application to NYCDCA for revocable consent to operate an unenclosed café for 164 Mulberry Corp. d/b/a Da Nico Restaurant, 164 Mulberry Street, New York, NY 10013, with 4 tables and 8 seats, DCA# 0949447.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared; and

**WHEREAS**, this restaurant is located between Hester and Grand Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 1998; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to for 164 Mulberry Corp. d/b/a Da Nico Restaurant, 164 Mulberry Street, New York, N.Y. 10013, with 4 tables and 8 seats, DCA# 0949447.

Vote: Unanimous, with 36 Board members in favor.

**4. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Rizziconi, Inc. d/b/a Sapore, 55 Greenwich Avenue, New York, NY 10014, with 18 tables and 34 seats, DCA#0984703.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared; and

**WHEREAS**, this restaurant is located at the corner of Perry and Greenwich Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 1998; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, two members were opposed to the 9 tables on Perry Street; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Rizziconi, Inc. d/b/a Sapore, 55 Greenwich Avenue, New York, N.Y. 10014, with **13 tables and 24 seats, with only 4 tables and 8 seats on Perry St.**

Vote: Failed, with 12 Board members in favor, 12 in opposition, and 1 abstention.

**5. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Trattoria Dante, Ltd., d/b/a Trattoria Dante, 79 Macdougall Street, New York, NY 10012, with 3 tables and 6 seats, DCA#1133839.**

**WHEREAS**, the area was posted and the applicant expeditor appeared before the committee; and,

**WHEREAS**, this restaurant is located between Bleecker and West Houston Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least 5 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Trattoria Dante, Ltd., d/b/a Trattoria Dante, 79 Macdougall Street, New York, NY 10012, with 3 tables and 6 seats.

Vote: Unanimous, with 36 Board members in favor.

**6. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Café Dante, Ind. d/b/a Café Dante, 81 Macdougall Street, New York, NY 10012, with 7 tables and 14 seats, DCA#0768933.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Bleecker and West Houston Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 1987; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Café Dante, Ind. d/b/a Café Dante, 81 Macdougall Street, New York, NY 10012, with 7 tables and 14 seats.

Vote: Unanimous, with 36 Board members in favor.

**7. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Red Lion Bleecker, Inc. d/b/a Red Lion, 151 Bleecker Street, New York, NY 10012, with 12 tables and 24 seats, DCA#0981728.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Bleecker and Thompson Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least 7 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Red Lion Bleecker, Inc. d/b/a Red Lion, 151 Bleecker Street, New York, NY 10012, with 12 tables and 24 seats.

Vote: Unanimous, with 36 Board members in favor.

**8. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Da Silvano Corp. d/b/a Da Silvano, 260 Sixth Avenue, New York, NY 10014, with 22 tables and 47 seats, DCA#1106166.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Bleecker and West Houston Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 1998; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is one tenant in the building who opposed this application; and

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Da Silvano Corp., d/b/a Da Silvano, 260 Sixth Avenue, New York, NY 10014 with 22 tables and 47 seats.

Vote: Passed, with 30 Board members in favor, and 6 in opposition.

**9. MODIFICATION Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café, with increased seating, for Da Silvano Corp. d/b/a Da Silvano, 260 Sixth Avenue, New York, NY 10014, with 27 tables and 57 seats, DCA#1187717.**

**WHEREAS**, the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Bleecker and West Houston Streets; and

**WHEREAS**, the additional seating will be located on two sidewalk vault doors adjacent to the building; and

**WHEREAS**, one tenant and members of the committee opposed this application on the following grounds: sidewalk pedestrian access hindered by congested environment; extends tables beyond building line; outdoor speakers; double parked cars;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends DENIAL of a MODIFICATION to increase seating to Da Silvano Corp. d/b/a Da Silvano, 260 Sixth Avenue, New York, NY 10014, with 27 Tables and 57 seats.

Vote: Unanimous, with 36 Board members in favor.

**10. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for 567 Hudson Street, Inc. d/b/a White Horse Tavern, 567 Hudson Street, New York, NY 10014, with 29 tables and 86 seats, DCA# 0769952.**

**WHEREAS**, the area was posted and the applicant appeared before the committee; and

**WHEREAS**, this restaurant is located at the corner of Hudson and 11<sup>th</sup> Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least 18-20 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO-YEAR revocable consent to 567 Hudson Street, Inc. d/b/a White Horse Tavern, 567 Hudson Street, New York, NY 10014, with 29 tables and 86 seats

Vote: Unanimous, with 36 Board members in favor.

**11. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Florence Restaurant, Inc., d/b/a Taormina, 147 Mulberry Street, New York, NY 10013, with 5 tables and 19 seats, DCA#0960662.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located Hester and Grand Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least since 1997 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that recommends APPROVAL of a TWO YEAR revocable consent to for Florence Restaurant, Inc., d/b/a Taormina, 147 Mulberry Street, New York, NY 10013, with 5 tables and 19 seats.

Vote: Unanimous, with 36 Board members in favor.

**12. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Costa Azzurra, Inc. d/b/a Azzurra of Mulberry Street, 134 Mulberry Street, New York, NY 10013, with 6 tables and 12 seats, DCA# 0885817.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Hester and Canal Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 1997; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Costa Azzurra, Inc. d/b/a Azzurra of Mulberry Street, 134 Mulberry Street, New York, NY 10013 with 6 tables and 12 seats.

Vote: Unanimous, with 36 Board members in favor.

**13. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Restaurant Florent, Inc. d/b/a Florent, 69 Gansevoort Street, New York, NY 10014, with 5 tables and 14 seats, DCA#0934909.**

**WHEREAS**, the area was posted and the applicant's manager appeared before the committee; and

**WHEREAS**, this restaurant is located between Washington and Greenwich Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least 9 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Restaurant Florent, Inc. d/b/a Florent, 69 Gansevoort Street, New York, NY 10014, with 5 tables and 14 seats.

Vote: Unanimous, with 36 Board members in favor.

**14. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Pomodoro Ristorante & Pizzeria, Inc., 51 Spring Street, New York, NY 10012, with 8 tables and 16 seats, DCA# 0884882.**

**WHEREAS**, the area was posted and the applicant's manager appeared before the committee; and

**WHEREAS**, this restaurant is located between Mulberry and Spring Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, the plans that show additional seating on Mulberry Street are out of date; and, applicant's representative agreed to up date the plans; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community,

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Pomodoro Ristorante & Pizzeria, Inc., 51 Spring Street, New York, NY 10012, with 8 tables and 16 seats.

Vote: Unanimous, with 36 Board members in favor.

**15. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Angelo of Mulberry Street, Inc. d/b/a Angelo, 146 Mulberry Street, New York, NY 10013, with 3 tables and 10 seats, DCA#0964932.**

**WHEREAS**, the area was posted and the applicant appeared before the committee; and

**WHEREAS**, this restaurant is located between Broome and Grand Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least 10 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Angelo of Mulberry Street, Inc. d/b/a Angelo, 146 Mulberry Street, New York, NY 10013, with 3 tables and 10 seats.

Vote: Unanimous, with 36 Board members in favor.

**16. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Caliente Cab Rest. Co., Inc. d/b/a Caliente Cab Co., 61 Seventh Avenue South, New York, NY 10014, with 42 tables and 84 seats, DCA#0670525.**

**WHEREAS**, the area was posted and the applicant and his attorney appeared before the committee; and

**WHEREAS**, this restaurant is located at the corner of Bleecker Street and 7<sup>th</sup> Avenue South; and

**WHEREAS**, there has been a sidewalk café at the location for at least 20 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO-YEAR revocable consent to Caliente Cab Rest. Co., Inc. d/b/a Caliente Cab Co., 61 Seventh Avenue South, New York, NY 10014 with 42 tables and 84 seats.

Vote: Unanimous, with 36 Board members in favor.

**17. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Caliente Tequila Grill LLC d/b/a Caliente Grill, 282 Bleecker Street a/k/a 59 Seventh Avenue South, New York, NY 10014, with 10 tables and 30 seats, DCA# 1103058.**

**WHEREAS**, the area was posted and the applicant and his attorney appeared before the committee; and

**WHEREAS**, this restaurant is located between Bleecker and Morton Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least since 1997 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Caliente Tequila Grill LLC d/b/a Caliente Grill, 282 Bleecker Street a/k/a 59 Seventh Avenue South, New York, NY 10014, with 10 tables and 30 seats.

Vote: Unanimous, with 36 Board members in favor.

**18. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Yamasak Restaurant Corp. d/b/a Cascata Café Italiano, 174 Bleecker Street, New York, NY 10012, with 2 tables and 4 seats, DCA# 1141909**

**WHEREAS**, the area was posted and the applicant appeared before the committee; and

**WHEREAS**, this restaurant is located between Sullivan and Macdougall Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least 2 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Yamasak Restaurant Corp. d/b/a Cascata Café Italiano, 174 Bleecker Street, New York, NY 10012, with 2 tables and 4 seats.

Vote: Unanimous, with 36 Board members in favor.

**19. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Corso Restaurant, Inc. d/b/a S.P.Q.R., 133-137 Mulberry Street, New York, NY 10013, with 8 tables and 25 seats, DCA#1104216.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Hester and Grand Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least 2 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Corso Restaurant, Inc. d/b/a S.P.Q.R., 133-137 Mulberry Street, New York, NY 10013 with 8 tables and 25 seats.

Vote: Unanimous, with 36 Board members in favor.

**20. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Claudisal Rest. Corp. d/b/a Il Ponte Vecchio, 206 Thompson Street, New York, NY 10012, with 9 tables and 18 seats, DCA#1187924.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Bleecker and West 3<sup>rd</sup> Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 1992 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Claudisal Rest. Corp. d/b/a Il Ponte Vecchio, 206 Thompson Street, New York, NY 10012, with 9 tables and 18 seats.

Vote: Unanimous, with 36 Board members in favor.

**21. RENEWAL application to NYCDCA for revocable consent to operate an ENCLOSED café for Zonor Rest. Corp. d/b/a Riviera Café, 225 West 4<sup>th</sup> Street, New York, NY 10014, with 17 tables and 36 seats, DCA#0629616.**

**WHEREAS**, the area was posted and the applicant's manager appeared before the committee; and,

**WHEREAS**, this restaurant is located at the corner of West 4<sup>th</sup> Street and 7<sup>th</sup> Avenue South; and,

**WHEREAS**, there has been a sidewalk café at the location for at least 30 years; and,

**WHEREAS**, there is no change in the configuration of this sidewalk café; and,

**WHEREAS**, there is sufficient passageway for pedestrian safety; and,

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO-YEAR revocable consent to for Zonor Rest. Corp. d/b/a Riviera Café, 225 West 4<sup>th</sup> Street, New York, NY 10014, with 17 tables and 36 seats.

Vote: Unanimous, with 36 Board members in favor.

**22. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Buona Notte, Inc. d/b/a Buona Notte, 120 Mulberry Street, New York, NY 10013, with 6 tables and 12 seats, DCA#1135217.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Canal and Hester Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 1997; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO-YEAR revocable consent to Buona Notte, Inc. d/b/a Buona Notte, 120 Mulberry Street, New York, NY 10013, with 6 tables and 12 seats.

Vote: Unanimous, with 36 Board members in favor.

**23. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Fratelli Quattro, Inc. d/b/a Fratelli, 115 Mulberry Street, New York, NY 10013, with 6 tables and 12 seats, DCA#1136098.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Canal and Hester Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 2003; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Fratelli Quattro, Inc. d/b/a Fratelli, 115 Mulberry Street, New York, NY 10013 with 6 tables and 12 seats.

Vote: Unanimous, with 36 Board members in favor.

**24. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Pee Wee & Tyson, Ltd. d/b/a Café Gitane, 242 Mott Street, New York, NY 10012 with 4 tables and 8 seats, DCA#1011960.**

**WHEREAS**, the area was posted and the applicant did not appear; and

**WHEREAS**, this restaurant is located between Prince and Houston Streets; and

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to Pee Wee & Tyson, Ltd. d/b/a Café Gitane, 242 Mott Street, New York, NY 10012, with 4 tables and 8 seats and calls upon DCA to return this applicant to the Community Board should the applicant file for an unenclosed café without first making their plans known to the community.

Vote: Unanimous, with 36 Board members in favor.

**25. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for M.G.T. Enterprises, LLC, d/b/a Meet, 71-73 Gansevoort Street, New York, NY 10014, with 15 tables and 48 seats, DCA#1101944.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Gansevoort and Washington Streets; and

**WHEREAS**, there has been a sidewalk café at the location since 2002; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to M.G.T. Enterprises, LLC, d/b/a Meet, 71-73 Gansevoort Street, New York, NY 10014, with 15 tables and 48 seats.

Vote: Unanimous, with 36 Board members in favor.

**26. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for 151 Mulberry St. Corp. d/b/a Il Palazzo, 151 Mulberry Street, New York, NY 10013 with 5 tables and 10 seats, DCA#1133767.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Hester and Grand Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least 5 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to 151 Mulberry St. Corp. d/b/a Il Palazzo, 151 Mulberry Street, New York, NY 10013, with 5 tables and 10 seats.

Vote: Unanimous, with 36 Board members in favor.

**27. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for JVC Pizzeria, Inc. d/b/a Il Fornaio, 321A Mulberry Street, New York, NY 10013, with 7 tables and 14 seats, DCA#1143227.**

**WHEREAS**, the area was posted and the applicant's expeditor appeared before the committee; and

**WHEREAS**, this restaurant is located between Hester and Canal Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least since 2003; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to JVC Pizzeria, Inc. d/b/a Il Fornaio, 132A Mulberry Street, New York, NY 10013, with 7 tables and 14 seats.

Vote: Unanimous, with 36 Board members in favor.

**28. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Tortilla Flats, Inc. d/b/a Tortilla Flats, 767 Washington Street, New York, NY 10014 with 11 tables and 21 seats, DCA#0805433.**

**WHEREAS**, the area was posted and the applicant appeared before the committee; and

**WHEREAS**, this restaurant is located at the corner of Washington and West 12<sup>th</sup> Streets; and

**WHEREAS**, there has been a sidewalk café at the location for at least 21 years; and

**WHEREAS**, there is no change in the configuration of this sidewalk café; and

**WHEREAS**, there is sufficient passageway for pedestrian safety; and

**WHEREAS**, there is no opposition from the community;

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends APPROVAL of a TWO YEAR revocable consent to Tortilla Flats, Inc. d/b/a Tortilla Flats, 767 Washington Street, New York, NY 10014, with 11 tables and 21 seats..

Vote: Unanimous, with 36 Board members in favor.

**29. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed café for Mekong Restaurant, Corp., d/b/a Mekong, 44 Prince Street, New York, NY 10012, with 6 tables and 12 seats, DCA#0928327.**

**WHEREAS**, the area was posted and the applicant did not appear; and

**WHEREAS**, this restaurant is located between Mulberry and Mott Streets; and

**THEREFORE, BE IT RESOLVED**, that CB#2, Man. recommends DENIAL of a TWO YEAR revocable consent to Mekong Restaurant d/b/a Mekong, 44 Prince Street, New York, NY 10012, with 6 tables and 12 seats and calls upon DCA to return this applicant to the Community Board should the applicant file for an unenclosed café without first making their plans known to the community.

Vote: Unanimous, with 36 Board members in favor.

## **TRAFFIC AND TRANSPORTATION**

### **1. Proposed Parking Regulation Change on West 12<sup>th</sup> Street Between West & Washington Sts.**

**WHEREAS**, the proposed parking regulation change on the north side of West 12<sup>th</sup> Street between West Street and Washington Street would make the regulations on this block consistent with other blocks in the neighborhood; and

**WHEREAS**, changing the parking regulations would create several new parking spaces for the neighborhood; and

**WHEREAS**, the proposed parking regulation change would not negatively affect any local businesses in the neighborhood;

**THEREFORE BE IT RESOLVED** that CB#2, Man. supports changing the parking regulations on West 12<sup>th</sup> Street between West Street and Washington Street, North side, from “No Parking, 8 AM – 6 PM, Monday-Friday” to “Alternate Side Parking, 11 AM – 12:30 PM, Mondays and Thursdays.”

Vote: Unanimous, with 36 Board members in favor.

**2. Proposed parking regulation change on Washington St., East side, between Jane & Horatio Sts.**

**WHEREAS**, the proposed parking regulation change on Washington Street, East side, between Jane and Horatio Streets, would make the regulations on these blocks consistent with other blocks in the neighborhood; and

**WHEREAS**, changing the parking regulations would create numerous new parking spaces for the neighborhood; and

**WHEREAS**, the proposed parking regulation change would not negatively affect any local businesses, as the entire block is residential.

**THEREFORE BE IT RESOLVED** that CB#2, Man. supports changing the parking regulations on Washington Street, East side, between Jane and Horatio Streets from “No Parking, 5 AM – 4 PM, Mondays through Fridays” to “Alternate Side Parking, 11 AM – 12:30 PM, Tuesdays and Fridays.”

Vote: Unanimous, with 36 Board members in favor.

**ZONING AND HOUSING**

**1. 44 Mercer St. (Block: 474, Lot: 49) Board of Standards and Appeals variance application pursuant to Section 72-21 to permit the construction of a new seven-story mixed-use building containing residential and retail uses within an M1-5B zoning district.**

**WHEREAS**, the Board recognizes that the small lot size presents a legitimate hardship, And,

**WHEREAS**, the existing floor area ratio of 5 for the existing M1-5B zoning district will be maintained, And,

**WHEREAS**, The few historic elements that remain will be restored and reused in the new building, And,

**WHEREAS**, The Courts have already confirmed that SOHO is over saturated with licensed eating and drinking establishments, And,

**WHEREAS**; There was significant opposition to allowing eating and drinking establishments of any kind and any use group in this building, And,

**THEREFORE BE IT FURTHER RESOLVED**, that CB#2, Man. supports this Board of Standards and Appeals variance application to permit the construction of a new seven-story mixed-use building containing residential and retail uses within an M1-5B zoning district providing that eating and drinking establishments not be allowed on the on the cellar and first floors, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests regular construction coordination meetings with the community as this project progresses, And,

**BE IT FURTHER RESOLVED**, That CB#2, Man. requests that that every effort be made to minimize the impacts of construction and that the contractor must carefully inspect the subsurface excavation and use seismic monitors to protect the surrounding buildings.

Vote: Unanimous, with 36 Board members in favor.

**2. 561 Broadway (The Little Singer Building) Application for two actions: a City Planning Commission authorization to allow the conversion of existing commercial space to Joint Living Work Quarters for Artists (JLWQA), to create 18 additional JLWQA and a Chairperson certification, modifying recreation space requirements.**

**WHEREAS**; the area was posted and there was no opposition and some support for this application, And,

**WHEREAS**; The building is already half converted to Joint Living Work Quarters for Artists, And,

**WHEREAS;** the current residents are all in compliance with the requirements for Joint Living Work Quarters for Artists, And,

**WHEREAS;** the building already has a rooftop recreation area and the Applicant has investigated ways in which handicapped access could be provided (elevator or stair lift) and determined that it would be either impossible to provide the access (the stair lift) or so expensive (the elevator) as to make it impracticable to provide.

**THEREFORE BE IT FURTHER RESOLVED,** that CB#2, Man. supports this application for a City Planning Commission authorization to allow the conversion of existing commercial space to Joint Living Work Quarters for Artists (JLWQA), to create 18 additional JLWQA, and a Chairperson certification, modifying recreation space requirements.

Vote: Unanimous, with 36 Board members in favor.

**NEW BUSINESS**

Respectfully submitted,

Secretary  
Community Board #2, Manhattan