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COMMUNITY BOARD NO. 2, MANHATTAN

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Greenwich Village ∨ Little Italy ∨ SoHo ∨ NoHo ∨ Hudson Square ∨ Chinatown ∨ Gansevoort Market

March 20, 2020

Lorelei Salas, Commissioner
NYC Department of Consumer Affairs
Department of Transportation
42 Broadway
New York, NY 10004

Dear Commissioner Salas:

At its Full Board meeting March 19, 2020, Community Board #2, adopted the following resolution:

New Applications for Revocable Consent to operate an unenclosed sidewalk café for:

- 1. White Horse Hospitality, LLC, 567 Hudson St. between West 11th and Perry Sts. with 28 tables and 74 chairs (1183-2020-ASWC)**

Whereas, this sidewalk café has been in continuous operation for many years and has routinely been recommended for approval by CB2 and there was a change in ownership which required a new sidewalk café permit application; and

Whereas, the applicant will continue to offer full-service wait staff who will deliver all food and drink to patrons at their seats and the applicant has an SLA OP license which is inclusive of this sidewalk café; and

Whereas, the applicant stated that the sidewalk café will close by 11 PM from Sunday -Thursday, and midnight on Fridays and Saturdays; and

Whereas, the applicant will stack and place all the sidewalk café furniture secured against the building façade overnight; and

Whereas, the applicant confirmed that all tables and chairs would be stored off-premises, off-season, and that there would be no amplified sound within the sidewalk café; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **White Horse Hospitality, LLC, 567 Hudson St. with 28 tables and 74 chairs (1183-2020-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Passed, with 42 Board Members in favor.

2. Super Noriega, LLC, d/b/a Baby Brasa, 173 7th Ave. South between Perry St. and Greenwich Ave. with 6 tables and 12 chairs (1482-2020-ASWC)

Whereas, this establishment, a full-service Brazilian restaurant and bar, is located on the ground floor of a commercial use building; and

Whereas, a sidewalk café was operated without a permit by this applicant for the last two summers; and

Whereas, Community Board 2 voted to recommend denial for a renewal license to operate an enclosed sidewalk café at this location due to the applicant history of flouting sidewalk-café rules and regulations, but the Department of Consumer Affairs recently granted the renewal license for the enclosed café; and

Whereas, the Applicant currently is aware that he does not have a license to serve alcohol in the unenclosed sidewalk cafe, and stated he would be applying to alter its liquor license for that purpose in the immediate future; and

Whereas, the applicant stated that they were working diligently to get up to code with all relevant City rules and regulations and cleared up all violations from the last two years, including getting a Landmark permit for the existing mural which is adjacent to the unenclosed sidewalk café; and

Whereas, two neighboring residents appeared in opposition to this sidewalk café citing the applicant's past history and expressing concern that the door accessing the sidewalk café would allow the noise from the interior of the restaurant to be heard on the street and by neighbors; and

Whereas, the applicant stated that they would install a self-closing door to access the sidewalk café to minimize noise from leaving the interior of the restaurant; and

Whereas, the applicant stated that the sidewalk café will close by 10 PM on Sundays, midnight from Monday-Thursday, and 1 AM on Fridays and Saturdays; and

Whereas, the applicant confirmed that all tables and chairs would be stored inside the restaurant overnight and would be stored off-premises during the off-season, and that there would be no amplified sound within the sidewalk cafe; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **Super Noriega, LLC, d/b/a Baby Brasa, 173 7th Ave. South with 6 tables and 12 chairs (1482-2020-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements; and

Therefore be it further Resolved, the Department of Consumer Affairs will ensure that the applicant has corrected any and all current and outstanding Landmarks Preservation Commission violations including, but not limited to, the large mural on the western facing wall of the establishment.

Vote: Passed, with 42 Board Members in favor.

3. 225 West 12th St., LLC, d/b/a The Village Den, 225 West 12th St. at Greenwich Ave. with 6 tables and 12 chairs (1528-2020-ASWC)

Whereas, this establishment, a healthy fast casual restaurant, is located in the ground floor of a mixed-use building and has been under the operation of a new owner for the past 1.5 years; and

Whereas, the applicant took over this establishment from the past owner but is keeping the same name and the previous owner operated a sidewalk café at this location with 8 tables and 16 chairs that was last recommended for approval by CB2 in 2015; and

Whereas, the applicant does not serve any alcohol and the café will be open for breakfast, lunch, and dinner from 8 AM – 10 PM, seven days a week; and

Whereas, the applicant confirmed that all tables and chairs would be stored inside the restaurant overnight and would be stored off-premises during the off-season, and that there would be no amplified sound within the sidewalk café and that all planters would be moved against the building's façade when the café is not in use; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **225 West 12th St., LLC, d/b/a The Village Den, 225 West 12th St. with 6 tables and 12 chairs (1528-2020-ASWC)** provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Passed, with 42 Board Members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Carter Booth, Chair
Community Board #2, Manhattan



Joseph Gallagher, Chair
Quality of Life Committee
Community Board #2, Manhattan

CB/EM

c: Hon. Jerrold L. Nadler, Congressman
Hon. Carolyn Maloney, Congresswoman
Hon. Nydia Velasquez, Congresswoman
Hon. Brad Hoylman, NY State Senator
Hon. Brian Kavanagh, NY Senator
Hon. Deborah J. Glick, NY Assembly Member
Hon. Yuh-Line Niou, NY Assembly Member
Hon. Gale Brewer, Manhattan Borough President
Hon. Corey Johnson, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Carlina Rivera, Council Member