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## COMMUNITY BOARD NO. 2, MANHATTAN

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July 19, 2013

Jonathan Mintz, Commissioner  
NYC Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

Dear Commissioner Mintz:

At its Full Board Committee meeting on July 18, 2013, Community Board #2, Manhattan adopted the following resolutions:

### **Renewal App. for revocable consent to operate an Unenclosed sidewalk cafe for:**

- **Caswell/Pearson Enterprises, LTD., d/b/a La Carbonara, 202 West 14<sup>th</sup> St. (btw 7<sup>th</sup> Ave & 8<sup>th</sup> Ave), with 3 tables & 12 seats, DCA# 1186385**

Block:618 Lot:31

Year Built:1910(estimated)

Residential Units:6 Total # of Units:8

Lot Frontage:25' Lot Depth:103.25

Number of Buildings:1; Number of Floors:5

Zoning:C6-2A

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

**Whereas**, this café has been operated for several years by this applicant with few known issues, and

**Whereas**, the committee noted to the applicant the use of 2 tall planters at the corner of the café that are well more than 30" high and not on the approved drawing, as well as an illegal A-frame sign, both of which the applicant agreed to remedy,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **Caswell/Pearson Enterprises, LTD., d/b/a La Carbonara, 202 West 14<sup>th</sup> St. (btw 7<sup>th</sup> Ave & 8<sup>th</sup> Ave), with 3 tables & 12 seats, DCA# 1186385**

**VOTE:** Unanimous, with 33 board members in favor

- **La Meridiana, LTD., d/b/a Numero 28, 26-28 Carmine St. (btw Bedford St & Bleecker St), with 12 tables & 24 seats, DCA # 1133014**

Block:527 Lot:69

Year Built:1900(estimated)

Residential Units:26 Total # of Units:28

Lot Frontage:50' Lot Depth:75

Number of Buildings:1; Number of Floors:6

Zoning:R7-2 ; Commercial Overlay:C1-5

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

**Whereas**, this café has been operated for several years by this applicant with few known issues, and

**Whereas**, the committee noted the applicant has added planters bordering the café that are not on the approved plans and cause the café to take up well over half of the sidewalk, and

**Whereas**, the table arrangement which is not configured to the architectural plan, blocks the required service aisle to several tables requiring service from the public sidewalk, and

**Whereas**, Mr. Kelly committed to tell the applicant the planters must be removed from the sidewalk and the table arrangement returned to that which is on the approved plans,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this RENEWAL application for revocable consent to operate an Unenclosed sidewalk café for **La Meridiana, LTD., d/b/a Numero 28, 26-28 Carmine St. (btw Bedford St & Bleecker St), with 12 tables & 24 seats, DCA # 1133014**

**UNLESS the applicant removes all planters from the café border and returns the café seating to the arrangement shown on the approved plans**

**VOTE:** Unanimous, with 33 board members in favor.

**New App. for revocable consent to operate an Unenclosed sidewalk cafe for:**

- **St. Helene, LLC, d/b/a Chez Sardine, 183 West 10<sup>th</sup> St. (btw W 4<sup>th</sup> St & 7<sup>th</sup> Ave S), with 2 tables & 4 seats, DCA # 1467633**

Block:611 Lot:1

Year Built:1900

Residential Units:13 Total # of Units:15

Lot Frontage:20.08' Lot Depth:80.67

Number of Buildings:3; Number of Floors:5

Zoning:C2-6

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

**Whereas**, the Community Board office requested the committee ensure the sidewalk in the area in which this café was proposed was a minimum of 12' and upon 2 separate occasions the committee chair determined the sidewalk in the area of the proposed café was in fact only 11' 10" wide, 2" less than the 12' minimum sidewalk width required for a sidewalk café under the NYC Zoning Code,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **St. Helene, LLC, d/b/a Chez Sardine, 183 West 10<sup>th</sup> St. (btw W 4<sup>th</sup> St & 7<sup>th</sup> Ave S), with 2 tables & 4 seats, DCA # 1467633**

**VOTE:** Passed, with 32 Board members in favor and 1 recusal (Aaron).

- **P12 New York, LLC. d/b/a Ribalta, 48 East 12<sup>th</sup> St. (btw University Pl & Broadway), with 7 tables & 14 seats, DCA# 1467798**

Block:563 Lot:31

Year Built:1900

Residential Units:0 Total # of Units:15

Lot Frontage:42.08' Lot Depth:132.17

Number of Buildings:1; Number of Floors:14

Zoning:C6-1

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

**Whereas**, this café is proposed for a site with a sidewalk width of 12'5" which has no legal obstructions further limiting the size of the cafe, with a café depth of 4'5" and length of approximately 26'7", and

**Whereas**, the café lies over a sidewalk vault which must remain closed during café operation, and to maintain the required 8' clear path, no border planters can be used in this café,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **P12 New York, LLC. d/b/a Ribalta, 48 East 12<sup>th</sup> St. (btw University Pl & Broadway), with 7 tables & 14 seats, DCA# 1467798**

**VOTE:** Unanimous, with 33 board members in favor.

- **1 Perry St. Restaurant, Inc. d/b/a Yerba Buena, 57 Greenwich Ave (NW corner Perry St), with 9 tables & 18 seats, DCA #1467945**

Block:613 Lot:61

Year Built:1901(estimated)

Residential Units:5 Total # of Units:6

Lot Frontage:29.08' Lot Depth:70

Number of Buildings:1; Number of Floors:4

Zoning:C2-6

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicants and their representative, Michael Kelly, were present, and

**Whereas**, this café is proposed for a site with a sidewalk width of 17'3" which has no legal obstructions further limiting the size of the café other than a light post at the east end which causes a small scallop at that corner of the café, with a café depth of 8'7 1/2" and length of approximately 17'6", and

**Whereas**, the café plan called for two different table sizes and the committee requested the applicant use a common table of 22" x 22" and the applicant agreed to make that change, slightly reducing the café depth of 8'6", and

**Whereas**, the applicant also agreed to move the inside tables a bit more to the west to better ensure access to the main entrance to the restaurant,

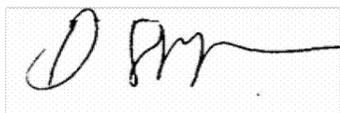
**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this NEW application for revocable consent to operate an Unenclosed sidewalk café for **1 Perry St. Restaurant, Inc. d/b/a Yerba Buena, 57 Greenwich Ave (NW corner Perry St), with 9 tables & 18 seats, DCA #1467945**

**CONDITIONAL UPON the applicant supplying a new print showing the single table size of 22" x 22" as noted in Whereas 3.**

**VOTE:** Unanimous, with 33 board members in favor.

Please advise us of any decision or action taken in response to these resolutions.

Sincerely,



David Gruber, Chair  
Community Board #2, Manhattan



Maury Schott, Chair  
Sidewalks & Public Access Committee  
Community Board #2, Manhattan

DG/jrm

- c:
- Hon. Jerrold L. Nadler, Congressman
  - Hon. Brad Hoylman, NY State Senator
  - Hon. Daniel L. Squadron, NY State Senator
  - Hon. Sheldon Silver, Assembly Speaker
  - Hon. Deborah J. Glick, Assembly Member
  - Hon. Scott M. Stringer, Man. Borough President
  - Hon. Christine C. Quinn, Council Speaker
  - Hon. Margaret Chin, Council Member
  - Hon. Rosie Mendez, Council Member
  - Pauline Yu, Community Assistance Unit