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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 23, 2012

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

Dear Commissioner Mintz:

At its Full Board Committee meeting on March 22, 2012, Community Board #2, Manhattan adopted the following resolution:

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

- 1. Dojo Restaurant Inc. d/b/a Dojo West, 14 W. 4th St. (SE corner Mercer St), with 6 tables & 22 seats, DCA# 0890588**

Block:535 Lot:7501

Year Built:1908

Residential Units:274; Total # of Units:275

Landmark Building: Yes

Lot Frontage:209' Lot Depth:200

Number of Buildings:1; Number of Floors:12

Zoning:C6-2

Historic District: NoHo

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 many years by this applicant with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Dojo Restaurant Inc. d/b/a Dojo West, 14 W. 4th St. (SE corner Mercer St), with 6 tables & 22 seats, DCA# 0890588**

Vote: Unanimous, with 45 Board members in favor.

2. Legendary Nightspots, Inc. d/b/a The Duplex, 61 Christopher St. (NE corner 7th Ave S), with 18 tables & 36 seats, DCA# 1190534

Block:610 Lot:1	Lot Frontage:90.58' Lot Depth:149
Year Built:1915(estimated)	Number of Buildings:7; Number of Floors:1
Residential Units:23; Total # of Units:31	Zoning:C4-5R6
Landmark Building: Yes	Historic District: Greenwich Village

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 many years by this applicant with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Legendary Nightspots, Inc. d/b/a The Duplex, 61 Christopher St. (NE corner 7th Ave S), with 18 tables & 36 seats, DCA# 1190534**

VOTE: Unanimous, with 45 Board members in favor.

3. Café 522 Hudson Inc. d/b/a The New French, 522 Hudson St. (btw W 10 St & Charles St), with 8 tables & 16 seats, DCA# 1320914

Block:620 Lot:1	Lot Frontage:69.75' Lot Depth:99.83
Year Built:1950	Number of Buildings:1; Number of Floors:5
Residential Units:24; Total # of Units:29	Zoning:C1-6
Landmark Building: Yes	Historic District: Greenwich Village

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 two years by this applicant with few known issues, and

Whereas, the committee noted the applicant has been keeping a service cart on the sidewalk even when the café is not in operation and the applicant ensured it would no longer be used, and

Whereas, the applicant has often used a sandwich board sign on the sidewalk and committed to ensuring it is kept flush against the building façade,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Café 522 Hudson Inc. d/b/a The New French, 522 Hudson St. (btw W 10 St & Charles St), with 8 tables & 16 seats, DCA# 1320914**

CONDITIONAL UPON the applicant promptly removing the service cart and any signage from the sidewalk as noted in Whereas 3 & 4

VOTE: Unanimous, with 45 Board members in favor.

4. Panzi Enterprises, LLC, d/b/a Panca, 92 7th Avenue South (btw Bleecker St & Grove St), with 13 tables & 36 seats, DCA# 1250013

Block:591 Lot:10

Year Built:1910(estimated)

Residential Units:6; Total # of Units:8

Landmark Building: Yes

Lot Frontage:86.5' Lot Depth:117.92

Number of Buildings:1; Number of Floors:3

Zoning:C4-5

Historic District: Greenwich Village

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 many years by this applicant with no known issues, and

Whereas, the committee informed the applicant that two loudspeakers installed on the exterior are illegal and the applicant committed to remove the speakers before the end of the month,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Panzi Enterprises, LLC, d/b/a Panca, 92 7th Avenue South (btw Bleecker St & Grove St), with 13 tables & 36 seats, DCA# 1250013**

CONDITIONAL UPON the applicant removing all exterior loudspeakers as noted in Whereas 3 before this application moves to the City Council

VOTE: Unanimous, with 45 Board members in favor.

5. 7th & Barrow, LLC, d/b/a Sushi Samba #7, 87 7th Ave. South (btw Barrow St & Grove St), with 20 tables & 40 seats, DCA# 1253042

Block:591 Lot:34

Year Built:1920

Residential Units:0; Total # of Units:2

Landmark Building: Yes

Lot Frontage:50' Lot Depth:66.42

Number of Buildings:1; Number of Floors:1

Zoning:C4-5

Historic District: Greenwich Village

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, after some initial issues several years ago, this café has been operated for many years by this applicant with no known issues, and

Whereas, the committee reminded the applicant that umbrellas in use in the café must not extend beyond the vertical line of the café (over the public sidewalk) and the applicant ensured this would be done, and

Whereas, one member of the committee noted a service cart/station had been used in the café in the past and the applicant committed to make sure one is not used,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an

Unenclosed sidewalk café for **7th & Barrow, LLC, d/b/a Sushi Samba #7, 87 7th Ave. South (btw Barrow St & Grove St), with 20 tables & 40 seats, DCA# 1253042**

VOTE: Unanimous, with 45 Board members in favor.

6. Gat 35 Corp. d/b/a Da Andrea, 35 W. 13th St. (btw 5 Ave & 6 Ave), with 8 tables & 16 seats, DCA# 1307585

Block:577 Lot:19

Year Built:1930

Residential Units:0; Total # of Units:6

Lot Frontage:125' Lot Depth:206.5

Number of Buildings:1; Number of Floors:5

Zoning:C6-2 MC6-2

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 many years by this applicant with no known issues,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Gat 35 Corp. d/b/a Da Andrea, 35 W. 13th St. (btw 5 Ave & 6 Ave), with 8 tables & 16 seats, DCA# 1307585**

VOTE: Unanimous, with 45 Board members in favor.

7. Moz Restaurant Inc. d/b/a Meme, 581 Hudson St. (SW corner Bank St), with 8 tables & 16 seats, DCA# 1347167

Block:634 Lot:60

Year Built:1930

Residential Units:22; Total # of Units:25

Landmark Building: Yes

Lot Frontage:50.08' Lot Depth:71.08

Number of Buildings:1; Number of Floors:5

Zoning:C1-6

Historic District: Greenwich Village

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 two years by this applicant with few known issues, and

Whereas, the committee noted that the café was often not set up according to plan, often causing a reduction in required clearance between the café and a street light near the corner of Bank St, and the committee reviewed the approved plan with the applicant who committed to ensure the plan is followed,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Moz Restaurant Inc. d/b/a Meme, 581 Hudson St. (SW corner Bank St), with 8 tables & 16 seats, DCA# 1347167**

VOTE: Unanimous, with 45 Board members in favor.

Re-Apply App. for revocable consent to operate an Unenclosed sidewalk café for:

8. Franco-American Restaurant Investment Group In. 235 W. 12th St. (btw W 4 St & Greenwich Ave), with 3 tables & 6 seats, DCA# 1383038

Block:615 Lot:81

Year Built:1900(estimated)

Residential Units:16 Total # of Units:18

Landmark Building: Yes

Lot Frontage:40' Lot Depth:62.25

Number of Buildings:1; Number of Floors:6

Zoning: C1-6

Historic District: Greenwich Village

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 was initially approved by CB2 Manhattan in 2011 with reservations, but DCA subsequently determined the raised nature of the concrete and diamond plate in front of the establishment constituted a 'platform' which is not allowed under DCA sidewalk café regulations, and

Whereas, the applicant's landlord was then required to obtain Landmarks Preservation Commission approval to modify the sidewalk to remove the raised area which also required the applicant to refile for the sidewalk café, and

Whereas, the committee noted that there appears to be substantial traffic between the restaurant and stairs to the basement which are located on the other side of the residential entrance to the building, and Mr. Kelly assured the committee that service to the sidewalk café would in no way be handled by that route, and

Whereas, Mr. Kelly was advised that the applicant has been advised on at least three occasions to cease using sandwich board or other signage on the public sidewalk and the applicant has continued to routinely use such signage, and

Whereas, as it was in the initial application, the committee continues to be concerned much of the service to the 4-top table to the right of the door will occur from the public area of the sidewalk rather than the shown service aisle which is also the entryway to the establishment,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Franco-American Restaurant Investment Group In. 235 W. 12th St. (btw W 4 St & Greenwich Ave), with 3 tables & 6 seats, DCA# 1383038**

UNLESS an agreement is signed between the applicant and the office of City Council Speaker Christine Quinn in which the applicant assures the following as also noted in Whereas 4, 5 & 6:

- **No signage will be used on the sidewalk**
- **No sidewalk café service will be handled via the basement stairway**
- **ALL café service will occur from the approved service aisle, which is shared with the restaurant entry or the 4-top table will be reduced to a 2-top reoriented by 90 degrees**

VOTE: Unanimous, with 45 Board members in favor.

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

9. Raro Inc. d/b/a Rafele, 29 7th Avenue South (btw Bedford St & Morton St), with 8 tables & 32 seats, DCA# 1419407

Block:586 Lot:45

Year Built:1998

Residential Units:12; Total # of Units:15

Landmark Building: Yes

Ext. II

Lot Frontage:160' Lot Depth:67.75

Number of Buildings:1; Number of Floors:6

Zoning:C2-6

Historic District: Greenwich Village Historic Dist.

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant, Romero Palmisano, and his attorney, Michael Ferrari, were present, and

Whereas, a similar café had been operated at this location for a short time by a previous operator with no known issues, and

Whereas, the committee noted the 26 feet of space to the right of the north door would not practically support the proposed 6 tables in daily use and requested 1 table (and 4 chairs) be removed, and

Whereas, the two tables to the north of the door appear to be somewhat squeezed as well, but the café as proposed appears to not use several feet of space to the property line that could be used to improve the table/seat spacing on that end, and

Whereas, the committee noted that the submitted plan left more than 12 feet of clearance to the curb and more than 7 feet of clearance to the subway grate in the sidewalk and the committee suggested to the applicant that an additional row of 2-top tables might be added to the café which would increase the café by 7 tables and 14 seats while still leaving 10 feet of public sidewalk with more than 5 feet clearance to the subway grating, and

Whereas, the applicant committed to removing one of the group of 6 tables and its four chairs and exploring the additional depth and length of the café as discussed with the committee,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Raro Inc. d/b/a Rafele, 29 7th Avenue South (btw Bedford St & Morton St), with 8 tables & 32 seats, DCA# 1419407**

CONDITIONAL UPON one (1) of the tables and four (4) seats between the doors are removed leaving the café with 7 tables and 28 seats. If the applicant alters the design to add a row of 2-seat tables along the outside of the cafe, the seating would be 14 tables and 42 seats.

VOTE: Unanimous, with 45 Board members in favor.

10. 103 GW12, LLC, d/b/a Monument Lane, 103 Greenwich Ave. (NW corner W 12 St), with 9 tables & 18 seats, DCA# 1420085

Block:615 Lot:81

Year Built:1900(estimated)

Lot Frontage:40' Lot Depth:62.25

Number of Buildings:1; Number of Floors:6

Residential Units:16; Total # of Units:18
Landmark Building: Yes

Zoning:C1-6
Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant, Josh Frum, and his representative, Michael Kelly, were present, and

Whereas, this location had a sidewalk café many years ago under a different operator, and

Whereas, the committee noted the building maintains two illegal trash housings on the W 12th St side of the building and their removal might allow the applicant to increase the seating of the café by up to 4 seats, and

Whereas, the applicant informed the committee that as part of his SLA application, he has met with neighboring residents and established as part of his Method of Operation more restricted closing times for the sidewalk café which will close at 11 pm from Sun – Wed and midnight from Thur – Sat, and

Whereas, there are several obstructions impacting the café, including a fire hydrant on W 12th St and a street light, phone booth, MuniMeter and fire escape drop ladder on the Greenwich Ave side, and

Whereas, after discussion with Council Speaker Quinn’s office, the committee requested the one 2-top table on W 12th St be moved against the façade. Mr. Kelly it had originally been drawn there but DCA requested the service aisle be maintained on the inside. The committee disagrees and, believing there is enough room for the service aisle to be on the outside while maintaining the required clearance to the fire hydrant, requested the table be moved back against the façade, and

Whereas, on the Greenwich Ave side the committee and the Speaker’s office do not agree there is a valid service aisle for the single table to the left of the door and this would represent a particular choke point between the cafe and the phone booth. The applicant agreed to remove the table and 2 chairs, and

Whereas, the committee requested the applicant contact DoT to inquire about moving the MuniMeter to a location which does not impact the café or the free flow of pedestrians past it, and

Whereas, the committee was not sure if sufficient clearance is allowed for the fire escape drop ladder and requests a review of this by DCA or the City Council to ensure all DCA and DoB requirements are met,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **103 GW12, LLC, d/b/a Monument Lane, 103 Greenwich Ave. (NW Corner W. 12th St), with 9 tables & 18 seats, DCA# 1420085**

CONDITIONAL UPON the 2-top table on W 12th St be moved up against the façade as originally proposed by the applicant and, as noted in Whereas 6, one (1) table and two (2) seats to the left of the door on Greenwich Ave are removed, resulting in a café size of 8 tables and 16 seats

VOTE: Unanimous, with 45 Board members in favor.

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

Sincerely,



Brad Hoylman, Chair
Community Board #2, Manhattan



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

JH/gh

c: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
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
Jessica Silver, Man. Boro. President's Office
Pauline Yu, Community Assistance Unit
Peter Janosik, Council, Land Use Division