



## COMMUNITY BOARD No. 2, MANHATTAN

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May 24, 2010

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

Dear Commissioner Mintz:

At its Full Board meeting on May 20, 2010, CB#2-Man., adopted the following resolutions:

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

**1. 212 Lafayette Associates, LLC, 212 Lafayette St. (Spring/Broome), with 3 tables & 12 seats, DCA# 1349707**

Block:482 Lot:31

Lot Frontage:24.92' Lot Depth:100

Year Built:1900(estimated)

Number of Floors:5

Residential Units:16

Zoning:M1-5B

**Whereas**, the area was posted, community groups notified and there were community members present regarding this new application, and the applicant and his representative, Steve Wygoda, were present, and

**Whereas**, this lot has frontage of 24.92 feet and depth of 100 feet with a building of five stories, with Zoning: M1-5B, and

**Whereas**, this application is for a small sidewalk café under the special rules applied to them, and

**Whereas**, the café does not maintain the required 36 inches of service aisle, and

**Whereas**, several members of the community expressed concern about this establishment's past operation and great concern about it being allowed to have a sidewalk café, and

**Whereas**, there were numerous other members of the community that expressed support for the establishment and the application,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board 2 recommends APPROVAL of this application for a NEW App. for revocable consent to operate an Unenclosed Small sidewalk café for **212 Lafayette Associates, LLC, 212 Lafayette St. (Spring/Broome)**,

with 3 tables & 12 seats, DCA# 1349707 **CONDITIONAL UPON** the reduction of the size of the café to 3 tables and 8 seats as required under the zoning rules for small sidewalk cafes.

**VOTE:** Passed, with 36 Board members in favor, 3 in opposition-(Booth, K-W Ma, Wong), 1 abstention-(Secunda)

**2. Villa Pacri, LLC, 53 Gansevoort St (Washington/Greenwich St), with 43 tables & 87 seats, DCA# 1349707**

Block:644 Lot: 60	Lot Frontage:115.5' Lot Depth:64.75
Year Built:1910(estimated)	Number of Floors:5
Residential Units:0, Total # of Units:4	Zoning:M1-5
Landmark Building: Yes	Historic District: Gansevoort Market

**Whereas**, the area was posted, community groups notified and there were community members present regarding this new application, and the applicant and his representative, Steve Wygoda, were present, and

**Whereas**, this lot has frontage of 115.5 feet and depth of 64.75 feet with a building of five stories, with Zoning: M1-5, and

**Whereas**, this is a relatively wide sidewalk of 18 feet width, and

**Whereas**, this is primarily a commercial block with no residences in close proximity,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends **APPROVAL** of this application for a **NEW App. for revocable consent to operate an Unenclosed sidewalk café for Villa Pacri, LLC, 53 Gansevoort St (Washington/Greenwich St), with 43 tables & 87 seats, DCA# 1349707**

**VOTE:** Unanimous, with 40 Board members in favor.

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

**3. Erjo Company, LLC, d/b/a Mottsu, 285 Mott St.(E Houston/Prince), with 5 tables & 8 seats, DCA# 0968091**

Block:482 Lot:31	Lot Frontage:24.92' Lot Depth:100
Year Built:1900(estimated)	Number of Floors:5
Residential Units:16	Zoning:C6-2C6-3

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

**Whereas**, this lot has frontage of 24.92 feet and depth of 100 feet with a building of five stories, with Zoning: C6-2C6-3, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there are no complaints on file and DCA signs are present,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends **APPROVAL** of this application for a **RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Erjo Company, LLC, d/b/a Mottsu, 285 Mott St.(E Houston/Prince), with 5 tables & 8 seats, DCA# 0968091**

**VOTE:** Unanimous, with 40 Board members in favor.

4. **Gallo Nero, Inc., 185 Bleecker St.(at MacDougal), with 11 tables & 22 seats, DCA# 1099505**  
Block:540 Lot:43 Lot Frontage:50.42' Lot Depth:75  
Year Built:1904 Number of Floors:6  
Residential Units:25 Zoning:R7-2, Commercial Overlay: C1-5

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

**Whereas**, this lot has frontage of 50.42 feet and depth of 75 feet with a building of six stories, with Zoning: R7-2, Commercial Overlay: C1-5, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there have been community complaints regarding the amount of space this sidewalk café occupies, and

**Whereas**, this Committee observed that the MacDougal St side left only 6'6" of pedestrian right of way, not the 8' the plans show, and

**Whereas**, these conditions have been explained to the applicant and a DCA inspection has previously been made as noted in the previous renewal hearing,

**THEREFORE BE IT RESOLVED that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Gallo Nero, Inc., 185 Bleecker St.(at MacDougal), with 11 tables & 22 seats, DCA# 1099505**

**VOTE:** Unanimous, with 40 Board members in favor.

5. **Culinary Concepts by Jean Georges, LLC. d/b/a Spice Market, 29-35 Ninth Ave.(at W 13), with 13 tables & 26 seats, DCA# 1187891**  
Block:646 Lot:47 Lot Frontage:103.25' Lot Depth:100Year  
Built:1910(estimated) Number of Floors:6  
Residential Units:0 Zoning:M1-5  
Historic District: Gansevoort Market

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

**Whereas**, this lot has frontage of 103.25 feet and depth of 100 feet with a building of six stories, with Zoning: M1-5, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there are no complaints on file and DCA signs are present,

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

**Unenclosed sidewalk café for Culinary Concepts by Jean Georges, LLC. d/b/a Spice Market, 29-35 Ninth Ave.(at W 13), with 13 tables & 26 seats, DCA# 1187891**

**VOTE:** Unanimous, with 40 Board members in favor.

**6. ITM Garden Inc., d/b/a Revel, 10 Little W. 12<sup>th</sup> St.(9<sup>th</sup> Ave/Washington), with 13 tables & 28 seats, DCA# 1214291**

Block:644 Lot:52 Lot Frontage:20' Lot Depth:77.42  
Year Built:1899(estimated) Number of Floors:3  
Residential Units:1 Zoning:M1-5  
Historic District: Gansevoort Market

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

**Whereas,** this lot has frontage of 20 feet and depth of 77.42 feet with a building of six stories, with Zoning: M1-5, and

**Whereas,** there are no changes from previous applications, and

**Whereas,** there are no complaints on file and DCA signs are present, and

**Whereas,** while the plan shows one table partially blocking access to the residential entrance, the table is not presently being used and there is only one residential unit,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an **Unenclosed sidewalk café for ITM Garden Inc., d/b/a Revel, 10 Little W. 12<sup>th</sup> St.(9<sup>th</sup> Ave/Washington), with 13 tables & 28 seats, DCA# 1214291**

**VOTE:** Unanimous, with 40 Board members in favor.

**7. Bleecker Trattoria, Inc., 232 Bleecker St.(at Carmine), with 14 tables & 28 seats, DCA# 0917885**

Block:527 Lot:72 Lot Frontage:70' Lot Depth:50  
Year Built:1900(estimated) Number of Floors:6  
Residential Units:25 Zoning:R7-2, Commercial Overlay: C1-5

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

**Whereas,** this lot has frontage of 70 feet and depth of 50 feet with a building of six stories, with Zoning: R7-2, Commercial Overlay: C1-5, and

**Whereas,** there are no changes from previous applications, and

**Whereas,** there are no complaints on file and DCA signs are present,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Bleecker Trattoria, Inc., 232 Bleecker St.(at Carmine), with 14 tables & 28 seats, DCA# 0917885

**VOTE:** Unanimous, with 40 Board members in favor.

**8. Carapina, LLC, 233 Bleecker St.(at Carmine), with 8 tables & 16 seats, DCA# 1286005**

Block:589 Lot:48	Lot Frontage:25' Lot Depth:100
Year Built:1920(estimated)	Number of Floors:2
Residential Units:2	Zoning:R7-2, Commercial Overlay: C1-5

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

**Whereas**, this lot has frontage of 25 feet and depth of 100 feet with a building of two stories, with Zoning: R7-2, Commercial Overlay: C1-5, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there are no complaints on file and DCA signs are present, and

**Whereas**, the applicant typically uses only 6 tables and 12 seats, yet some Committee members have noticed a tendency for the tables and chairs to creep out of place,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Carapina, LLC, 233 Bleecker St.(at Carmine), with 8 tables & 16 seats, DCA# 1286005

**VOTE:** Unanimous, with 40 Board members in favor.

**9. Think Bleecker, LLC, 1 Bleecker St.(at Bowery), with 10 tables & 20 seats, DCA# 1277645**

Block:529 Lot:7505	Lot Frontage:89.83' Lot Depth:33.25
Year Built:1900	Number of Floors:4
Residential Units:6	Zoning:C6-1
Historic District: Noho East	

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

**Whereas**, this lot has frontage of 89.83 feet and depth of 33.25 feet with a building of four stories, with Zoning: C6-1, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there are no complaints on file and DCA signs are present,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Think Bleecker, LLC, 1 Bleecker St.(at Bowery), with 10 tables & 20 seats, DCA# 1277645

**VOTE:** Unanimous, with 40 Board members in favor

**10. 4 Runners, Inc., 310 W. 14<sup>th</sup> St.(Hudson/8 Ave), with 5 tables & 10 seats, DCA# 1290477**

Block:629 Lot:29	Lot Frontage:100' Lot Depth:98
Year Built:1905(estimated)	Number of Floors:6
Residential Units:66	Zoning:C6-2A

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

**Whereas**, this lot has frontage of 100 feet and depth of 98 feet with a building of six stories, with Zoning: C6-2A, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there are no complaints on file and DCA signs are present,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for 4 Runners, Inc., 310 W. 14<sup>th</sup> St.(Hudson/8 Ave), with 5 tables & 10 seats, DCA# 1290477

**VOTE:** Unanimous, with 40 Board members in favor.

**11. Groove Enterprises, Inc., 125 MacDougal St.(at W 3<sup>rd</sup>), with 5 tables & 10 seats, DCA# 1305277**

Block:543 Lot:60	Lot Frontage:20' Lot Depth:65.75
Year Built:1900(estimated)	Number of Floors:4
Residential Units:4	Zoning:R7-2, Commercial Overlay: C1-5

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

**Whereas**, this lot has frontage of 20 feet and depth of 65.75 feet with a building of four stories, with Zoning: R7-2, Commercial Overlay: C1-5, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, the layout of the café has not been followed as it is based on the tables being kept toward the side of the restaurant where the sidewalk is wider and service is not being handled from the back door as required,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Groove Enterprises, Inc., 125 MacDougal St.(at W 3<sup>rd</sup>), with 5 tables & 10 seats, DCA# 1305277 CONDITIONAL UPON the applicant returning to the layout and service via the side door as noted in the fourth Whereas of this resolution

**VOTE:** Unanimous, with 40 Board members in favor.

**12. Smorgas Chef West Village, LLC, d/b/a Smorgas Chef, 283 W. 12 St.(at W 4<sup>th</sup>), with 14 tables & 28 seats, DCA# 1233131**

Block:625 Lot:62	Lot Frontage:24' Lot Depth:65
Year Built:1910(estimated)	Number of Floors:4
Residential Units:3	Zoning:C1-6
Historic District: Greenwich Village	

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

**Whereas**, this lot has frontage of 24 feet and depth of 65 feet with a building of four stories, with Zoning: C1-6, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, the café on the 4<sup>th</sup> St side is bordered by a large planter that is not on the drawing and is never moved, and

**Whereas**, the café on the 12 St side is not set up as shown on the plan and waiter service has been observed occurring from the public sidewalk, and

**Whereas**, there have been complaints that the applicant is operating the café on Sunday prior to noon,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Smorgas Chef West Village, LLC, d/b/a Smorgas Chef, 283 W. 12 St.(at W 4<sup>th</sup>), with 14 tables & 28 seats, DCA# 1233131 CONDITIONAL UPON the applicant correcting the situations noted in Whereas's 4, 5 and 6 of this resolution.

**VOTE:** Passed, with 39 Board members in favor and 1 in opposition-(Yankay)

**13. Focacceria, LTD., 87 MacDougal St.(Bleecker/W Houston), with 7 tables & 14 seats, DCA# 1244977**

Block:526 Lot:25	Lot Frontage:25' Lot Depth:98
Year Built:1900(estimated)	Number of Floors:6
Residential Units:15	Zoning:R7-2, Commercial Overlay: C1-5

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

**Whereas**, this lot has frontage of 25 feet and depth of 98 feet with a building of six stories, with Zoning: R7-2, Commercial Overlay: C1-5, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there are no complaints on file and DCA signs are present, and

**Whereas**, it was noted the applicant has seated an additional person at the end of either of the four-top tables thereby impinging into the public portion of the sidewalk,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a **RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Focacceria, LTD., 87 MacDougal St.(Bleecker/W Houston), with 7 tables & 14 seats, DCA# 1244977 CONDITIONAL UPON the applicant maintaining only 4 chairs at the tables shown that way on the submitted plan.**

**VOTE:** Unanimous, with 40 Board members in favor.

**14. Lafayette Street Partners, LLC d/b/a Chinatown Brasserie, 380 Lafayette St.(E 4<sup>th</sup>/Great Jones) with 23 tables & 84 seats, DCA# 1219985**

Block:531Lot:7504	Lot Frontage:82.08'Lot Depth:98
Year Built:1906(estimated)	Number of Floors:6
Residential Units:0Total # of Units:4	Zoning:M1-5B
Landmark Building:Yes	Historic District:NoHo

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

**Whereas**, this lot has frontage of 82 feet and depth of 98 feet with a building of six stories, with Zoning: M1-5B, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there are no complaints on file and DCA signs are present,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a **RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for Lafayette Street Partners, LLC d/b/a Chinatown Brasserie, 380 Lafayette St.(E 4<sup>th</sup>/Great Jones) with 23 tables & 84 seats, DCA# 1219985**

**VOTE:** Unanimous, with 40 Board members in favor.

**15. 7<sup>th</sup> Avenue Restaurant Group, LLC d/b/a Veranda, 130-138 7<sup>th</sup> Avenue So. (W 10<sup>th</sup>/Charles) with 23 tables & 68 seats, DCA# 1252679**

Block:611Lot:38	Lot Frontage:103.08'Lot Depth:78.08
Year Built:1920	Number of Floors:1
Residential Units:0Total # of Units:4	Zoning:C2-6
Landmark Building:Yes	Historic District:Greenwich Village

**Whereas**, the area was posted, community groups notified and there were community members present regarding this renewal application, and the applicant was present, and

**Whereas**, this lot has frontage of 103 feet and depth of 78 feet with a building of one story, with Zoning: C2-6, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there were several community residents in attendance who expressed concern over the size of the café and noise issues with numerous establishments in the immediate area, and

**Whereas**, as the tables would need to be moved to close the restaurant's windows, the applicant agreed to close sound boards mounted inside the windows at 10pm Sun – Thu and 11pm Fri – Sat, and

**Whereas**, the planters used to border the café have been left in place when it has not been operating, the applicant has committed to moving them back against the building as required when the café is not open, and

**Whereas**, the applicant has committed to meeting on a regular basis with residents living nearby, especially immediately behind the restaurant on w 4<sup>th</sup> St,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for 7<sup>th</sup> Avenue Restaurant Group, LLC d/b/a Veranda, 130 7<sup>th</sup> Avenue So. (W 10th/Charles) with 23 tables & 68 seats, DCA# 1252679 CONDITIONAL UPON the applicant meeting the conditions set forth in Whereas's 5, 6 and 7 of this resolution.

**VOTE:** Passed, with 39 Board members in favor, and 1 abstention-(Greenberg)

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

**16. 611 Hudson Street Corp., d/b/a Kobma Thai Rest., 611 Hudson St.(at W 12<sup>th</sup>) with 10 tables & 30 seats, DCA# 1253726**

Block:625 Lot:15	Lot Frontage:24.5' Lot Depth:37
Year Built:1910(estimated)	Number of Floors:3
Residential Units:4	Zoning:C1-6
Historic District: Greenwich Village	

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

**Whereas**, this lot has frontage of 24.5 feet and depth of 37 feet with a building of three stories, with Zoning: C1-6, and

**Whereas**, there are no changes from previous applications, and

**Whereas**, there are no complaints on file and DCA signs are present,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RENEWAL App. for revocable consent to operate an Enclosed sidewalk café for 611 Hudson Street Corp., d/b/a Kobma Thai Rest., 611 Hudson St.(at W 12<sup>th</sup>) with 10 tables & 30 seats, DCA# 1253726

VOTE: Unanimous, with 40 Board members in favor.

**Re-apply app. for revocable consent to operate an Unenclosed sidewalk cafe for:**

**17. Lupe's East L.A. Kitchen, Inc. 110 Sixth Ave.(at Watt St), with 8 tables & 16 seats, DCA# 1321335**

Block:476 Lot:15	Lot Frontage:51.58' Lot Depth:127.08
Year Built:1900(estimated)	Number of Floors:6
Residential Units:30	Zoning:M1-5B

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

**Whereas**, this lot has frontage of 51 feet and depth of 127 feet with a building of six stories, with Zoning: M1-5B, and

**Whereas**, all papers were not processed on time requiring the applicant to reapply, and

**Whereas**, this restaurant has been in this location for 21 years and has a sidewalk of 21 foot width, and

**Whereas**, the applicant will attempt to install a retractable awning, subject to landlord approval, to help limit noise from the sidewalk café reaching the residential units above,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends APPROVAL of this application for a RE-APPLY App. for revocable consent to operate an Unenclosed sidewalk café for Lupe's East L.A. Kitchen, Inc. 110 Sixth Ave.(at Watt St), with 8 tables & 16 seats, DCA# 1321335

VOTE: Unanimous, with 40 Board members in favor.

**18. Four Green Fields, LLC, d/b/a Agave, 140 7th Ave. So. (W 10<sup>th</sup>/Charles) with 24 tables & 48 seats, DCA# 1220688**

Block:611 Lot:14	Lot Frontage:20' Lot Depth:95
Year Built:1940(estimated)	Number of Floors:3
Residential Units:5 Total # of Units:6	Zoning:C2-6
Landmark Building: Yes	Historic District: Greenwich Village

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this re-application, and the applicant was not present,

**THEREFORE BE IT RESOLVED** that Manhattan Community Board #2 recommends LAYOVER of this application for a RE-APPLY App. for revocable consent to operate an Unenclosed sidewalk café for Four Green Fields, LLC, d/b/a Agave, 140 7th Ave. So. (W 10<sup>th</sup>/Charles) with 24 tables & 48 seats, DCA# 1220688

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

Sincerely,



Jo Hamilton, Chair  
Community Board #2, Manhattan



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

JH/gh

cc: 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  
Lolita Jackson, Manhattan Director, CAU  
Peter Janosik, Council, Land Use Division  
Michael Ben-Asher, Dept. of Consumer Affairs  
Applicants