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COMMUNITY BOARD No. 2, MANHATTAN

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September 18, 2009

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

Dear Commissioner Mintz:

At its Full Board meeting on September, 17, 2009, CB#2-Man., adopted the following resolutions:

New App. for revocable consent to operate an unenclosed sidewalk café for:

- 1. 98 Kenmare Restaurant, Group LLC, d/b/a Civetta, 98 Kenmare St., Block: 481, Lot:32; Police Precinct:5, betw. Mulberry & Centre, with 14 tables & 28 seats, DCA# 1329276**

Whereas, the area was posted, community groups notified and five people representing the community in this area were present but the applicant was not present, and,

Whereas, this lot has frontage of **100** feet, with one building of six stories, built in 1900 (est), with 30 residential units of a total 32 units in an area of Mixed Residential and Commercial Buildings, Zoning: C6-1, Zoning Map #: 12C, and

Whereas, members of the community appeared specifically to provide testimony regarding this location and the affect of numerous additional new establishments on this largely residential block, and

Whereas, the applicant was not present to hear or negotiate a possibly more favorable configuration for the sidewalk café, and

Whereas, there are some material faults with the sidewalk café plan, namely that there are benches around the trees that are rendered and that clearance from these benches would either require bench removal or reduction in the depth of the sidewalk café,

THEREFORE BE IT RESOLVED that Community Board #2 Manhattan recommends DENIAL for a NEW unenclosed sidewalk café for **98 Kenmare Restaurant, Group LLC, d/b/a Civetta, 98 Kenmare St., Block: 481, Lot:32; Police Precinct:5, betw. Mulberry & Centre, with 14 tables & 28 seats, DCA# 1329276.**

Vote: Unanimous, with 36 Board members in favor.

Renewal Applications for revocable consent to operate an Unenclosed sidewalk cafe for:

2. **French Roast, Inc., 78 W. 11th St., @ Sixth Ave., Block:574, Lot:7; Police Precinct:6, with 8 tables & 16 seats, DCA# 0907203**

Whereas, the area was posted, community groups notified and nobody from the community in this area was present and the applicant was not present, and,

Whereas, this lot has frontage of 34.5 and depth (along Sixth Ave) of 121 feet, with one building of six stories, built in 1920, with 21 residential units of a total 22 units in an area of Mixed Residential and Commercial Buildings, Zoning: C1-6, Zoning Map #: 12C, and

Whereas, this establishment has operated at this location for a number of years without incident, and this committee would otherwise approve of the renewal, but cannot unless the applicant appears, and

Whereas, the committee agreed to extend a layover to this application if the applicant will appear on the October calendar,

THEREFORE BE IT RESOLVED that Community Board #2 Manhattan recommends DENIAL for a RENEWAL of an unenclosed sidewalk café for French Roast, Inc., 78 W. 11th St., @ Sixth Ave., Block:574, Lot:7; Police Precinct:6 with 8 tables & 16 seats, DCA# 0907203, unless the applicant agrees to appear in October 2009. (The applicant's attorney Robert Bookman has confirmed attendance at the October hearing)

LAID OVER TO OCTOBER.

3. **RDK Restaurant Corp., d/b/a Bistro Les Amis, 180 Spring St., Block:488; Lot:15; Police Precinct:1; betw LaGuardia & Thompson, with 14 tables & 30 seats, DCA# 1101999**

Whereas, the area was posted, community groups notified and nobody from the community in this area was present and the applicant was present, and,

Whereas, this lot has frontage of 19.83 and depth 62.42 feet, with one building of four stories, built in 1910 (est), with 3 residential units of a total 4 units in an area of Mixed Residential and Commercial Buildings, Zoning:R7-2, with a Commercial Overlay of C1-5, Zoning Map #: 12A, and

Whereas, the sidewalk café, upon inspection complies with all regulations, except for the placement of some umbrellas in the public right-of-way, which the applicant has promised to remove,

THEREFORE BE IT RESOLVED that Community Board #2 Manhattan recommends APPROVAL for a RENEWAL of an unenclosed sidewalk café for **RDK Restaurant Corp., d/b/a Bistro Les Amis, 180 Spring St.,** Block:488; Lot:15; Police Precinct:1; betw LaGuardia & Thompson, **with 14 tables & 30 seats, DCA# 1101999**

Vote: Unanimous, with 36 Board members in favor.

4. **Marbar LLC, d/b/a La Palapa, 359 6th Ave., Block:592, Lot:19; Police Precinct:6, betw Waverly & Washington Place, with 6 tables & 12 seats, DCA# 1141303**

Whereas, the area was posted, community groups notified and nobody from the community in this area was present and the applicant was present, and,

Whereas, this lot has frontage of **39.25** and depth 85 feet, with one building of four stories, built in 1910 (est), with 3 residential units of a total 5 units in an area of Mixed Residential and Commercial Buildings, Zoning:R7-2, with a Commercial Overlay of C1-5, Zoning Map #: 12A, and

Whereas, the sidewalk café, upon inspection complies with all regulations,

THEREFORE BE IT RESOLVED that Community Board #2 Manhattan recommends APPROVAL for a RENEWAL of an unenclosed sidewalk café for Marbar LLC, d/b/a La Palapa, 359 6th Ave., Block:592, Lot:19; Police Precinct:6, betw Waverly & Washington Place, with 6 tables & 12 seats, DCA# 1141303

Vote: Unanimous, with 36 Board members in favor.

5. **Yamasak Restaurant Corp., d/b/a Le Figaro Cafe**, 174 Bleecker St., Block:526; Lot: 62; Police Precinct: 6 betw Sullivan & MacDougal, **with 4 tables & 8 seats , DCA# 1141909**

Whereas, the area was posted, community groups notified and there was a written inquiry from the community in this area, and the applicant was present, and,

Whereas, this lot has frontage of **22 feet** and depth 98 feet, with one building of five stories, built in 1900 (est), with 4 residential units of a total 5 units in an area of Mixed Residential and Commercial Buildings, Zoning:R7-2, with a Commercial Overlay of C1-5, Zoning Map #: 12A, and

Whereas, the name of the restaurant at this location has changed, but ownership and original configuration of the sidewalk café has not changed, and

Whereas, this committee noted that service of the tables from the restaurant, through doors to the sidewalk were blocked by additional interior tables, and

Whereas, there is insufficient room on the sidewalk for sidewalk service to these tables, and

Whereas, the applicant agreed to remove the interior tables to accommodate sidewalk café table service from the interior of the restaurant, and

Whereas, the Community represented by the Bleecker Area Merchants and Residents Association (BAMRA) expressed concern that the chairs of the sidewalk café frequently are occupied in the pedestrian right-of-way and the applicant agreed to take extra precaution that this condition does not continue,

THEREFORE BE IT RESOLVED that Community Board #2 Manhattan recommends APPROVAL for a RENEWAL of an unenclosed sidewalk café for **Yamasak Restaurant Corp., d/b/a Le Figaro Cafe**, 174 Bleecker St., Block:526; Lot: 62; Police Precinct: 6 betw Sullivan & MacDougal, **with 4 tables & 8 seats , DCA# 1141909**

Vote: Unanimous, with 36 Board members in favor.

6. **I Malatesta Trattoria, Inc., 649 Washington St.**, at Christopher St., Block: 630; Lot:1; Police Precinct:6, **with 18 tables & 35 seats, DCA# 1076713**

Whereas, the area was posted, community groups notified and there was attendance by a community member in this area, and the applicant was present, and,

Whereas, this lot has frontage of 31.75 feet and depth 68.25 feet, with one building of five stories, built in 1919 (est), with 12 residential units of a total 14 units in an area of Mixed Residential and Commercial Buildings, Zoning:R6, Zoning Map #: 12A, and


Whereas, this establishment has been in this location without incident and a community member who is also a Public Member of this Community Board, appeared to commend the establishment and its owner,

THEREFORE BE IT RESOLVED that Community Board #2 Manhattan recommends APPROVAL for a RENEWAL of an unenclosed sidewalk café for **I Malatesta Trattoria, Inc., 649 Washington St.,** at Christopher St., Block: 630; Lot:1; Police Precinct:6, **with 18 tables & 35 seats, DCA# 1076713**

Vote: Unanimous, with 36 Board members in favor.

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

Sincerely,



Jo Hamilton, Chair
Community Board #2, Manhattan



Zella Jones, Chair
Sidewalks & Public Access Committee
Community Board #2, Manhattan

JH/gh

cc: Hon. Jerrold Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Scott Stringer, Man. Borough President
Hon. Christine Quinn, Council Speaker
Hon. Alan Jay Gerson, Council Member
Hon. Rosie Mendez, Council Member
Sandy Myers, Community Board Liaison, Man., Borough President
Lolita Jackson, Manhattan Director, CAU
Peter Janosik, Council, Land Use Division
Michael Ben-Asher, Dept. of Consumer Affairs
Applicants