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Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
Susan Kent, *Secretary*  
Elaine Young, *Assistant Secretary*

**COMMUNITY BOARD No. 2, MANHATTAN**

3 WASHINGTON SQUARE VILLAGE  
NEW YORK, NY 10012-1899

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May 29, 2009

Michael Sakovsky  
Deputy Commissioner of Licensing  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**1. Bayrock Sapir Organization LLC/Spring & Varick Assoc. LLC, d/b/a Trump SoHo, 246 Spring St (at Varick Street), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license for a hotel with ground floor restaurant and bar located in 390,000 s.f. premise at the corner of Spring and Varick Street with 173 table seats in the restaurant, 60 table seats in the ground floor bar/lounge and a maximum legal capacity of 1,000 persons for the entire hotel; and,

**Whereas**, the applicant stated the operation are

- Hotel Lobby Bar: Sunday 12:00 p.m. – 1:00 a.m. and Monday – Saturday 10:00 a.m. – 3:30 a.m.
- Restaurant, Library and Hotel Lobby: Sunday 12:00 p.m. – 1:00 a.m. and Monday – Saturday 9:00 a.m. – 2:00 a.m.
- Hotel Rooms: 24 hours per day except as prohibited by law
- Pool Bar (Interior): Sunday 12:00 p.m. – 1:00 a.m. and Monday – Saturday 10:00 a.m. – 2:30 a.m.
- Pool Bar (Exterior): Sunday 12:00 p.m. – 1:00 a.m. and Monday – Saturday 10:00 a.m. – 2:30 a.m.
- Conference and Banquet Facilities: as rented until 3:00 a.m.
- Spa: Sunday 12:00 p.m. – 8:00 p.m. and Monday – Saturday 7:00 a.m. – 8:00 p.m.

**Whereas**, the applicant stated there will not be a sidewalk café application and no backyard garden; music will be background and D.J. only; and,

**Whereas**, the applicant has reached out to local residents and organizations; and,

**Whereas**, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents prior to the use of the On Premise license; and,

**Whereas**, the applicant has agreed to prohibit live music and DJs at the 5<sup>th</sup> Floor pool bar; and

**Whereas**, the applicant has agreed to assign hotel personnel to monitor and control vehicular traffic at the establishment; and,

**Whereas**, a member of the SoHo Alliance appeared expressing concerns with the lack of community outreach by the applicant; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed On Premise license for **Bayrock Sapir Organization LLC/Spring & Varick Assoc. LLC, d/b/a Trump SoHo, 246 Spring St** unless those conditions agreed to by applicant relating to the sixth, seventh and eighth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 31 Board members in favor and 1 in opposition.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



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May 29, 2009

Michael Sakovsky  
Deputy Commissioner of Licensing  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**2. 69 Gansevoort Restaurant, Inc. d/b/a Gansevoort Café, 69 Gansevoort St. (9<sup>th</sup> Avenue and Little West 12<sup>th</sup> Street), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a transfer of an existing On Premise license in a commercial building on Gansevoort Street between 9<sup>th</sup> Avenue and Little West 12<sup>th</sup> for a 1,780 s.f. diner/restaurant with 61 table seats, 1 bar with 13 seats, and a maximum legal capacity of 74 persons; and,

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the hours of operation are 24 hours per day with alcoholic beverages served only until 4:00 a.m. daily; there will be a sidewalk café application but no backyard garden; music is background only; and,

**Whereas**, the applicant has agreed to operate as a full service diner/restaurant only; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial to the proposed transfer of an On Premise license for **69 Gansevoort Restaurant, Inc. d/b/a Gansevoort Café, 69 Gansevoort St.** unless all conditions agreed to by applicant relating to third and fourth “whereas” clauses are incorporated into the “Method of Operation” on the SLA On Premise license.

Vote: Unanimous, with 32 Board members in favor.



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May 29, 2009

Michael Sakovsky  
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NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**3. Frederic Touiki or entity to be formed, 28<sup>7th</sup> Avenue South (Leroy and Morton Streets), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license for a bar/restaurant located in a 3,000 s.f. premise in a commercial building located on 7<sup>th</sup> Avenue South between Leroy and Morton Streets, with 97 table seats, 2 bars with 24 seats and a maximum legal capacity of 181 persons pending the issuance of a revised Certificate of Occupancy and Public Assembly Permit, which will not exceed said capacity; and,

**Whereas**, the applicant stated the hours of operation are 5:00 p.m. – 1:00 a.m. Sunday - Tuesday, 5:00 p.m. – 2:00 a.m. Wednesday, 5:00 p.m. – 3:00 a.m. Thursday and 5:00 p.m. – 4:00 a.m. Friday and Saturday; there is no sidewalk café nor a backyard garden; music is D.J. only; and,

**Whereas**, the applicant met with members of the community prior to the hearing to address all concerns and issues; and,

**Whereas**, the applicant has agreed to the following stipulations for the On Premise license:

1. Install a security camera on the exterior of the premise to monitor activity in front of the premise provided that it is permitted
2. Post signs at the front entrance of the premise requesting all patrons to be considerate of the community
3. Install "Baffle Boards" around the HVAC units on the roof
4. Provide 24 hour contact number for any concerns or issues
5. Operate a full kitchen and will serve food up to 1 hour prior to closing
6. Keep the level of the sound system within the premise at legal levels and will install a "limiter" switch

7. Arrange daily garbage pick up
8. Use best efforts to ensure deliveries are done at non-peak hours
9. Prohibit catering services
10. Prohibit use of the rooftop
11. Seek a restaurant only license

**Whereas**, several members of the community appeared to express their concerns; citing quality of life concerns; expressing issues with their method of operation as proposed and remain skeptical of a lounge/nightclub type establishment; and citing noise and overcrowding issues on a residential block; and,

**Whereas**, this committee recognizes the good faith efforts made by the applicant but have strong concerns with the proposed method of operation; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of an On Premise license for **Frederic Touiki or entity to be formed, 28 7<sup>th</sup> Avenue South.**

Vote: Unanimous, with 32 Board members in favor.

Brad Hoylman, Chair  
Jo Hamilton, First Vice Chair  
Bo Riccobono, Second Vice Chair  
Bob Gormley, District Manager



Sheelah Feinberg, Treasurer  
Susan Kent, Secretary  
Elaine Young, Assistant Secretary

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Michael Sakovsky  
Deputy Commissioner of Licensing  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**4. Michael Brennan or Corp. to be formed, 237 Sullivan St. (West 3<sup>rd</sup> and Sullivan), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a transfer of an existing On Premise license in a mixed use building on the corner of Sullivan and West 3<sup>rd</sup> Streets for a 1,200 s.f. bar/restaurant with 30 table seats, 1 bar with 12 seats, and a maximum legal capacity of 70 persons; and,

**Whereas**, the applicant stated there are no plans to change the previously approved operation; the applicant stated the current hours of operation are 11:00 a.m. – 4:00 a.m. seven days a week; there will be a sidewalk café application but no backyard garden; music is background only; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **Michael Brennan or Corp. to be formed, 237 Sullivan St.**

Vote: Unanimous, with 32 Board members in favor.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
Susan Kent, *Secretary*  
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May 29, 2009

Michael Sakovsky  
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NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**5. Bulog Enterprises, 45 W. 8<sup>th</sup> St. (5<sup>th</sup> and 6<sup>th</sup> Avenues), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a transfer of an existing On Premise license in a mixed use building on West 8<sup>th</sup> Street between 5<sup>th</sup> and 6<sup>th</sup> Avenues for a 1,550 s.f. restaurant with 30 table seats, 1 bar with 10 seats, and a maximum legal capacity of 40 persons; and,

**Whereas**, the applicant state the hours of operation are 12:00 p.m. – 12:00 a.m. Monday – Thursday, 12:00 p.m. – 2:00 a.m. Friday and Saturday; there will not be a sidewalk café application and no backyard garden; music is background only; and,

**Whereas**, a member of the community appeared in support; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval to the proposed transfer of an On Premise license for **Bulog Enterprises, 45 W. 8<sup>th</sup> St.**

Vote: Unanimous, with 32 Board members in favor.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
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Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
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May 29, 2009

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NY State Liquor Authority  
317 Lenox Avenue  
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Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**6. Jane Street Hotel, LLC, 113-115 Jane St. a/k/a 505-507 West St. (at West Street), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to a previously approved On Premise license for Hotel; to include a mezzanine bar located in a 1,300 s.f. premise inside the hotel on the corner of Jane and West Streets, with 40 table seats and 1 bar with 12 seats and a maximum legal capacity of 70 persons; and,

**Whereas**, the applicant stated the hours of operation for the mezzanine are 6:00 a.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café application; music is background only; and,

**Whereas**, the applicant has been operating successfully with other hotel establishments within the community; and,

**Whereas**, several members of the community appeared in opposition of the application; citing quality life concerns; overcrowding and noise issues in a quiet residential block; and,

**Whereas**, the applicant has agreed to meet members of the community to address all concerns and issues; and,

**Whereas**, this committee recognizes the good faith efforts made by the applicant but have concerns with lack of community outreach for this application; and encourages the applicant to continue dialogue with nearby residents; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed alteration to On Premise license for **Jane Street Hotel, LLC, 113-115 Jane St. a/k/a 505-507 West St.**

Vote: Unanimous, with 32 Board members in favor.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
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May 29, 2009

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NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**7. SoHo House New York, Inc., 29-36 Ninth Avenue, (West 13<sup>th</sup> and West 14<sup>th</sup> Streets), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to an existing On Premise license for a rooftop bar/restaurant located in a Private Club/Hotel on Ninth Avenue between West 13<sup>th</sup> and West 14<sup>th</sup> Streets with a maximum legal capacity of 200 persons for the rooftop; **to extend the closing hours to 2:00 a.m. daily**; and,

**Whereas**, the applicant stated there are no plans to change the previously approved operation aside from the closing hours; and the music is currently background and D.J. only; and,

**Whereas**, the applicant has been operating successfully for over 6 years with no known issues; and,

**Whereas**, a member of the community appeared in support; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **SoHo House New York, Inc., 29-36 Ninth Avenue**.

Vote: Passed, with 31 Board members in favor and 1 in opposition.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



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May 29, 2009

Michael Sakovsky  
Deputy Commissioner of Licensing  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**8. RRBV Associates, LLC 290 Hudson St a/k/a 286 Spring St. (at Dominick) NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an alteration to an existing On Premise license for a 2,500 s.f. restaurant located in a commercial building on Hudson between Spring and Dominick Streets, with 65 table seat and 1 bar with 8 seats; and a maximum legal capacity of 135 persons for the rooftop; **to extend the restaurant hours to 11:00 a.m. – 12:00 a.m. Sunday, 11:00 a.m. – 12:00 a.m. Monday – Thursday and 11:00 a.m. – 1:00 a.m. Friday and Saturday;** and,

**Whereas**, the applicant stated there are no plans to change the previously approved operation aside from the closing hours; and the music is currently background only; and,

**Whereas**, the Sidewalks, Public Facilities & Public Access Committee has heard an application for a sidewalk café and has no objection. We also approve of a license that includes a sidewalk café in its method of operation; and

**Whereas**, the applicant has been operating successfully for a few months with no known issues; and,

**Whereas**, no one appeared in opposition from the community; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of the proposed alteration to an On Premise license for **RRBV Associates, LLC 290 Hudson St a/k/a 286 Spring St.**

Vote: Passed, with 31 Board members in favor and 1 in opposition.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
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May 29, 2009

Michael Sakovsky  
Deputy Commissioner of Licensing  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**9. La Palette, 94 Greenwich Avenue, (West 12th Street) NYC**

**Whereas**, the applicant appeared before the committee to address the ongoing backyard garden noise complaints received by members of the community; and,

**Whereas**, this application is for a renewal of an On Premise license for a 500 s.f. restaurant with a 500 s.f. backyard garden in a mixed use building on Greenwich Avenue at West 12th Street; and,

**Whereas**, the applicant has been operating for over 4 years with an On Premise license and stated that the hours of operation are 11:00 a.m. - 11:00 p.m. Monday-Saturday, 11:00 a.m. – 10:00 p.m. Sunday; the music is background only; and,

**Whereas**, there were concerns from members of the community regarding crowd and noise control in the backyard garden; and,

**Whereas**, the applicant has agreed to continue the prohibition of "happy hours", private events, and live and background music in the backyard garden; and,

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of the proposed renewal to On Premise license for **La Palette, 94 Greenwich Avenue** unless the conditions agreed to by applicant relating to the fifth "whereas" clause above is incorporated into the "Method of Operation" on the SLA On Premise license.

Vote: passed, 31 Board members in favor, and 1 in opposition.

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
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May 29, 2009

Michael Sakovsky  
Deputy Commissioner of Licensing  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**10. K Sushi, 357 W. Broadway, NYC 10013**

**Whereas**, this application is for a renewal to an On Premise liquor license; and,

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, the applicant has been recently cited by the Department of Consumer Affairs for operating an illegal sidewalk café; and,

**Whereas**, the applicant has been operating in violation of their duly licensed Method of Operation; and,

**THEREFORE, BE IT RESOLVED** that CB2, Manhattan strongly objects to the renewal of the On Premise license of **K Sushi, 357 W. Broadway, NYC 10013** and calls on the State Liquor Authority to verify that the establishment is not operating in violation of their duly licensed Method of Operation.

Vote: Unanimous, with 32 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  
Committee

Raymond Lee, Chair  
SLA Licensing

Community Board #2,

Manhattan

BH/fa

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  
Angelica Crane, CB2 liaison,, Man. Borough President's office  
Lolita Jackson, Manhattan Director, Commissioner, CAU  
Thomas J. O'Connor, Deputy Commissioner for Government Affairs, NYS  
Liquor Authority

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
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June 1, 2009

Jonathan Mintz, Commissioner  
NYC Dept. of Consumer Affairs  
42 Broadway  
New York, New York 10004

Dear Commissioner Mintz:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**Hotel, LLC, 113-115 Jane St. a/k/a 505-507 West St. (at West Street), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for a DCA Cabaret license in a commercial building at Jane and West Streets for a 3,000 s.f. lobby/ballroom with 80 table seats with 1 bar and 12 seats; and,

**Whereas**, the applicant stated the hours of operation for the lobby/ballroom are 6:00 a.m. – 4:00 a.m. seven days a week; there will not be a sidewalk café application; music is background only; and,

**Whereas**, several members of the community appeared in opposition of the application; citing quality life concerns; overcrowding and noise issues in a quiet residential block; and,

**Whereas**, the applicant has agreed to meet members of the community to address all concerns and issues; and,

**Whereas**, this committee recognizes the good faith efforts made by the applicant but have concerns with lack of community outreach for this application; and encourages the applicant to continue dialogue with nearby residents; and,

**Therefore, be it resolved** that CB#2, Man. recommends denial of the proposed DCA Cabaret license for Jane Street Hotel, LLC, 113-115 Jane St. a/k/a 505-507 West St.

**Vote: Unanimous, with 32 Board members in favor.**

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
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June 1, 2009

Jonathan Mintz, Commissioner  
NYC Dept. of Consumer Affairs  
42 Broadway  
New York, New York 10004

Dear Commissioner Mintz:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution

**Downtown Restaurant Group, 50 Gansevoort St, NYC**

**Whereas**, this application is for a DCA Cabaret license; and,

**Whereas**, the applicant failed to appear before the committee or request a layover of consideration of the application to the next hearing; and,

**Whereas**, the applicant has been operating without a valid Cabaret license and no Public Assembly permit for a few months; and,

**Whereas**, the applicant has a history of issues and 311 complaints within the community arising from noise and overcrowding; and,

**Therefore, be it resolved** that CB#2, Man. strongly objects to the DCA Cabaret license for Downtown Restaurant Group, 50 Gansevoort St, NYC and calls on the State Liquor Authority, Department of Consumer Affairs and Department of Buildings to verify that the establishment is not operating in violation of their duly licensed Method of Operation.

Vote: Unanimous, with 32 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



Raymond Lee, Chair  
SLA Licensing Committee  
Community Board #2, Manhattan

BH/fa

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  
Angelica Crane, CB2 liaison, Man. Borough President's office  
Lolita Jackson, Manhattan Director, Commissioner, CAU  
Thomas J. O'Connor, Deputy Commissioner for Government Affairs, NYS Liquor Authority  
Applicant

Brad Hoylman, *Chair*  
Jo Hamilton, *First Vice Chair*  
Bo Riccobono, *Second Vice Chair*  
Bob Gormley, *District Manager*



Sheelah Feinberg, *Treasurer*  
Susan Kent, *Secretary*  
Elaine Young, *Assistant Secretary*

## COMMUNITY BOARD NO. 2, MANHATTAN

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June 1, 2009

Michael Sakovsky  
Deputy Commissioner of Licensing  
NY State Liquor Authority  
317 Lenox Avenue  
New York, New York 10027

Dear Commissioner Sakovsky:

At its Full Board meeting on May 21, 2009, Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

**Sochin Downtown Realty, LLC d/b/a Mondrian SoHo, 150 Lafayette St a/ka 9 Crosby St. (Howard and Grand Streets), NYC**

**Whereas**, the applicant appeared before the committee; and,

**Whereas**, this application is for an On Premise license for a hotel with a ground floor restaurant located in 131,237 s.f. premise on Lafayette between Howard and Grand Streets with 207 interior table seats and 295 exterior table seats, 3 bars with 17 seats and a maximum legal capacity of 1,000 persons for the entire hotel establishment; and,

**Whereas**, the applicant stated the operation are

- Hotel Bar: 8:00 a.m. – 4:00 a.m.; Monday – Saturday and 12:00 p.m. – 4:00 a.m. Sunday
- Hotel Rooms: 24 hours per day except as prohibited by law
- Restaurant (Interior): 6:30 a.m. – 2:00 a.m. daily
- Restaurant (Exterior Garden and 2<sup>nd</sup> Floor Terrace): 9:00 a.m. – 11:00 p.m. daily

**Whereas**, the applicant stated there will not be a sidewalk café application but will include a backyard garden; music will be background, D.J. and live music for the interior only; and,

**Whereas**, the applicant has agreed to abide by the regulations associated with all New York City departments and safety organizations including but not limited to the Department of Buildings and the Fire Department, and will obtain all required certificates, permits and related documents prior to the use of the On Premise license; and,

**Whereas**, the premise is located in a M1-5B District, and

**Whereas**, Section 42-14(D)(2)(b) of the Zoning Resolution restricts uses below the floor level of the second floor in M1-5B Districts to Use Groups 7, 9, 11, 16, 17A, 17B, 17C or 17E, and

**Whereas**, use groups other than those permitted, such as Use Group 5 use (hotel use) and/or Use Group 6 use (retail use), below the floor level of the second floor may be allowed by special permit by the Chairperson of the City Planning Commission pursuant to Section 74-781, and

**Whereas**, Section 73-241 of the Zoning Resolution may allow eating and drinking establishments located in a M1-5B District with a capacity of 200 persons or less, for a term not to exceed five years, by special permit from the Board of Standards and Appeals, and

**Whereas**, the applicant did not submit to the Committee special permits pursuant to Section 42-14(D)(2)(b), 74-781 or 73-241 of the Zoning Resolution; and

**Whereas**, over 20 members of the community appeared in support of the applicant; citing the value of an upscale hotel and restaurant in the neighborhood; citing the value of adding new employment opportunities for the community; and,

**Whereas**, over 30 members of the community appeared in opposition, particularly in opposition to the outdoor drinking venues; citing quality of life concerns with a large hotel establishment; citing public interest issues in regard to the 500-foot rule law; citing noise, traffic and overcrowding issues on a very quiet residential block particularly with an extremely large backyard eating and drinking establishment facing onto Crosby Street and with noise from the 2<sup>nd</sup> floor open terrace; and its close proximity of many other licensed establishments; and,

**Whereas**, after hearing from the applicant and from those opposed to the application and after due discussion and deliberation by the full community board, it was determined that no amount of restrictions would protect local residents against the unacceptable and overwhelming increase in noise and traffic levels that would be generated by one of the largest outdoor eating and drinking establishments in Manhattan;

**Therefore, be it resolved** that CB#2, Man. recommends, as not being in the public interest, denial to the proposed On Premise license for **Sochin Downtown Realty, LLC d/b/a Mondrian SoHo, 150 Lafayette St a/ka 9 Crosby St.** of any license that includes any outdoor drinking venues at this location, specifically, but not exclusive to, the large outdoor eating and drinking establishment on Crosby Street and the 2<sup>nd</sup> floor terrace.

Vote: Passed, with 31 Board members in favor and 1 in opposition.

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

Sincerely,



Brad Hoylman, Chair  
Community Board #2, Manhattan



Raymond Lee, Chair  
SLA Licensing Committee  
Community Board #2, Manhattan

BH/fa

cc: Hon. Jerrold Nadler, Congressman  
Hon. Thomas Duane, NY State Senator  
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Applicant