



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
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**JOHN WEIS**  
Chair

**ROBERT J. BENFATTO, JR., ESQ.**  
District Manager

October 6, 2010

Dennis Rosen  
Chairman  
New York State Liquor Authority  
84 Holland Avenue, 2nd floor, A-Wing  
Albany, NY 12208

Re: **SHNY Restaurant Group LLC d/b/a Southern Hospitality**  
*643 Ninth Avenue (45<sup>th</sup> /46<sup>th</sup> )*

Dear Commissioner Mintz and Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a transfer of a full liquor license and UNENCLOSED sidewalk café permit for **SHNY Restaurant Group LLC d/b/a Southern Hospitality** unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- Hours of operation will be no earlier than 11:00 am and no later than 4:00 am, 7 days per week. The hours that apply to the sidewalk café will be no earlier than 11:00 am and no later than 10:00 pm weekdays, 11:00 pm Friday and Saturday.
- The applicant is not applying for a cabaret license with this current application.
- There will be 5 tables outdoors with 20 seats in the outdoor café. Hours of operation of the sidewalk café will end at 10 pm on weeknights and 11 pm on weekends.
- The applicant stated they will have background music playing in the restaurant, but no amplified sound outdoors.
- Applicant will mark the sidewalk boundaries according to the approved plans submitted to the DCA for the sidewalk café space.
- There will be French doors and/or windows that open to the street front. Applicant has agreed to close them by 10:00 pm Sunday through Thursday and 11:00 pm on Friday and Saturday. They will also be closed whenever amplified sound is played inside, as per law.
- Delivery bikes will be stored within the sidewalk café permit area close to the wall at the West most end of the building on West 45<sup>th</sup> Street.

- Applicant will not install a storm vestibule enclosure that will project more than 18 inches as per DOB code. Storm enclosures can only be used between November 15th and April 15th.
- Kitchen exhaust will exit through ventilation above the highest floor of surrounding buildings and be constructed in a manner to not disturb neighboring residents or offices. Additionally it will be compliant with NY DOB code.

A signed copy of the stipulations agreed to by the applicant is enclosed. This is a restaurant/lounge establishment and will have a capacity of no more than 293 with 75 tables. There will be two service bars. There will also be two stand up bars. This application is for a transfer of ownership.

Sincerely,



John Weis  
Chair  
Manhattan Community  
Board 4



Lisa Daglian  
Co-Chair  
Business License & Permits  
Committee - North

Chuck Spence  
Co-Chair  
Business License & Permits  
Committee - North