



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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John Weis
Chair

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

December 14, 2009

Dennis Rosen
Chairman
New York State Liquor Authority
80 South Swan Street
Albany, NY 12210

Re: 9th Avenue Pearl on Sushi Inc.
695 Ninth Avenue (47/48)

Dear Chairman Rosen:

Manhattan Community Board 4 (MCB4) recommends denial of a new restaurant wine and beer license for 9th Avenue Pearl on Sushi Inc. unless the following stipulations, agreed to by the applicant, are part of the method of operation for this establishment:

- Hours of operation will be 11:00 am to 11 pm, 6 days per week and 11:30 am to 11 pm on Sunday.
- Background music only will be played during the same hours of operation. (There will be no live music or DJ's)
- There will be no use of any outdoor spaces (rooftop, patio or sidewalk café) at this time. The applicant MAY apply for a sidewalk café license at some time in the future.
- The operator is not applying for a cabaret license.
- The applicant will only install 'storm door enclosures' that are compliant with NYC building codes, specifically, no deeper than 18 inches so it does not obstruct the sidewalk.
- The applicant stated they will have no French doors/large windows that open to the street.
- The applicant stated the kitchen exhaust system already exists. The applicant further stated the exhaust exits through ventilation above the highest floor of surrounding buildings and has been 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 application is for a new restaurant beer and wine license with a sushi bar. Total capacity is 74 patrons with 20 seated at 5 tables and the rest standing or seated at the sushi bar.

Sincerely,



John Weiss
Chair
Manhattan Community
Board 4



John Owens
Co-Chair
Business License & Permits
Committee - North



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