



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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J. LEE COMPTON
Chair

ANTHONY M. BORELLI
District Manager

November 10, 2005

Manhattan Borough Commissioner Laura Osorio
Department of Buildings
280 Broadway, 3rd Floor
New York, NY 10007

RE: Drive In 24 LLC, 443 West 18th Street

Dear Commissioner Osorio:

At the November 2, 2005 meeting of Manhattan Community Board No. 4, Tony Moschini, the owner of Drive In 24 LLC d/b/a Drive In Studios, located at 443 West 18th Street, assured the Board that he has no intention of applying for a change of use or new certificate of occupancy. The facility currently operates primarily as a photography studio, but has been holding "special events" that have turned it into a veritable part time nightclub. Mr. Moschini had previously expressed his interest in applying for an on-premises liquor license and a new certificate of occupancy to formalize this use.

The committee and the full board are opposed to any such change and are pleased to learn of the owner's promise not to pursue it. The community board would strongly oppose such a use because:

1. The photo studio is located in a residential district and operates under a certificate of occupancy that allows commercial use because it was grandfathered in prior to a rezoning. However, an eating and drinking establishment would not be allowed under the current C of O because it is in an entirely separate use group. We believe that under zoning law, the applicant should not be allowed to change his C of O in this way.
2. The nightclub use would be inappropriate in this residential district, as it has already caused considerable crowd congestion and noise with its present method of operation. Neighbors in opposition to Drive In 24 LLC's special events have attended several committee meetings.

Sincerely yours,

Lee Compton
Chair, Manhattan Community Board No. 4

Kevin Kossi
Co-Chair
Business Licenses & Permits Committee

John Weis
Co-Chair
Business Licenses & Permits Committee

Request for Evaluation of historic resources in western Chelsea
June 16, 2005
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