

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



Erin Roeder, *Treasurer*
Susan Kent, *Secretary*
Elaine Young, *Assistant Secretary*

COMMUNITY BOARD No. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

Greenwich Village • Little Italy • SoHo • NoHo • Hudson Square • Chinatown • Gansevoort Market

May 20, 2011

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

Dear Commissioner Mintz:

At its Full Board meeting on May 19, 2011, Community Board #2, Manhattan adopted the following resolution:

Renewal App. for revocable consent to operate an Unenclosed sidewalk café for:

- 1. ALN Restaurant Inc. d/b/a Giovanna's, 128 Mulberry St. (NE corner of Hester St), with 13 tables & 26 seats, DCA# 1252281**

Block:205 Lot:7502

Year Built: 2006

Residential Units:4 Total # of Units:5

Lot Frontage:25.83' Lot Depth:50

Number of Floors:7

Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, the committee has evidence the applicant has consistently violated the terms of the sidewalk café permit by increasing the number of seats in the café on Mulberry St and adding tables and seats on Hester St where no seating is allowed under this sidewalk café license, and

Whereas, the applicant has accommodated this seating by extending it and service traffic well into the public area of the sidewalk further impeding pedestrians on this narrow and already crowded sidewalk,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **ALN Restaurant Inc. d/b/a Giovanna's, 128 Mulberry St. (NE corner of Hester St), with 13 tables & 26 seats, DCA# 1252281**

UNLESS the applicant signs an agreement with the City Council to strictly adhere to the seating count in their license, including placing no seating on Hester St.

VOTE: Unanimous, with 38 Board members in favor

2. **Macelleria Restaurant Inc. d/b/a Macelleria, 48 Gansevoort St. (btw Greenwich St & Washington St), with 9 tables & 18 seats, DCA# 1188887**

Block:643 Lot:54

Year Built:1941

Residential Units:0 Total # of Units:1

Landmark Building: Yes

Lot Frontage:69.42' Lot Depth:92.58

Number of Floors:2

Zoning:M1-5

Historic District: Gansevoort Market

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with few known issues, and

Whereas, the committee noted the café is often open for business prior to noon on Sunday and the applicant committed to correcting this,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Macelleria Restaurant Inc. d/b/a Macelleria, 48 Gansevoort St. (btw Greenwich St & Washington St), with 9 tables & 18 seats, DCA# 1188887**

VOTE: Unanimous, with 38 Board members in favor

3. **ASC, Inc. 134 Mulberry St. d/b/a La Nonna Italian Restaurant (btw Hester St & Grand St), with 6 tables & 12 seats, DCA#1208521**

Block:237 Lot:7501

Year Built:1915

Residential Units:0 Total # of Units:11

Lot Frontage:124.75' Lot Depth:101.33

Number of Floors:6

Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, the committee has evidence the applicant has consistently violated the terms of the sidewalk café permit by increasing the number of seats in the café, and

Whereas, the applicant has accommodated this seating by extending service traffic well into the public area of the sidewalk further impeding pedestrians on this narrow and already crowded sidewalk,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **ASC, Inc. 134 Mulberry St. d/b/a La Nonna Italian Restaurant (btw Hester St & Grand St), with 6 tables & 12 seats, DCA#1208521**

UNLESS the applicant signs an agreement with the City Council to strictly adhere to the seating count in their license

VOTE: Unanimous, with 38 Board members in favor.

4. **Out of the Kitchen Inc. d/b/a Out of the Kitchen, 420 Hudson St. (NE corner of St. Luke's Pl), with 8 tables & 18 seats, DCA# 1250691**

Block:583 Lot:1

Year Built:1910(estimated)

Residential Units:2 Total # of Units:4

Landmark Building: Yes

Lot Frontage:23.08' Lot Depth:59.5

Number of Floors:4

Zoning:C1-6

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues, and

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Out of the Kitchen Inc. d/b/a Out of the Kitchen, 420 Hudson St. (NE corner of St. Luke's Pl), with 8 tables & 18 seats, DCA# 1250691**

VOTE: Unanimous, with 38 Board members in favor.

5. **D.E.L. Inc. d/b/a Alexandra, 455 Hudson St. (btw Morton St & Barrow St), with 10 tables & 20 seats, DCA# 1192285**

Block:603 Lot:65

Year Built:1920(estimated)

Residential Units:39 Total # of Units:41

Landmark Building: Yes

Lot Frontage:50' Lot Depth:100.08

Number of Floors:6

Zoning:C1-6

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues, and

Whereas, the committee noted the café seating is sometimes arranged that service is occurring from the public sidewalk thus creating a bottleneck as there is a large tree and pit directly across from the café and the applicant committed to correcting this practice,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **D.E.L. Inc. d/b/a Alexandra, 455 Hudson St. (btw Morton St & Barrow St), with 10 tables & 20 seats, DCA# 1192285**

VOTE: Unanimous, with 38 Board members in favor.

6. **JVC Pizzeria, Inc. d/b/a Il Fornaio, 132A Mulberry St. (btw Hester St & Grand St), with 7 tables & 14 seats, DCA# 1143227**

Block:237 Lot:7501

Year Built:1915

Residential Units:0 Total # of Units:11

Lot Frontage:124.75' Lot Depth:101.33

Number of Floors:6

Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues, and

Whereas, the committee reminded the applicant's representative that service should not take place from the public sidewalk and the representative committed to reminding the applicant,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **JVC Pizzeria, Inc. d/b/a Il Fornaio, 132A Mulberry St. (btw Hester St & Grand St), with 7 tables & 14 seats, DCA# 1143227**

VOTE: Unanimous, with 38 Board members in favor.

7. **Andikiana Corp. d/b/a Silver Spurs Eatery, 490 LaGuardia Pl.(NW corner of W. Houston St), with 16 tables & 32 seats, DC# 0941701**

Block:525 Lot:56

Year Built:1900(estimated)

Residential Units:0 Total # of Units:7

Lot Frontage:18.75' Lot Depth:98

Number of Floors:4

Zoning:R7-2, Commercial Overlay:C1-5

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, the committee has evidence the applicant is violating the terms of the sidewalk café permit by increasing the café to 40 seats by adding an additional section north of the two sections that are on the approved plans,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Andikiana Corp. d/b/a Silver Spurs Eatery, 490 LaGuardia Pl.(NW corner of W. Houston St), with 16 tables & 32 seats, DC# 0941701**

UNLESS the applicant signs an agreement with the City Council to strictly adhere to the seating count in their license

VOTE: Unanimous, with 38 Board members in favor

8. Caswell/Pearson Enterprises, Ltd., d/b/a La Carbonara, 202 W. 14th St. (btw 7th Ave & 8th Ave), with 3 tables & 12 seats, DCA# 1186385

Block:618 Lot:31
Year Built:1910(estimated)
Residential Units:6 Total # of Units:8

Lot Frontage:25' Lot Depth:103.25
Number of Floors:5
Zoning:C6-2A

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues, and

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Caswell/Pearson Enterprises, Ltd., d/b/a La Carbonara, 202 W. 14th St. (btw 7th Ave & 8th Ave), with 3 tables & 12 seats, DCA# 1186385**

VOTE: Unanimous, with 38 Board members in favor

9. Riomar Corp. d/b/a Kana, 324 Spring St. (btw Greenwich St & Washington St), with 4 tables & 13 seats, DCA# 1003195

Block:595 Lot:72
Year Built:1900(estimated)
Residential Units:3 Total # of Units:4

Lot Frontage:20.08' Lot Depth:56
Number of Floors:4
Zoning:C6-2A

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues, and

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Riomar Corp. d/b/a Kana, 324 Spring St. (btw Greenwich St & Washington St), with 4 tables & 13 seats, DCA# 1003195**

VOTE: Unanimous, with 38 Board members in favor.

10. Village Cantina Corp. 170 Bleecker St.(SW corner of Sullivan St), with 2 tables & 4 seats, DCA# 1313487

Block:526 Lot:64
Year Built:1900(estimated)
Residential Units:19 Total # of Units:21

Lot Frontage:46.75' Lot Depth:98
Number of Buildings:2, Number of Floors:6
Zoning:R7-2, Commercial Overlay:C1-5

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, this unenclosed café has been operated by this applicant for several years with no known issues, and

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Village Cantina Corp. 170 Bleecker St.(SW corner of Sullivan St), with 2 tables & 4 seats, DCA# 1313487**

VOTE: Unanimous, with 38 Board members in favor.

11. Buona Notte Inc. d/b/a Buona Notte Inc, 120 Mulberry St.(btw Canal St & Hester St), with 6 tables & 12 seats, DCA# 1135217

Block:205 Lot:11
Year Built:1910(estimated)
Residential Units:8 Total # of Units:9

Lot Frontage:25' Lot Depth:100.33
Number of Floors:5
Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, a member of the community complained about a large menu board constantly place on the public portion of the sidewalk, and

Whereas, a member of the community complained that a menu board is consistently placed on the public sidewalk and staff members consistently occupy a chair on the residential stoop,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **ASC, Inc. 134 Mulberry St. d/b/a La Nonna Italian Restaurant (btw Hester St & Grand St), with 6 tables & 12 seats, DCA#1208521**

UNLESS the applicant signs an agreement with the City Council to cease using in any way the public sidewalk or the neighboring residential stoop

VOTE: Unanimous, with 38 Board members in favor.

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

12. Argo Tea, Inc., d/b/a Argo Tea Café, 75 University Pl. (SE corner of E 11th St), with 10 tables & 40 seats, DCA# 1381365

Block:562 Lot:1
Year Built:1923
Residential Units:205 Total # of Units:215

Lot Frontage:190' Lot Depth:112
Number of Buildings:6, Number of Floors:12
Zoning:C1-7C6-1

Whereas, the area was posted, community groups notified and there were several community members present regarding this application, and the applicant was present, and

Whereas, there appeared to have been little or no applicant outreach to the community including the building housing the café and several residents appeared and a petition with more than 100 signees was presented opposing this application, and

Whereas, this property is immediately adjacent to several medical facilities which generate substantial pedestrian traffic including those confined to wheelchairs, and

Whereas, the applicant has regularly placed illegal signage and tea promotional carts on the sidewalk, and

Whereas, the plan included large 30” round tables extending along University Place and wrapping around the corner onto E 11th St with only the minimum clearance on this busy corner remaining and the applicant agreed to reduce the seating to 6 tables and 24 seats, all on University Place, and

Whereas, the committee felt the table size was unnecessary for this type business and could not realistically be accommodated in the proposed space, and

Whereas, the applicant’s business hours are currently 6 a.m. – 11 p.m. Monday – Friday, 7 a.m. – 11 p.m. Saturday and 7 a.m. – 10 p.m. Sunday, and

Whereas, the applicant was reminded that the sidewalk café could not open until 8 a.m. Monday – Saturday and noon on Sunday, and

Whereas, the applicant does not plan to have waiter service to the outdoor café raising noise and lack of oversight issues within the community,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Argo Tea, Inc., d/b/a Argo Tea Café, 75 University Pl. (SE corner of E 11th St), with 10 tables & 40 seats, DCA# 1381365**

UNLESS the applicant signs a binding agreement with the City Council including the following:

- **Seating is reduced to 6 tables and 24 seats, all on University Place, as noted in the 5th Whereas clause**
- **All tables will be no larger than 24” x 24” or round tables of no more than 24” in diameter**
- **Sidewalk café hours are limited to Mon – Sat from 8:00am to 10:00pm & Sunday from noon to 9:00pm**
- **Café staff will regularly police the café to ensure cleanliness and that noise levels are controlled**
- **Nothing will be placed on the public portion of the sidewalk at any time**

VOTE: Unanimous, with 38 Board members in favor.

13. Francis Louis, LLC, d/b/a Frankie’s 570 Spuntino, 570 Hudson St. (SE corner of W 11th St), with 12 tables & 36 seats, DCA# 1387557

Block:622 Lot:10

Year Built:1901(estimated)

Residential Units:2 Total # of Units:3

Landmark Building: Yes

Lot Frontage:49.25' Lot Depth:26.17

Number of Floors:3

Zoning:C1-6

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant was present, and

Whereas, this is the former Hudson Corner Café which operated a sidewalk café for many years with no known issues, and

Whereas, the proposed seating appeared to be impractical in the given space and the applicant agreed to reduce it by 1 table and 4 seats, and

Whereas, the applicant agreed to shift the service aisle further out thereby placing the remaining five 4-seat tables against the building and closing the opening in the south end of the café railing opposite the service door to allow improved spacing for the 2-seat tables and reduce the possibility of service taking place from the public sidewalk,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Francis Louis, LLC, d/b/a Frankie's 570 Spuntino, 570 Hudson St. (SE corner of W 11th St), with 12 tables & 36 seats, DCA# 1387557**

CONDITIONAL UPON

- **the seating being reduced to 11 tables and 32 seats**
- **the tables and service aisle rearranged as noted in the 4th Whereas clause**
- **closing the opening in the perimeter railing as noted in the 4th Whereas clause**

VOTE: Unanimous, with 38 Board members in favor.

14. Eli-Lilla, Inc. d/b/a Caffe Roma, 385 Broome St. (SE corner of Mulberry St), with 11 tables & & 22 seats, DCA# 1388457

Block:471 Lot:36

Year Built:1900(estimated)

Residential Units:4 Total # of Units:6

Lot Frontage:25.58' Lot Depth:99.17

Number of Floors:5

Zoning:C6-2G

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, the number of tables is stated on the application as 11 but 9 tables (two 4-seat tables) are shown on the plan, and

Whereas, the applicant was reminded that this is a narrow sidewalk and it is critical that only the seating arrangement shown on the plan is allowed during operation,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Eli-Lilla, Inc. d/b/a Caffe Roma, 385 Broome St. (SE corner of Mulberry St), with 11 tables & & 22 seats, DCA# 1388457**

CONDITIONAL UPON the approved seating being shown consistently between the application and plan

VOTE: Unanimous, with 38 Board members in favor.

15. Sam Bahri's Steakhouse Inc. d/b/a Sam Bahri's Steakhouse, 10 Downing St aka 257 6th Ave. with 21 tables and 42 seats, DCA# 1390195

Block:527 Lot:27

Year Built:1940(estimated)

Residential Units:127 Total # of Units:137

Landmark Building: Yes

II

Lot Frontage:157.67' Lot Depth:284.83

Number of Floors:7

Zoning:R7-2R6, Commercial Overlay:C1-5

Historic District: Greenwich Village Historic Dist. Ext.

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, this is the former Scuderia which operated a sidewalk café for a year under stipulations negotiated with Community Board 2 and the 10 Downing Street Tenants Association with no known issues, and

Whereas, the applicant agreed to shift the service aisle further out thereby placing the 4-seat tables against the building to reduce the possibility of service taking place from the public sidewalk,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Sam Bahri's**

Steakhouse Inc. d/b/a Sam Bahri's Steakhouse, 10 Downing St aka 257 6th Ave. with 21 tables and 42 seats, DCA# 1390195

UNLESS the applicant signs a binding agreement with the City Council including the following:

- **Closing time of the sidewalk café will be reduced to 11:00 p.m. Sunday – Thursday and midnight Friday and Saturday**
- **Maintain an awning that is in place over the sidewalk café whenever it is in operation**
- **Storing garbage in vermin-proof containers and making every effort to have garbage collected during daytime hours**
- **Signage placed inside the sidewalk café stating No Smoking is allowed in the café and requesting patrons to respect the residents by keeping noise to a reasonable level**
- **Keeping the side court clear at all times**
- **Employees and patrons are restricted to using bathrooms within the confines of the restaurant and should not be allowed access to bathrooms in the basement or residential areas of 10 Downing Street**
- **No furniture or signage is to be placed outside the approved sidewalk café footprint**
- **The applicant provides sound engineer services to monitor noise from the establishment and its sidewalk café in second-story apartments, the locations of which will be arranged by the 10 Downing South Tenants Association, during the first month of operation in order to establish an acceptable base line for sound emanation from the restaurant and sidewalk café to the residential units**
- **The applicant and their management will maintain regular contact with tenants of 10 Downing Street through Mary Mulry Lofstedt for 10 Downing South for any remaining issues associated with the sidewalk cafe**

VOTE: Unanimous, with 38 Board members in favor.

16. 183 Condechi Associates, LLC, d/b/a Café Condessa, 183 W. 10th St. (btw W 4th St & 7th Ave S), with 4 tables & 7 seats, DCA# 1390265

Block:611 Lot:1

Year Built:1900

Residential Units:13 Total # of Units:15

Landmark Building: Yes

Lot Frontage:20.08' Lot Depth:80.67

Number of Buildings:3, Number of Floors:5

Zoning:C2-6

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

Whereas, this is on a sidewalk barely over 12 ft in an area that has seen a dramatic increase in noisy nightlife establishments in a short time and there was some concern about the mix of seating being maintained as approved, and

Whereas, the Board feels that service to the two 24"x24" tables at the west end of the café will not be confined to the service aisle but will take place from the public sidewalk, and that these tables should be reduced to one 24"x12" table and 2 seats to maintain proper access from the service aisle to all seats, and

Whereas, the applicant was cautioned that ALL service must take place from the service aisle and service to the west end table must not take place from the end of the table, i.e. the public sidewalk,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **DENIAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **183 Condechi Associates, LLC, d/b/a Café Condessa, 183 W. 10th St. (btw W 4th St & 7th Ave S), with 4 tables & 7 seats, DCA# 1390265**

UNLESS the seating is reduced to 3 tables and 5 seats as noted in 3rd Whereas clause

VOTE: Passed, with 34 Board members in favor and 4 against-(Caccappolo, Aaron, Ely, Schwartz)

17. Mott Street Baking Company LLC, d/b/a Little Cupcake Bakeshop, 30 Prince St. (SE corner of Mott St), with 8 tables & 17 seats, DCA# 1389909

Block:493 Lot:13

Year Built:1900(estimated)

Residential Units:25 Total # of Units:30

Lot Frontage:23.5' Lot Depth:126

Number of Floors:6

Zoning:C6-2

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant's representative, Michael Kelly, was present, and

Whereas, due to the narrow sidewalk at this location and to improve pedestrian movement near the corner the applicant agreed to remove one table and 3 seats at the north end of the café reducing the cafe to 7 tables and 14 seats with an incumbent reduction in square footage, and

Whereas, the applicant was reminded that this is a narrow sidewalk and it is critical that only the seating arrangement shown on the plan is allowed,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a NEW App. for revocable consent to operate an Unenclosed sidewalk café for **Mott Street Baking Company LLC, d/b/a Little Cupcake Bakeshop, 30 Prince St. (SE corner of Mott St), with 8 tables & 17 seats, DCA# 1389909**

CONDITIONAL UPON

- **the seating being reduced to 7 tables and 14 seats as noted in the 2nd Whereas clause**

VOTE: Unanimous, with 38 Board members in favor.

Re-Apply App. for revocable consent to operate an Unenclosed sidewalk café for:

- 18. JZ Food & Wine LLC, d/b/a Pasita, 47 8th Avenue (NW corner of W 4th St), with 2 tables & 4 seats, DCA# 1282674**

Block:626 Lot:41

Year Built:1900(estimated)

Residential Units:14 Total # of Units:16

Landmark Building: Yes

Lot Frontage:44' Lot Depth:74

Number of Buildings:2, Number of Floors:5

Zoning:C1-6

Historic District: Greenwich Village

Whereas, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant and their representative, Frank Palillo, Esq, was present, and

Whereas, this is a re-application as the applicant did not file a renewal application prior to the expiration of the previous license, and

Whereas, the applicant was reminded that this is a narrow sidewalk and it is essential that only the seating arrangement shown on the plan is allowed and no service should take place from the public sidewalk,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RE-APPLY App. for revocable consent to operate an Unenclosed sidewalk café for **JZ Food & Wine LLC, d/b/a Pasita, 47 8th Avenue (NW corner of W 4th St), with 2 tables & 4 seats, DCA# 1282674**

VOTE: Unanimous, with 38 Board members in favor.

Modification/Assignment of Consent for App. for revocable consent to operate an unenclosed sidewalk cafe for:

- 19. 10 Downing LLC, d/b/a 10 Downing, 10 Downing St. aka 236 6th Ave. with 35 tables & 73 seats, DCA# 1260889**

Block:527 Lot:27

Year Built:1940(estimated)

Residential Units:127 Total # of Units:137

Landmark Building: Yes

Lot Frontage:157.67' Lot Depth:284.83

Number of Floors:7

Zoning:R7-2R6, Commercial Overlay:C1-5

Historic District: Greenwich Village Historic Dist. Ext.

II

Whereas, the area was posted, community groups notified and there were community members present regarding this application, and the applicant and their representative, Michael Kelly, was present, and

Whereas, this is a modification to expand the seating in an existing café which has been operated by this applicant for some time at this location, and

Whereas, the requested amount of seating cannot be accommodated under the Rules of the City of New York as it would use more than half the sidewalk as measured from the property line to the nearest obstruction, in this case a metal railing surrounding a tree, and

Whereas, the applicant agreed to reduce the café to a depth of 11 feet to comply with the Rules by removing the outside row of tables and reduce the 2nd 5-seat table from the north end to 4 seats to ensure clearance in the service aisle leaving 28 tables and 59 seats, and

Whereas, the café will continue to operate under a previously negotiated agreement with the 10 Downing Street Tenants Association, which was represented at the committee meeting by 4 members, as noted below,

THEREFORE BE IT RESOLVED that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RE-APPLY App. for revocable consent to operate an Unenclosed sidewalk café for **10 Downing LLC, d/b/a 10 Downing, 10 Downing St. aka 236 6th Ave. with 35 tables & 73 seats, DCA# 1260889**

CONDITIONAL UPON the following:

- **The seating is reduced to 28 tables and 59 seats as noted in the 4th Whereas clause**
- **The continued reduction in closing time to 11:00 p.m. Sunday – Thursday and midnight on Friday and Saturday (meaning all tables cleared by that time)**
- **Quarterly meetings with J. Arnstein as 10 Downing Street Tenants Association representative**
- **All other stipulations agreed to in the applicant’s previous sidewalk café approvals**

VOTE: Unanimous, with 38 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



Maury Schott, Chair
Sidewalks & Public Access Committee
Community Board #2, Manhattan

JH/gh

c: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas Duane, NY State Senator
Hon. Daniel L. Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Rosie Mendez, Council Member
Lolita Jackson, Manhattan Director, CAU
Peter Janosik, Council, Land Use Division
Michael Ben-Asher, Dept. of Consumer Affairs
Applicants