



COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.manhattancb2.org

P: 212-979-2272 F: 212-254-5102 E: info@manhattancb2.org

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

April 23, 2025

Director
Licensing Issuance Division
NY State Liquor Authority 163 W. 125th Street
New York, New York 10027

Dear Sir/Madam:

At its Full Board meeting on April 17, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

470 Broome Cafe LLC dba Francesco 55-1/2 Greene St aka 470 Broome St 10013 (New TW–Tavern) (*previously unlicensed*)

- i. Whereas**, the Applicant and the Applicant’s Attorney appeared before Community Board 2, Manhattan’s SLA Licensing Committee #1 to present an application to the NYS Liquor Authority for a Tavern Wine License to operate a bakery and all day bistro on the ground floor of five (5)-story, mixed-use building (ca. 1867, altered 2003, 2006) on Broome Street between Greene and Wooster Streets (Block #486/Lot #7502), the building falling within NYC LPC’s designated SoHo-Cast Iron Historic District and the Special SoHo-NoHo Mixed Use District; and
- ii. Whereas**, the ground floor premises is approximately 1,600 sq. ft. with 1,200 sq. ft. on the ground floor connected via an interior staircase to a 400 sq. ft. basement (there is no patron use of the basement); there are 10 tables and 20 seats and one (1) counter with six (6) seats for a total interior seated patron occupancy of 26 persons; the premises has one (1) door which will serve as patron ingress and egress, and one (1) bathroom; the store front infill being fixed without operable doors or windows that open out to the sidewalk; and
- iii. Whereas**, the hours of operation will be from 8 AM to 10 PM Sundays through Saturdays (7 days a week); music will be quiet background only and there will be no TVs, there will be no dancing, DJs, live music, promoted events, no scheduled performances or cover fees, no velvet ropes, no movable barriers; and
- iv. Whereas**, the premises had been open and operating as a café known as Dr. Smood from approximately 2018–2024, the Applicant of the instant application being listed as one of the principals of Dr. Smood when that application for a tavern wine license was heard by CB2

Man.'s SLA Committee in [September/2022](#), at which time CB2 unanimously recommended approval of the tavern wine license but the applicant chose not to move forward; and

- v. **Whereas**, notice for the instant application was first sent to CB2 in late January/2025 as an On-Premises Restaurant liquor license and added to CB2's SLA Committee March agenda, the questionnaire provided having closing hours of midnight and 1 AM; prior to CB2's SLA Committee meeting the Applicant laid the application over to April and submitted an amended notice for a Restaurant Wine license, the instant application having closing hours of 10 PM and being for the service of beer, wine and cider only; and
- vi. **Whereas**, there was a significant amount of community opposition to the instant application, with more than 20 letters being submitted opposing the application, most of the letters from long-time residents of the block citing the quiet nature of the block, and being opposed to an eating and drinking establishment closing at midnight and 1 AM and the negative quality of life impacts associated with that; until recent zoning changes, ground floor retail, including restaurants, were not allowed as of right in SoHo, the change in zoning being significant for the residents as eating and drinking establishments have the ability to create a drastic change in the character of the block, this location however was a previously non-conforming building for retail uses and as such the building permitting properly reflects a broad range of uses including eating and drinking uses, the prior occupant of the premises was mostly a daytime café closing no later than 9 PM with some roadbed seating during the pandemic, and, while there was no outdoor seating included with the instant application, there was concern that the Applicant of the instant application would seek to add outdoor seating until late hours and upgrade the restaurant wine license to a full liquor license in the future; additionally residents were concerned that the food menu as presented would not be able to be prepared in the kitchen as it was presented; and
- vii. **Whereas**, the Applicant's Attorney stating that they had reduced the closing hours to 10 PM and were applying for beer and wine only as a change to their original application in an effort to address the residents' concerns, the Applicant stating he did not need or want a full liquor license and agreeing and signing a stipulation agreement with CB2, Man. that he would not apply for a full liquor license in the future, additionally stipulating that should he apply for outdoor seating which is now allowed in this district through the new Dining Out NYC program, it would end by 9 PM, as it had done under the prior operation which operated the outdoors under the pandemic outdoor dining program with no known complaints; the Applicant's Attorney additionally submitted an amended notice for a tavern wine as opposed to a restaurant wine license as the kitchen would not be under the supervision of a chef, the applicant still being committed to serving the style of menu presented; and
- viii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with Community Board 2, Manhattan that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the method of operation of the new Tavern Wine License, with those stipulations as follows:
 - 1. Premises will be advertised and operated as a morning bakery and all day café with food available until closing every night.
 - 2. The hours of operation will be 8 AM to 10 PM Sundays through Saturdays. No patrons will remain after stated closing time.
 - 3. Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.

4. Will not upgrade to an on-premises full liquor license in the future.
5. There is no backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating included with this application.
6. Any future outdoor seating will follow all rules and regulations of the Dining Out NYC program and will close not later than 9 PM every day. No patrons will remain after stated closing hour. No exterior music, speakers or TVs.
7. Will play recorded background music at conversational levels only, inclusive of any parties or private events. No music will be audible in any adjacent residences at any time.
8. Will have not more than 6 private parties per year.
9. Will not have televisions.
10. Will close all doors and windows at all times, allowing only for patron ingress and egress.
11. Will not have patron occupancy/service to any portion of the basement of licensed premises.
12. Will not install or have French doors, operable windows or open facades.
13. Will not make changes to the existing façade except to change signage or awning.
14. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
15. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
16. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
17. Will not have any of the following: dancing, DJs, live music, promoted events, any event for which a cover fee is charged, scheduled performances, velvet ropes or barricades or security personnel or doormen.
18. Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
19. Will appear before CB2, Manhattan prior to submitting changes to any stipulation agreed to herein.
20. Will appear before CB2, Man. for alteration to license prior to submitting plans for permanent sidewalk or roadbed seating.

ix. Whereas, there already are a number of licensed establishments in both Community Board 2 and in the immediate area, there being **29 active licensed premises** within 750 feet of the proposed premises according to LAMP and an additional 4 pending licenses within this same area, this application being for the service of beer and wine only and thus not subject to the 500 Foot Rule and its public interest standard, the hours being reasonable, the stipulations addressing and mitigating potential quality of life impacts, the Applicant agreeing to those stipulations, the method of operation being that of a bakery and all day bistro and the premises having a food counter and no bars; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a new Tavern Wine License in the name of **470 Broome Cafe LLC dba Francesco 55-1/2 Greene St aka 470 Broome St 10013**, **unless** the statements presented by the Applicant are accurate and complete and that the conditions and stipulations agreed to by the Applicant remain incorporated into the “Method of Operation” of the NYSLA Tavern Wine License.

Vote: Unanimous, 35 Board Members in favor.

We respectfully request that your agency take action consistent with the positions expressed in the above.

Sincerely,



Donna Raftery, Chair
SLA Licensing 1 and 2 Committees
Community Board #2, Manhattan



Valerie De La Rosa, Chair
Community Board #2, Manhattan

VDLR/em

cc: Hon. Daniel Goldman, Congressman
Hon. Brad Hoylman-Sigal, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Deborah J. Glick, NY State Assembly
Hon. Grace Lee, State Assembly Member
Hon. Brad Lander, NYC Comptroller
Hon. Michael Levine, Man. Borough President
Hon. Erik Bottcher, NYC Council Speaker
Hon. Christopher Marte, NYC Council Member
Hon. Carlina Rivera, NYC Council Member
Thomas Donohue, Deputy Commissioner of Licensing, NY State Liquor Authority



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Community Board 2 Liquor License Stipulations

The original signed and notarized form must be returned to the CB2 office by Friday, April 11, 2025. If not returned 24 hours prior to CB2s full board meeting, the application will be denied.

I, Francesco Perillo as a qualified representative of 470 Broome Café LLC dba Francesco located at 55-1/2 Greene Street aka 470 Broome Street, New York, NY 10013 agree to the following stipulations:

Application Type: [] OP Restaurant/Tavern [] RW [x] TW [] Alteration [] Other:

[x] Premise will be advertised and operated as a morning bakery and all day cafe

[x] Hours of operation:

Sunday: 8 AM to 10 PM Thursday: 8 AM to 10 PM
Monday: 8 AM to 10 PM Friday: 8 AM to 10 PM
Tuesday: 8 AM to 10 PM Saturday: 8 AM to 10 PM
Wednesday: 8 AM to 10 PM

(Premises will open no later than stated opening time and NO patrons will remain after stated closing time.)

- [x] Will operate with less than a full service kitchen but will serve food during all hours of operation.
[x] Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
[x] Will not upgrade to an on-premises full liquor license in the future.
[x] There is no backyard garden or any other outdoor area for commercial purposes including any sidewalk cafe and/or roadbed seating included with this application.
[x] Any future outdoor seating will follow all rules and regulations of the Dining Out NYC program and will close not later than 9 PM every day. No patrons will remain after stated closing hour. No exterior music, speakers or TVs.
[x] Will play recorded background music at conversational levels only, inclusive of any parties or private events. No music will be audible in any adjacent residences at any time.
[x] Will have not more than 6 private parties per year.
[x] Will not have televisions.
[x] Will close all doors and windows at all times, allowing only for patron ingress and egress.
[x] Will not have patron occupancy/service to any portion of the basement of licensed premises.
[x] Will not install or have French doors, operable windows or open facades.
[x] Will not make changes to the existing facade except to change signage or awning.
[x] Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
[x] Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.
[x] There will be no "bottle service" or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
Will not have: [x] Dancing [x] DJs [x] Live Music [x] Promoted Events [x] Any event where cover fee is charged
[x] Scheduled Performances [x] Velvet ropes or metal barricades [x] Security Personnel/Doorman.
[x] Will not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
[x] Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.
[x] Will appear before CB2, Man. for change in method of operation/alteration prior to submitting plans for any sidewalk, roadbed or other outdoor seating.

Residents may contact the Manager/Owner at the following phone number. Any complaints will be addressed immediately

Name: Francesco Perillo Phone Number: (786) 405-2217

Signed [Signature] Francesco L Perillo Dated 4/11/2025
Sworn to this 11th day of April 2025
FRANK V. PERILLO Notary Public, State of New York No. 24-77-482 Commission Expires April 18, 2027

CB2 and Applicant/Licensee request that the SLA add these stipulations to the method of operation/conditions of license Commission Expires April 18, 2027