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COMMUNITY BOARD NO. 2, MANHATTAN

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June 26, 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 June 18, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

Kennedy Organics LLC dba Charlie Bird 5 King St 10012 (OP–Restaurant) (Change in Method of Operation)

- i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's SLA Committee #2 to present an application for an Alteration to their existing On-Premises Restaurant Liquor License (Lic ID #0340-23-134978) for a full service, modern Italian restaurant within a ground floor store front located in a five (5)-story mixed-use building (ca. 1880) on the northeast corner of King Street and 6th Avenue, the building falling within NYC LPC's designated Charlton-King-Vandam Historic District; and
- ii. **Whereas**, the ground floor storefront premises, which has been in operation since approximately 2012, is roughly approximately 1,648 sq ft, with 1,106 sq ft. on the ground floor for patron use and approximately 542 sq. ft. in the basement for ancillary uses but not for patrons, there will be 24 tables and 53 table seats, 1 stand up bar with 9 seats, for a total of 62 interior seats, the maximum occupancy as stated on the Certificate of Occupancy is 74, there are operable French doors along 6th Avenue which close at 10 PM every night and a window on King Street which closes at 5 PM, there has been a sidewalk café at the location since approximately 2012 which consists of 19 tables and 38 seats on 6th Avenue; and
- iii. **Whereas**, the Change in Method of Operation is to open Monday to Fridays at 11:30 AM there will be no other change in method of operation, the hours of operation will be 10 AM to 12 AM Sundays, 11:30 AM to 12 AM Mondays through Thursdays, 11:30 AM to 1 AM Fridays and 20 AM to 1 AM Saturdays, music is quiet background music only, there are no televisions, no dancing, DJs, live music, promoted events, any event where a cover fee is charged, no performances, no security; and

iv. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2, Man. as part of the Corporate Change application which will be incorporated into the “Method of Operation” of the On-Premises Restaurant Liquor License, with those stipulations as follows:

1. The Applicant will operate a full-service Italian restaurant with the kitchen open and full menu items available until closing every night.
2. The hours of operation will be 10 AM to 12 AM Sundays, 11:30 AM to 12 AM Mondays through Thursdays, 11:30 AM to 1 AM Fridays and 20 AM to 1 AM Saturdays.
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 operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café operating under the Dining Out NYC program consisting of not more than 19 tables and 38 seats on 6th Avenue. All outdoor patrons will be seated and any waitstaff will serve only from within the Dining Out NYC sidewalk café boundaries. There will be no waitstaff service over any barriers or outside the areas indicated as patron areas on submitted diagrams.
5. Sidewalk café will close no later than 12 AM. All tables and chairs will be secured at this hour. There will be no host stands, bus or service stations on the sidewalk or in the roadbed. No exterior music, speakers or TVs.
6. No roadbed seating.
7. Will play recorded background music at conversational levels only, inclusive of any private parties or events, so as not to cause a disturbance in any adjacent residences at any time.
8. Will not have televisions.
9. Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress, however the window on King Street will be closed by 5 PM daily.
10. Will not make changes to the existing façade except to change signage or awning. There are existing operable French doors along 6th Avenue .
11. Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.
12. Will not have unlimited drink or unlimited food & drink specials. It will not have “boozy brunches” and will not sell pitchers of beer.
13. There will be no “bottle service” or the sale of alcohol by the bottle, except for beer and wine products.
14. 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 doormen/security personnel.
15. Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for a Corporate Change to the existing On-Premises Restaurant Liquor License for **Kennedy Organics LLC dba Charlie Bird 5 King St 10012** **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 Liquor License.

Vote: Unanimous, 36 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, June 13, 2025.
If not returned 24 hours prior to CB2s full board meeting, the application will be denied.

I, **Ryan Hardy** as a qualified representative of **Kennedy Organics LLC dba Charlie Bird** located at **5 King Street, New York, NY 10012** agree to the following stipulations:

Application Type: ☒ OP Restaurant/Tavern ☐ RW ☐ TW ☒ Other: Change in Method of Operation

☒ Premise will continue to be advertised and operated as an Italian restaurant.

☒ Hours of operation:

Sunday: 10 AM to 12 AM	Thursday: 11:30 AM to 12 AM
Monday: 11:30 AM to 12 AM	Friday: 11:30 AM to 1 AM
Tuesday: 11:30 AM to 12 AM	Saturday: 10 AM to 1 AM
Wednesday: 11:30 AM to 12 AM	

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

☒ Will operate a full-service modern Italian restaurant with the kitchen open and full menu items available until closing every night.

☒ Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.

☒ Will not operate a backyard garden or any outdoor area for commercial purposes except for a sidewalk café operating under the Dining Out NYC program consisting of not more than 19 tables and 38 seats on 6th Avenue. All outdoor patrons will be seated and any waitstaff will serve only from within the Dining Out NYC sidewalk café boundaries. There will be no waitstaff service over any barriers or outside the areas indicated as patron areas on submitted diagrams.

☒ Sidewalk café will close no later than 12 AM. All tables and chairs will be secured at this hour. There will be no host stands, bus or service stations on the sidewalk or in the roadbed. No exterior music, speakers or TVs.

☒ No roadbed seating.

☒ Will play recorded background music at conversational levels only, inclusive of any private parties or events, so as not to cause a disturbance in any adjacent residences at any time.

☒ Will not have televisions.

☒ Will close all doors and windows at 10 PM every night, allowing only for patron ingress and egress, however the window on King Street will be closed by 5 PM daily.

☒ Will not make changes to the existing façade except to change signage or awning. There are existing operable French doors along Avenue of the America.

☒ Will comply with NYC Department of Buildings Regulations and will keep current at all times required Permits and Certificates.

☒ Will not have unlimited drink or unlimited food and drink specials. Will not have "boozy brunches." No pitchers of beer.

☒ 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: ☒ Dancing ☒ DJs ☒ Live Music ☒ Promoted Events ☒ Any event where cover fee is charged

☒ Scheduled Performances ☒ Velvet ropes or metal barricades ☒ Security Personnel/Doorman.

☒ Will appear before CB2, Man. prior to submitting any changes to any stipulation agreed to herein.

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

Name: Ryan Hardy Phone Number: 505-603-0439

<p>Signed <u>[Signature]</u></p> <p>Sworn to this <u>18</u> day of <u>June</u> 2025</p>	<p>Print Name <u>ryan hardy</u></p>	<p>Dated <u>6.18.2025</u></p>	<p><u>[Signature]</u> Notary Public</p>
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CB2 and Applicant/Licensee request that the SLA add these stipulations to the method of operation/conditions of license

