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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

[www.manhattancb2.org](http://www.manhattancb2.org)

P: 212-979-2272 F: 212-254-5102 E: [info@manhattancb2.org](mailto:info@manhattancb2.org)

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July 28, 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 July 24, 2025, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

**Center for Emerging Culture Inc dba Lightning Society 45 Howard St aka 427 Broadway, 2nd & 3rd floor 10013** (New OP–Catering Establishment) (*previously unlicensed*)

- i. **Whereas**, the Applicant, a not-for profit entity, appeared before Community Board 2, Manhattan’s SLA Committee #1 to present an application to the NYS Liquor Authority for an On-Premises Catering Establishment Liquor License to operate an event space on the 2<sup>nd</sup> and 3<sup>rd</sup> floors of a five (5)-story commercial building (c. 1871, altered 2008) on the southwest corner of Broadway and Howard Street (Block #231/Lot #8), one block north of Canal Street, this building falling within NYC LPC’s designated SoHo-Cast Iron Historic District and the Special SoHo-NoHo Mixed Use District; this application was heard in conjunction with the Applicant’s On-Premises Member’s Club license for the 4<sup>th</sup> and 5<sup>th</sup> floors and rooftop of the same building, the application for the two separate license classes are under the one Applicants name, the Applicant having sent a single 30-day notice for both applications dated 4/3/25 for floors 2, 3, 4 and rooftop and was placed on CB2’s June SLA Committee agenda for the one application, the Applicant laying over the application during the meeting in order to re-file the applications properly as two separate and distinct licenses due to the difference in license class as presented to CB2, Man. in June, and to work out the details of each of the applications as well as to conduct outreach with the immediate residential community and block association who appeared in large numbers in June/2025 strongly opposing the Application due to late hours, large capacity of patrons, DJs, live music, performances, the lack of a sound or traffic plan and lack of outreach and follow up with the block association (Broadway Residents Coalition) and residents; and
- ii. **Whereas**, the 2<sup>nd</sup> floor premises is approximately 4,000 sq. ft. and 3<sup>rd</sup> floor premises is approximately 3,000 sq. ft., neither floor having previously been licensed for the service of alcohol, the materials submitted to CB2, Man. showing the instant application being for a catering establishment on both floors; the materials provided state there are at least 2 entrances

and exits on each floor and at least 2 bathrooms; the Applicant stating that only the 2<sup>nd</sup> floor will be used for the catering establishment, the 3<sup>rd</sup> floor will be used as offices and is not part of the instant application in contradiction to the materials supplied; the application showing no plans for the ground floor entrances, the Applicant saying there are four (4) entrances to the building with one being to the ground floor retail tenant, the others being for the rest of the building which the Applicant has leased under one lease agreement and within which the two separate businesses will be operated; and

- iii. **Whereas**, the hours of operation will be from 9 AM to 2 AM Sundays through Saturdays (7 days a week), there will be live music, DJs and music from iPods/streaming services at background and entertainment levels, there will be scheduled performances, the Applicant saying that based on conversations with his catering partners, given the location on Broadway, that the premises will be desirable for corporate and foundation events and that DJs would not happen often, there will not be TVs, there are approximately 20 tables with 80 seats and one (1) bar with 8 seats for a total seated occupancy of 88 persons, the current Certificate of Occupancy indicating legal occupancy being for 47 persons, the Applicant intending to apply for the permits allowing 256 persons on the 2<sup>nd</sup> floor, the Applicant stating the kitchen is a warming kitchen where he will partner with other caterers to bring in food and re-heat it on site and that the facilities exist to do that for 50 people, the Applicant believing that meets the requirement for a catering license; the questionnaire stated there are not operable door or windows in contradiction to the existing façade of the cast iron building which is made up mostly of large operable windows separated by cast iron columns, the questionnaire also clearly included the rooftop, the Applicant stating the rooftop is not part of the catering establishment but will be part of the private members club; and
- iv. **Whereas**, there is one entry on Broadway and two entries on Howard Street along with an additional small elevator that opens directly onto the sidewalk on Howard Street, not into a lobby. The stated plan is to install a canvas awning over the elevator on Howard Street for wayfinding purposes and direct guests to enter the catering establishment via the elevator to the 2<sup>nd</sup> floor, guests will exit separately onto Broadway via a separate stairway, ADA exiting will be via the elevator onto Howard Street, the Applicant will need landmarks approval for any awning, awnings are not contextual in the SoHo Cast Iron District, the demarcation of the entry being dependent on the awning yet the premises is in a landmark district where these types of awnings are not permitted and do not exist, it being questionable whether or not an awning of the nature described would be approved, the awning being the primary marker of the entrance to the catering establishment, the elevator also serving the other floors of the building and being the only means of ADA access for the entire building; when it was pointed out that the Applicant's private members club, which he is seeking to license on the 4<sup>th</sup> and 5<sup>th</sup> floors and rooftop of the building need to be separate and distinct from other areas of the building and it being unrealistic that the private members would walk up four or five flights of stairs for access to the club, the Applicant suggested he could move the entry for the 2<sup>nd</sup> floor catering establishment to the entryway on Broadway, using the stairway for ingress and egress to the catering establishment while maintaining the use of the elevator for both the private members club and ADA accessibility for the 2<sup>nd</sup> floor catering establishment; and
- v. **Whereas**, the Applicant also said the members of the private member's club would have access to the catering establishment and 3<sup>rd</sup> floor office/catering establishment for various events but could not explain how they would obtain that access – would they rent the space? Did they have priority access? If a member was in the private members club and wanted to attend an event on the 2<sup>nd</sup> floor would they leave the building through the members club

entrance/exit and re-enter via the catering establishment entrance? The two applications being separate but the Applicant speaking as though the two entities are one, the website for [The Lightning Society](#) saying 45 Howard is the new home of Lightning Society...a multi-level wonder and lists “host an event,” the Applicant being unable to clearly describe how the two different licenses would function independently within the same building.

- vi. Whereas**, the entire building had most recently been occupied by The House of Cannabis (THC), a “museum” dedicated to cannabis, from Spring/2023 through Fall/2024 and was not licensed for alcohol, there have been numerous reports of problematic parties at the premises involving disorderly conduct, liquor being served illegally at many events, occupancy significantly above what was legally permitted, traffic issues on Howard Street caused by the parties at THC with for-hire vehicles blocking the street; and
- vii. Whereas**, the local block association and many residents of the block and immediate area again submitted testimony and came to speak in opposition to the application, many of these residents being artists and having lived on Howard Street for well over 30 years, they spoke of the nature of the cast iron buildings that make up the neighborhood, the cast iron buildings being adjacent to each other and that the vibrations and sound travels through them and that insulating the buildings is difficult, the residents already familiar with hearing the music and thumping bass during the parties the previous operator had at the location, the Applicant not providing any sound study or plan for insulating the premises, there was no study of traffic patterns or traffic plans presented showing how for-hire vehicles would be managed, Howard Street being a one way street going west that ends at the end of the block where it meets Mercer Street, a nearby resident and member of Broadway Residents Coalition said the location would impact 209 persons living in direct proximity to it, of which 48 people are over 65 years of age and 27 are school age or younger, within 500' there are 1,337 residents, within 750' there are 3,135 residents who will all be impacted by the traffic caused by for-hire vehicles picking up guests leaving the event space with a capacity of 250 persons at 2 AM, the instant application also needing to be considered in conjunction with the private members club that the Applicant is intending to license on the 4<sup>th</sup> and 5<sup>th</sup> floors of the building with a proposed occupancy of 256 persons on each of those floors, the Applicant’s lease being for the entire building (minus the ground floor); another resident who is an architect submitted testimony regarding the existing and proposed new stair both being less than the 44" minimum width that are part of the 1968 Building Code that the filing is under or any subsequent building code raise life safety concerns; additional concerns were that the Applicant and those who know the Applicant and came to support the application said they want to bring the arts back to SoHo, one person saying the neighborhood “is filled with persons selling purses” while the residents that spoke were largely long-term SoHo artists, still creating art, who helped make the neighborhood the art community it is known for, many were disappointed that the Applicant did no outreach to them or the Broadway Residents Coalition following the June/2025 SLA Committee meeting to get to know them, hear their concerns and make an attempt to reach consensus on issues and instead expected the residents to do the outreach to the Applicant; and
- viii. Whereas**, the Applicant presented no change to the application from what was presented to CB2 in June/2025 despite hearing concerns regarding the 2 AM closing 7 days a week, did not provide any sound studies or plans for mitigating the travel of sound to the adjacent building, nor were there any plans to mitigate traffic caused from for-hire vehicles, the Applicant suggesting they could use Broadway as a drop off instead of Howard Street when they were informed of the issues regarding Howard Street, with the lane of traffic adjacent to

the premises on Broadway being a designated turning lane onto Canal Street (1/2 block down Broadway), the next adjacent lane being a dedicated bus lane, persons arriving and leaving an event space often use for-hire vehicles and not public transportation, these concerns being amplified because of the proposed private members club on the upper floors, the location not suited to numbers of for-hire vehicles coming and going at the same time; the logistics of entering and leaving the catering establishment premises was not planned out in consideration of the Applicant's other proposed uses as a private member's club on the 4<sup>th</sup> and 5<sup>th</sup> floors of the building, there were no plans presented for how the stated occupancy could be achieved with the narrow stairway, the building elevator being small and not suited to handling large numbers of people; and

**THEREFORE BE IT RESOLVED** that CB2, Man. recommends **denial** of the application for a new On-Premises Catering Establishment Liquor License for **Center for Emerging Culture Inc dba Lightning Society 45 Howard St aka 427 Broadway, 2nd & 3rd floor 10013**; and

**THEREFORE BE IT FURTHER RESOLVED** that should this application be considered by the NYSLA, CB2, Man. respectfully requests that this item be calendared to appear before the Full Board of the NYSLA before any license, temporary or otherwise is issued to this Applicant.

**THEREFORE, BE IT FURTHER RESOLVED**, that if despite CB2, Man.'s objections to this Application, should the NYSLA not find good cause to deny this Application, CB2 Man. recommends in the alternative that the following stipulations be imposed on any future On-Premises Catering Establishment Liquor License for **Center for Emerging Culture Inc dba Lightning Society 45 Howard St aka 427 Broadway, 2nd & 3rd floor rooftop 10013**:

1. The hours of operation will be from 9 AM to 12 AM Sundays through Saturdays.
2. Any events with more than 100 people end by 11 PM.
3. Will conduct a sound study and build the in house sound system to the specifications of the sound test. All sound reproduction will use the installed and tested system. If any windows are going to be open at any time the sound study needs to account for that circumstance.
4. Will not have subwoofers.
5. There will be no external speakers, sound system or other amplification devices allowed to be brought to the premises. All events will only utilize the inhouse sound system.
6. Will keep all windows on the 2<sup>nd</sup> and 3<sup>rd</sup> floor closed at all times.
7. Will conduct a traffic study to determine policies and procedures for mitigating any impacts of drop-off/pick-ups from for hire vehicles, best practices to not block the free flow of traffic on Broadway, a critical traffic artery, and Howard St., including a suitable pickup/drop off location and ensure that the location is provided to guests in advance of any events.
8. Will not have occupancy in excess of any permits at any time on any floor.

**Vote:** Unanimous, 37 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 Kavanaugh, 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