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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, 4th and 5th floor, rooftop 10013 (New OP–Member Club) (*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 Membership Club Liquor License to operate a private members club on the 4th floor, 5th floor and rooftop 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 Catering Establishment liquor license for the 2nd and 3rd floors 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 (Broadway Residents Coalition) 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 and residents; and
- ii. **Whereas**, the previously unlicensed premises is approximately 9,000 sq. ft. with 4,00 sq. ft on the 4th floor, 3, 000 sq. ft on the 5th floor and 2,000 sq. ft on the rooftop, the questionnaire submitted to CB2, Man. states there are at least 2 entrances/exits on each floor and at least 2 bathrooms on each floor; the drawings indicate the 4th and 5th floors being accessed via two

(2) stairways and one small elevator, the 4th floor having three (3) lounge spaces, one (1) meditation room and 12 tables and 24 seats in a reception area, the 5th floor has a member's lounge with approximately 14 tables and 60 seats, one (1) bar with unspecified seating, four (4) bathrooms and a kitchen, the rooftop accessed via a stairway shows one (1) bar and no seats; 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, there will not be TVs, in contrast to the provided diagrams, the questionnaires says there are approximately 20 tables with 80 seats and one (1) bar with 8 seats for a total seated occupancy of 88 persons which is the same information indicated on the Applicant's application for the 2nd and 3rd floor catering establishment and seems incorrect for the instant application despite the Applicant being directed at the June/2025 CB2 meeting to return with accurate information on each application for the location and each floor of the location, the current Certificate of Occupancy indicating legal occupancy being for 47 persons on both the 4th and the 5th floors and 26 persons on the roof, the Applicant's proposed occupancy being 256 persons per floor, 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; 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. As the Applicant has leased all but the ground floor of the building for two separate and distinct uses, has not supplied any drawings of the ground floor and seemed to be unaware that the private members club needs to function completely independent from the catering establishment with a separate entrance, it being unrealistic to think members will take the stairs to the 4th and 5th floors of the building on a regular basis, the elevator on Howard Street that opens directly to the street, with no lobby area, will likely be the main entryway to the private members club, the Applicant had originally intended to install a canvas awning over the elevator for wayfinding purposes for the catering establishment but discussed changing that entry to the stairs on Broadway during the CB2 SLA Committee meeting when it was pointed out the access to the catering establishment needed to be separate from the members club and that the members club would need the elevator to access the upper floors; the Applicant will need landmarks approval for any awning, those types of awnings not being permitted in the SoHo Cast Iron District, and the demarcation of the entry being dependent on the awning yet the premises is in a landmark district with essentially no awnings, it being questionable whether or not an awning of the nature described would be approved by the Landmarks Preservation Commission, the awning being the primary marker of the entrance to the members club, the elevator also serving the other floors of the building and being the only means of ADA access for the entire building so it is unclear how the private members club can have sole use of the elevator, the plans also not indicating a freight elevator or any other elevator in the building; and
- v. **Whereas**, the Applicant also said the members of the private member's club would have access to the catering establishment and 3rd 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 2nd 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,” and a rendering of a large room used for performances but the only spaces with a large room for performances as indicated in the supplied drawings are located on the 2nd and 3rd floor of the premises which the Applicant is licensing independent of the private members club as the catering establishment, the Applicant being unable to clearly describe how the two areas will function independently of each other 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 Applicant had at the location, the Applicant not providing any sound study or plan for insulating the premises; concerns were raised about the rooftop use with residents stating that all the rooftops are connected and that in the past persons have gone from one rooftop to another; 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 members club with a capacity of over 500 persons at 2 AM, the instant application also needing to be considered in conjunction with the catering establishment that the Applicant is intending to license on the 2nd and 3rd 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 buildings, 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 catering establishment on the lower floors, the location not suited to large numbers of for-hire vehicles coming and going at the same time; the logistics of entering and leaving the members club via a small elevator was not planned out in consideration of the Applicant's other proposed uses as a catering establishment on the 2nd and 3rd 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 Club Liquor License for **Center for Emerging Culture Inc dba Lightning Society 45 Howard St aka 427 Broadway, 4th & 5th floor and rooftop 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 Club Liquor License for **Center for Emerging Culture Inc dba Lightning Society 45 Howard St aka 427 Broadway, 4th & 5th floor and 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. Use of the rooftop will be for passive recreation only and will end not later than 9 PM Sundays through Saturdays (every night).
4. There will be no music, live music, speakers, TVs or other amplification devices including microphones on the rooftop at any time.
5. There will be no bar on the rooftop.
6. There will be no organized gatherings, events or team building activities on the rooftop.
7. Will conduct a sound study and build the internal sound system to the specifications of the sound test. All sound reproduction on the premises will use the installed and tested sound system. If the windows are going to be open at any time the sound study needs to account for that circumstance.
8. There will be no external speakers, outside sound system brought in or other amplification devices.
9. Will not have subwoofers.
10. Will keep all windows closed at all times on all floors.

11. 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.
12. 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 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