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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE  
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Greenwich Village ♦ Little Italy ♦ SoHo ♦ NoHo ♦ Hudson Square ♦ Chinatown ♦ Gansevoort Market

February 23, 2026

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 February 19, 2026, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

### **Cholapink Corp 32 Spring St 10012 (OP–Restaurant)**

- i. Whereas**, the Applicant and the Applicant’s attorney appeared before Community Board 2, Manhattan’s (CB2M) SLA Licensing Committee #1 to present an application to the NYS Liquor Authority (NYSLA) for an On-Premises Restaurant liquor license to operate a modern Peruvian restaurant in the ground floor of a five (5)-story mixed-use building (ca. 1900) on Spring Street between Mott and Mulberry Streets (Block #480 / Lot #23), the building falling within the Special Little Italy district; and
- ii. Whereas**, the ground floor premises is approximately 3,1700 sq. ft., with 2,000 sq. ft. on the ground floor, 670 sq. ft. in the cellar, the cellar being connected by an interior stairway with no patron use of the cellar and 500 sq. ft on a 2<sup>nd</sup> floor terrace in the rear of the building; there will be 15 tables and 34 seats and 3 food counters and 14 seats and no bars for a total seated occupancy of 48 persons, there is one (1) entrance serving as both patron ingress and egress and two (2) patron bathrooms; the store front infill being fixed with no operable doors or windows that open out to the sidewalk; there is no seating on the sidewalk or in the roadway included with this application; and
- iii. Whereas**, the Applicant’s hours of operation will be 11 AM to 12 AM Sundays through Saturdays (7 days a week) with the last seating being at 11 PM nightly; music will be recorded background music only from iPods/CDs/streaming services; there will be no TVs, no DJ’s or live music, no promoted events or scheduled performance, no cover fees and no security personnel/doormen; and

- iv. **Whereas**, the premises to be licensed has most recently possibly been a clothing store and prior to that was licensed with an On-Premises liquor license from approximately 1994 to 2025 as Pizza of 32 Spring Street Inc dba Lombardi's (Lic ID #03340-22-106945); and
- v. **Whereas**, the application as presented included exterior use of the rear portion of the 2<sup>nd</sup> floor rooftop / "terrace" which is adjacent to/abuts the 2<sup>nd</sup> floor residential tenant's outdoor area and is surrounded by residents in old tenement-style buildings whose windows look into the 2<sup>nd</sup> floor "terrace," the Applicant having not done outreach to the residents, there being no plan to enclose the 2<sup>nd</sup> floor terrace in order to mitigate the negative quality of life impacts to the residents from patrons eating and drinking on the terrace daily from 11 AM to midnight, the 2<sup>nd</sup> floor rooftop having never been used by the previous restaurant or licensed for the service of alcohol, the Certificate of Occupancy dated 8/18/2008 indicating Eating and Drinking establishment on the first floor only with residential apartments on the 2<sup>nd</sup> through 5<sup>th</sup> floors of the building, with eating and drinking not a permitted use on the 2<sup>nd</sup> floor rooftop; and
- vi. **Whereas**, the SLA Committee expressed their significant concerns regarding the negative quality of life impacts to the surrounding residents living in old tenement-style buildings of licensing the 2<sup>nd</sup> floor rooftop, the use not being an allowable use on the Certificate of Occupancy, the Applicant showing no plans or pathway for receiving either a Certificate of Occupancy or Letter of No Objection allowing for the use of the 2<sup>nd</sup> floor rooftop for eating and drinking, the prior restaurant having operated for years on the ground floor only, the Applicant agreeing to remove the use of the 2<sup>nd</sup> floor rooftop from the instant application, submitting an amended 30-day notice to CB2M showing no outside use and agreeing that they would never apply for use of the 2<sup>nd</sup> floor rooftop in order to meet the public interest standard of the 500 Foot Rule; and
- vii. **Whereas**, the Applicant has executed and has had notarized a Stipulations Agreement with CB2M that they agreed to submit to the NYSLA and agreed would be attached and incorporated into the "method of operation" of the new On-Premises Restaurant liquor license, with those stipulations as follows:
1. Will be advertised and operated as a full-service Kosher-style Eastern Mediterranean restaurant.
  2. The hours of operation will be 11 AM to 12 AM Sundays through Saturdays with the last seating being no later than 11 PM nightly. All patrons will be cleared and no patrons will remain after stated closing time.
  3. Will not operate a backyard garden, rooftop terrace or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
  4. There is no backyard garden or any other outdoor area for commercial purposes including any sidewalk café and/or roadway café seating included with this application.
  5. There will be **NO** use of the 2<sup>nd</sup> floor terrace **now or at any time in the future**.
  6. Posted closing hour will be at 11 PM every night with last seating being at that time.
  7. Will play recorded background music at conversational levels only, inclusive of any private parties or events. No music will be audible in any adjacent residences at any time.
  8. Will not have televisions.
  9. Will close all doors and windows at all times, allowing only for patron ingress and egress.
  10. Will not have patron occupancy/service to any portion of the basement of licensed premises.
  11. Will not install or have French doors, operable windows or open facades.

12. Will not make changes to the existing façade except to change signage or awning.
13. Will comply with NYC Department of Buildings Regulations and keep current at all times required Permits and Certificates.
14. Will not have unlimited drink or unlimited food and drink specials. Will not have “boozy brunches.” No pitchers of beer.
15. There will be no “bottle service” or the sale of bottles of alcohol except for the sale of bottles of beer or wine products.
16. Will not have: dancing, DJs, live music, promoted events, any event where cover fee is charged, scheduled performances, velvet ropes or metal barricades or security personnel/doorman.
17. Will not add more principals as presented to CB2M with greater than 20% share of business prior to submission of original application to the NYSLA.
18. Will appear before CB2M prior to submitting any changes to any stipulation agreed to herein.

vii. **Whereas**, this application being subject to the 500 Foot Rule requiring the Applicant to demonstrate that the public interest would be served by the granting of the On-Premises liquor license at this location, there being **101 active licensed premises** and 7 pending licenses within 750 ft. of the premises proposed to be licensed according to LAMP, the Applicant agreeing to no use of the 2<sup>nd</sup> floor rooftop now or in the future, the agreed upon hours and stipulations being reasonable, the public interest being established albeit subject to the Applicant and Licensee abiding by those agreed upon stipulations; and

**THEREFORE BE IT RESOLVED** that CB2M recommends **denial** of the application for a new On-Premises Restaurant Liquor License for **Cholapink Corp 32 Spring St 10012** **unless** the statements the Applicant has presented are accurate and complete, and that those conditions and stipulations agreed to by the Applicant above are incorporated into the “method of operation” of the NYSLA liquor license in order to create public interest for the issuance of this liquor 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. Brian Kavanagh, NY State Senator  
Hon. Deborah J. Glick, NY State Assembly

Hon. Grace Lee, State Assembly Member  
Hon. Michael Levine, NYC Comptroller  
Hon. Brad Hoylman-Sigal, Man. Borough President  
Hon. Erik Bottcher, NYC Council Member  
Hon. Christopher Marte, NYC Council Member  
Hon. Harvey Epstein, 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, February 13, 2026. If not returned 24 hours prior to CB2s full board meeting, the application will be denied.**

I, **James Ellis**, as a qualified representative of **Cholapink Corp dba Cholapink** located at **32 Spring Street, New York, NY 10012** agree to the following stipulations:

**Application Type:**  OP Restaurant  RW  TW  Alteration  Other:

Premise will be advertised and operated as Peruvian restaurant

Hours of operation:

Sunday:	11 AM	to	12 AM*	Thursday:	11 AM	to	12 AM*
Monday:	11 AM	to	12 AM*	Friday:	11 AM	to	12 AM*
Tuesday:	11 AM	to	12 AM*	Saturday:	11 AM	to	12 AM*
Wednesday:	11 AM	to	12 AM*				

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

\*Last seating is at 11 PM.

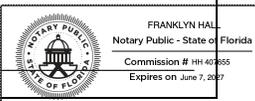
- Will operate a full-service Peruvian restaurant with the kitchen open and full menu items available until closing every night.
  - Will not operate as a Lounge, Tavern or Sports Bar or allow any portion of premises to be operated in that manner.
  - Will not operate a backyard garden, rooftop terrace or any other outdoor area for commercial purposes including any sidewalk café and/or roadbed seating.
  - There will be **NO** use of the 2<sup>nd</sup> floor terrace **now or at any time in the future.**
  - Posted closing hour will be at 11 PM every night with last seating being at that time.
  - Will play recorded background music at conversational levels only, inclusive of any private parties or events.
  - Will not have televisions.
  - Will close all doors and windows at all times, allowing only for patron ingress and egress.
  - Will not have patron occupancy/service to any portion of the basement of licensed premises.
  - Will not install or have French doors, operable windows or open facades.
  - Will not make changes to the existing façade except to change signage or awning.
  - 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 not add more principals as presented to CB2 with greater than 20% share of business prior to submission of original application to the NYSLA.
  - 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: James Andrew Ellis Phone Number: 4152386797

Notarized remotely online using communication technology via Proof.

<i>James Andrew Ellis</i>	James Andrew Ellis	13th February 2026
Signed	Print Name	Dated
State of Florida Broward County	<i>Franklyn Hall</i>	
Sworn to this <u>13th</u> day of <u>February</u> 2026	Franklyn Hall	Notary Public



**CB2 and Applicant/Licensee request that the SLA add these stipulations to the method of operation/conditions of license**

\_\_\_ Personally Known OR \_\_\_  Produced Identification - Type of ID Produced - PASSPORT