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COMMUNITY BOARD NO. 2, MANHATTAN

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June 24, 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 June 18, 2026, Community Board #2, Manhattan (CB2, Man.) adopted the following resolution:

6. RemyMidtown LLC dba Cheers Union Square 35 E 13th St aka 119-121 University Pl 10003 (OP–Bar/Tavern)

- i. **Whereas**, the Applicant and the Applicant's Attorney appeared before Community Board 2, Manhattan's (CB2M) SLA Committee #2 to present an application to the NYS Liquor Authority (NYSAL) for an On-Premises Tavern Liquor License to operate a hospitality venue on the 2nd, 3rd and rooftop floors of a three (3)-story commercial building (c. 1950) on the northeast corner of University Place and East 13th Street (Block #565/Lot #5); and
- ii. **Whereas**, the Applicant previously appeared before CB2M in [October/2024](#) for essentially the same application, at which time CB2M unanimously recommended denial of the application; the application was then heard by the Members of the Liquor Authority at their [2/18/2026](#) full board hearing, agenda items 065, 066, 067 at which time the application was denied; and
- iii. **Whereas**, the premises is approximately 5,400 sq. ft, with each floor being approximately 1,800 sq. ft., the floors connected by an interior stairway; the information provided specified there would be 30 tables with 100 seats, one bar with 10 seats on the 2nd floor, one bar with 10 seats on the rooftop and one bar with no seats on the 3rd floor for a total seated occupancy of 120 persons and a proposed maximum occupancy of 374 persons; there are seven (7) bathrooms, there is one entry on University Place and another on East 13th Street which may both be used for patron ingress and egress; there are operable windows throughout the 2nd and 3rd floors of the premises, there are no enclosures on the rooftop; and
- iv. **Whereas**, the proposed hours of operation are from 11 AM to 2 AM Sundays through Wednesdays and 11 AM to 4 AM Thursdays through Saturday, the rooftop will close at

12 AM Sundays through Saturdays (7 days a week); music will be amplified at entertainment levels with DJs and live music, there will be 10 TVs on the 2nd floor, two (2) TVs on the 3rd floor and no TVs on the rooftop, all doors and windows will be closed at all times except for patron ingress and egress, there will be six to eight security personnel as needed; and

- v. **Whereas**, the diagrams provided were roughly drawn with no orientation of the streets, , there was no indication of the ground floor patron entry from either street leading to the 2nd floor or throughout the premises, the building having only temporary Certificate of Occupancies active sporadically over the years, the last one expiring November 6, 2019, there are separate Place of Assembly permits for each floor but no single Place of Assembly Permit for floors 2, 3 and the rooftop operating as one entity, the Applicant trying to say that the premises had been licensed prior to 1993, but there remain questions as to when each floor was licensed and the cumulative impacts of the successively added 2nd, 3rd and roof top floors, the ground floor has never been a part of this licensed premises, there are safety concerns because the premises to date has not received a final Certificate of Occupancy with multiple temporary certificates of occupancy which have only been sporadically sought over the years in effect for short 90 day periods throughout the previous licensee's history of operation, reminding without an active permit for much more time than ever having an active temporary permit, it remaining an open question as to whether each of the separate Place of Assembly Permits for the large occupancies on the 2nd and 3rd floor are active if there is no Certificate of Occupancy, believed to be a required element to seek a permanent Place of Assembly and to keep it active; and
- vi. **Whereas**, significant concerns were again raised about the operation of the rooftop and the late hours, the Applicant originally intending to have speakers and TVs on the unenclosed rooftop which they have since stated they will no longer be doing, there may be heaters used to extend the season, the Applicant intending to use the standup bar installed by the prior occupant, the premises having a large amount of 311 noise complaints over the past with a significant number occurring in the past few years, when the rooftop was initially built out to expand the licensed premises, large metal sheets or some other material were placed on the west and south sides (the open sides) in an effort to isolate any sound from escaping but in the past few years there have been multiple new taller residential buildings built in the immediate area so that the rooftop activities created a significant impact as the sound from the roof, even large numbers of people gathering, drinking and talking is pushed up and out to the surrounding residential buildings; and
- vii. **Whereas**, the Applicant, who intends to manage the premises, has never held a liquor license before, his experience is from owning an unlicensed pizza restaurant in New Jersey for many years, concerns being raised regarding his lack of experience in running a fully-licensed premises in New York, that concern being exacerbated by the other aspects of the application – that this is an application for a nightclub with DJs, dancing and live music, the 2 AM and 4 AM hours closing hours with it being often noted that nothing good happens between 2 AM and 4 AM, the open air rooftop and bar with a history of operating improperly and that the area is surrounded by colleges with those students likely to be the ones frequenting the establishment, the Applicant not showing any plans as to how the premises will be managed; and
- viii. **Whereas**, several members of the East 12th, 13th St Block Association and University Pl Residents Association that live close to the premises had spoken with the Applicant both in 2024 and recently regarding the instant application and had remain having serious concerns

regarding the application including noise from the rooftop and noise and bass sounds escaping from the closed windows in addition to the continuation of noise issues from crowds on the sidewalk, dancing, the significantly late night hours and the lack of experience of the Applicant; and

- ix. **Whereas**, the Applicant has submitted a sound study but it does not indicate what type of sound insulation has been installed at the interior of the building, it is unclear how the windows are going to be insulated from the large sound system the Applicant will be using, what the limiter will be set at, how it will be controlled, and is lacking in the detailed recommendations CB2M commonly sees in sound reports; and
- x. **Whereas**, following the NYSLA full board hearing in February/2026, the Applicant has been holding multiple events advertised as “no alcohol, all energy” with DJs including DJ Eddie Batiz, the brother of one of the principals and who was also a DJ or otherwise involved with Bar 13, the prior licensee at the location that had a troubled SLA history with multiple disciplinary cases as outlined in CB2M’s October/2024 resolution; the events have been advertised as going from 10PM to 4AM, there being 311 reports made on days these events were happening with reports of music and noise on the sidewalk and coming from within the establishment, residents spoke about hearing the music in their apartments in the past few months, crowds of high school and college age kids crowding the sidewalk and the University Place, the Chair of CB2s SLA Licensing Committee having witnessed the loud music on the street and the disorderly behavior on the sidewalk on more than one occasion when there were multiple events being held in the venue – the doorway on 13th Street being used for one event and University Place entry for a separate event, there being significant life safety concerns regarding egress for a venue this large with no current Certificate of Occupancy, temporary or otherwise, or Place of Assembly Permit for the use of the entire premises concurrently, the security on University Place was unable to manage the crowd of people who were waiting to enter the premises for one of these events and was unable to get them to disburse from the area, cars were unable to move on University Place due to the number of patrons overspilling from the sidewalk, the inability to control the patrons confirms CB2M’s concerns of having an inexperienced operator running a multi-floor nightclub in an area filled with college age kids, the lines and related noise from patrons waiting to enter, leaving in the early morning hours after an evening of drinking, dancing and partying not being compatible in an area surrounded by residential buildings; and
- xi. **Whereas**, the Applicant stating that these issues will be resolved when they obtain a liquor license and do not need to cater to the underage crowd due to the non-alcoholic events, also stating that the music being heard was not coming from their establishment in contradiction to multiple reports from residents that it was, the Applicant saying that the premises is professionally managed and is not disorderly despite contrary observations made by individuals on the street, and that they will actively monitor the sidewalk for patron dispersal, this being questioned as they seem unable to do that without a liquor license at a time when they were aware they would be coming before CB2M and one would expect that they would be attempting to demonstrate how well the establishment can be operated and that all the concerns from the immediate community and CB2M would not be realized; and
- xii. **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 46 active licenses and 2 pending licenses within 750 ft. according of the premises proposed to be licensed according to LAMP; the hours being

too late for this residential area with the Applicant unwilling to reduce them from the weekend 4 AM closing, there being no plans shown to properly insulate the premises for the type of entertainment level sound that has been used and is planned to be generated at the establishment, the establishment located on the upper floors and rooftop of the building and containing multiple windows on both the 2nd and 3rd floors, the rooftop use and late hours have already been shown to cause additional significant quality of life issues for the surrounding residents, added to that is the Applicants inexperience in running any type of licensed establishment let alone a nightclub with late hours, DJs and live music in the middle of a number of colleges; and

THEREFORE BE IT RESOLVED that Community Board 2, Manhattan recommends **denial** of the application for an On-Premises Tavern liquor license for **RemyMidtown LLC 35 E 13th St aka 119-121 University Pl 10003**; and

THEREFORE BE IT FURTHER RESOLVED that should this application be considered by the NYSLA, CB2, Manhattan respectfully requests that this item be calendared to appear before the Full Board of the NYSLA.

Vote: Passed, 34 Board Members in favor, 2 against (C. Dignes, M. Fitzgerald).

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