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COMMUNITY BOARD NO. 2, MANHATTAN

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May 28, 2019

Lorelei Salas, Commissioner
NYC Department of Consumer Affairs
42 Broadway
New York, NY 10004

Dear Commissioner Salas:

At its Full Board meeting on May 23, 2019 Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

New applications for revocable consent to operate an unenclosed sidewalk café for:

1. Ferrero U.S.A. Inc. d/b/a Nutella Cafe, 34 East 13th St. at the corner of University Place with 5 tables & 12 chairs (3618-2019-ASWC)

Whereas, this establishment, a full service café offering bakery items and non-alcoholic beverages, is located in the ground floor of a newly constructed, mixed-use residential/commercial building and is operated by the same company with a cafe location in Chicago; and

Whereas, the only representative to appear before the committee was from the architecture firm that designed the sidewalk café plan and he couldn't speak to the operation of the café but the committee presumed that the café would be open for the same hours as the inside of the location: Monday-Thursday; 8 AM – 10 PM and Friday-Sunday; 8 AM – 11 PM; and

Whereas, the applicant does not now serve alcohol and the representative said he didn't know of any intention to apply for an SLA license in the future; and

Whereas, a representative from Village Alliance BID was present at the meeting for a different matter but expressed support for this application and said the establishment has been doing very well at this location; and

Whereas, the applicant confirmed that all food and beverage in the sidewalk café would be served and cleared by waitstaff; and

Whereas, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **Ferrero U.S.A. Inc. d/b/a Nutella Cafe, 34 East 13th St. with 5 tables & 12 chairs (3618-2019-ASWC)**.

Vote: Unanimous, with 39 Board Members in favor.

2. **GC Shl, LLC, d/b/a The Standard Highline, 848 Washington St. between W. 13th and Little West 12th Sts. with 24 tables & 76 chairs (4525-2019-ASWC)**

Whereas, this establishment, The Standard Grill, is a full-service restaurant and bar serving modern American food, and is located in the ground floor of The Standard Hotel directly below the highline and has been in operation for many years; and

Whereas, this sidewalk café has been in continuous operation since 2010 and has routinely been recommended for approval by CB2 and there was a change in ownership which required a new sidewalk café permit application; and

Whereas, the applicant will continue to offer full-service waitstaff who will deliver all food and drink to patrons at their seats and the applicant already has an SLA OP license which is inclusive of this sidewalk cafe; and

Whereas, the applicant stated that the hotel is continuously staffed and that the sidewalk café is open for breakfast, lunch, and dinner from 8 AM-12 PM, Sunday – Thursday and 8 AM-1 AM, Friday and Saturday; and

Whereas, the applicant received approval from the Department of Consumer Affairs to leave the sidewalk café furniture in place overnight; and

Whereas, the applicant confirmed that all tables and chairs would be stored off-premises, off-season, and that there would be no amplified sound within the sidewalk cafe; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **GC Shl, LLC, d/b/a The Standard Highline, 848 Washington St. with 24 tables & 76 chairs (4525-2019-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 39 Board Members in favor.

3. **St. Tropez SoHo, LLC, d/b/a St. Tropez Wine Bar, 196 Spring St. between Thompson and Sullivan Sts. with 5 tables & 10 chairs (4595-2019-ASWC)**

Whereas, this establishment, a full service French restaurant and wine bar, is located in a mixed-use residential/commercial building; and

Whereas, in May of 2019, the CB2 SLA committee recommended approval for a restaurant wine license for this establishment which included this sidewalk café and at which time the applicant stipulated the café will close no later than 10 PM Sunday through Wednesday, and 11 PM Thursday through Saturday; and

Whereas, the applicant will offer full-service waitstaff who will deliver and clear all food and drink to patrons at their seats and that no amplified sound will be used in the sidewalk cafe; and

Whereas, a member of the community spoke in opposition to this application stating that there were too many sidewalk cafes in this area; and

Whereas, the applicant confirmed that all tables and chairs would be stored within the restaurant overnight and that, off-season, the café would be stored off-premises; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of the application for revocable consent to operate an unenclosed sidewalk café for **St. Tropez SoHo, LLC, d/b/a St. Tropez Wine Bar, 196 Spring St. with 5 tables & 10 chairs (4595-2019-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 39 Board Members in favor.

Please advise us of any decision or action taken in response to these resolutions.

Sincerely,



Carter Booth, Chair
Community Board #2, Manhattan



Joseph Gallagher, Chair
Quality of Life Committee
Community Board 2, Manhattan

TB/EM

c: Hon. Jerrold L. Nadler, Congressman
Hon. Carolyn Maloney, Congresswoman
Hon. Nydia Velázquez, Congresswoman
Hon. Brad Hoylman, NY State Senator
Hon. Brian Kavanagh, NY State Senator
Hon. Yuh-line Niou, Assembly Member
Hon. Deborah J. Glick, Assembly Member
Hon. Gale Brewer, Manhattan Borough President
Hon. Corey Johnson, Council Speaker
Hon. Margaret Chin, Council Member
Hon. Carlina Rivera, Council Member