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COMMUNITY BOARD NO. 2, MANHATTAN

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Greenwich Village ✦ Little Italy ✦ SoHo ✦ NoHo ✦ Hudson Square ✦ Chinatown ✦ Gansevoort Market

July 19, 2019

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

Dear Commissioner Salas:

At its Full Board meeting on July 18, 2019 Community Board #2, Manhattan (CB#2, Man.) adopted the following resolution:

1. Revocable Consent to construct, maintain and use a Proposed ADA Ramp and Steps @ 541 Broadway, Manhattan, NY 10012 - Block 498, Lot 18

Whereas, the applicant wishes to construct and maintain this ADA ramp to provide access for people with disabilities to the ground floor retail space at this location, currently occupied by LaCoste; and

Whereas, in February of 2017 CB2 voted to recommend denial for this application to the Landmarks Preservation Commission stating, “although the Board supports and encourages implementing disabled access, the owner must find another method and location which will not severely compromise the landmark features and beauty of this building, and will not intrude on pedestrian travel on this exceedingly busy sidewalk;” and

Whereas, the applicant stated that the ramp had been approved by the Landmarks Preservation Commission; and

Whereas, the applicant stated that the proposed design was the most efficient use of space to install the ramp and the committee urged the applicant to find the least disruptive way of installing this ramp; and

Whereas, the committee feels the ADA ramp will improve the accessibility and quality of life for all who wish to enter this location; now

Therefore Be It Resolved that CB2 Manhattan recommends **approval** of the application for revocable consent to construct, maintain and use a Proposed ADA Ramp and Steps @ 541 Broadway, Manhattan, NY 10012 - Block 498, Lot 18 provided that the application conforms with all applicable zoning laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 37 Board Members in favor.

2. New App. to Department of Consumer Affairs for Newsstand at Northeast Corner of 7th Ave. & West 11th St., (in front of 133 W. 11th St.) (7392-2019-ANWS)—Applicant Mohammad Ibrahim

Whereas, the applicant failed to appear regarding this application and the committee was unable to hear the specifics of this application; now

Therefore Be It Resolved that CB2 Manhattan recommends **denial** of the application for **New App. to Department of Consumer Affairs for Newsstand at Northeast Corner of 7th Ave. & West 11th St., (in front of 133 W. 11th St.) (7392-2019-ANWS)—Applicant Mohammad Ibrahim.**

Vote: Unanimous, with 37 Board Members in favor.

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

3. Prinkipas, LLC d/b/a Lola Taverna, 210 6th Ave. with 22 tables and 48 chairs (6711-2019-ASWA)

Whereas, this establishment, a full service restaurant offering Greek food and drink, is located in the ground floor of a mixed-use residential/commercial building and is targeted to open in the next few months; and

Whereas, the owner of this establishment also owns Little Prince, a restaurant at 199 Prince Street, and received three violations for unlicensed use of a sidewalk café in 2014-15; and

Whereas, the applicant appeared before the CB2 SLA committee in February and November of 2018 at which time the applicant expressed the intention of a sidewalk café of approximately 16 tables and 32 chairs and stipulated to the committee that any sidewalk café would be open no later than 10 PM from Sunday-Thursday and no later than 11 PM on Friday and Saturday nights; and

Whereas, the committee expressed concern that this proposed sidewalk café plan was much larger than what had been represented to the SLA committee and that the proposed plan did not leave enough pedestrian access on Prince Street; and

Whereas, the applicant stated that the gate surrounding the tree pit in front of the restaurant would be removed so that the tree pit would no longer be considered a sidewalk obstruction, due to a quirk in sidewalk café regulations, even though the tree would still create an obstruction for pedestrians; and

Whereas, the applicant stated that he needed to maximize tables and chairs in his sidewalk café in order to make this establishment financially viable but the applicant agreed he would revert back to a previous plan that kept an 8-foot clearance around the tree pit and would also remove several tables from the MacDougal Street sidewalk; and

Whereas, the previous operator, Souen, received recommendation for approval from CB2 for a much smaller sidewalk café of 6 tables and 12 chairs; and

Whereas, a representative from the Charlton Street Block Association appeared in opposition to this application citing the large size of this sidewalk café application and its impediment to pedestrian traffic at this corner; and

Whereas, approximately 45 emails were received from neighboring residents of this proposed location expressing concerns about the size of this sidewalk café and the impact it will have on congestion and quality of life; and

Whereas, many neighboring residents appeared at the committee meeting of whom 7 spoke in opposition to the size of this proposed sidewalk café and none appeared in support of the application; 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 **denial** of the application for revocable consent to operate an unenclosed sidewalk café for **Prinkipas, LLC d/b/a Lola Taverna, 210 6th Ave. with 22 tables and 48 chairs (6711-2019-ASWA)** unless the applicant agrees to reduce the size of the café to **16 tables and 32 chairs** and **removes all tables and chairs from the MacDougal Street sidewalk and leave the tree guard intact** and provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Passed, with 36 Board Members in favor.

1 Recusal (S. Sartiano)

4. Café Kitsune, Inc., d/b/a N/A, 550 Hudson St. with 8 tables and 16 chairs (7102-2019-ASWC)

Whereas, this establishment, a French-style café with coffee and small bites, is located in the ground floor of a mixed use building previously occupied by Le Pain Quotidien which operated a larger sidewalk café at this location; and

Whereas, the applicant appeared before the CB2 SLA committee in May 2019, at which time the applicant stipulated this sidewalk café would close before 10 PM, seven days a week; and

Whereas, the applicant stated that the café furniture would be stored inside the restaurant overnight and, while in operation, the café would be continuously monitored by staff; 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 **Café Kitsune, Inc., d/b/a N/A, 550 Hudson St. with 8 tables and 16 chairs (7102-2019-ASWC)**, provided that the application conforms with all applicable zoning and sidewalk café laws, rules, and regulations and clearance requirements.

Vote: Unanimous, with 37 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

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