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COMMUNITY BOARD NO. 2, MANHATTAN

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

June 21, 2019

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

Dear Commissioner Salas:

At its Full Board meeting on June 20, 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. Plant Shed Prince, Inc. d/b/a Plantshed Cafe, 1 Prince St. at the corner of Bowery with 20 tables & 40 chairs (4737-2019-ASWC)

Whereas, this establishment, a unique hybrid of florist and café, offers bakery items and non-alcoholic beverages, and is located in the ground floor of a mixed-use residential/commercial building and is operated by an owner with another florist/cafe location on the UWS; and

Whereas, the representative for the owner said the the café would be open from Monday-Sunday; 10 AM – 8 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, the Community Board district office received an email expressing opposition to this sidewalk café because the operator has had tables and chairs on the sidewalk without a sidewalk permit and because of worries of pedestrian congestion on this corner; and

Whereas, the applicant received a violation citation from the Department of Consumer Affairs (DCA) in May 2019 for operating a sidewalk café without a license; and

Whereas, the applicant stated that the operator had stopped placing tables and chairs on the sidewalk until the necessary license is obtained; and

Whereas, the applicant plans to set up the sidewalk café using some plants from the store and the sidewalk café would be located on the Bowery side but not on the Prince side of the establishment; and

Whereas, the applicant presented the establishment's stoop sales permit for sales of plants on the Prince Street side of the establishment; and

Whereas, the operator stated that all food and beverage would be ordered inside the store and brought to the tables by the customer and that staff would monitor the café for trash; and

Whereas, the applicant stated that all staff would be instructed on the boundaries of the café and the applicant would be vigilant in making sure that the sidewalk café would never exceed the boundaries approved by DCA; 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 **Plant Shed Prince, 1 Prince St. with 20 tables & 40 chairs (4737-2019-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.

2. Marlinspike Hall, LLC, d/b/a The Jones, 54 Great Jones St. between Bowery and Lafayette St. with 3 tables & 6 chairs (6114-2019-ASWC)

Whereas, this establishment will be a full-service restaurant and bar serving modern American food with a seafood focus, and is located on the ground floor of a mixed use residential/commercial building that was home for many years to Great Jones Cafe; and

Whereas, the façade of the building includes a vent from the restaurant's kitchen which is not permitted under current regulations but is grandfathered under old regulations; and

Whereas, the applicant, who operates several restaurants in CB2 including, Joseph Leonard, Jeffrey's Grocery, and Bar Sardine, has had extensive discussions with the local community benefit organization, NoHO Bowery Stakeholders, regarding the vent in question as well as this sidewalk café; and

Whereas, the applicant has agreed to rehabilitate the vent in question and strive to minimize and impact on the community by tailoring the menu in a way that would not require much use of the vent; and

Whereas, a representative from NoHo Bowery Stakeholders appeared and expressed support for this application and spoke highly of the operators willingness to listen to concerns of the neighbors; and

Whereas, a resident from the apartment directly above the restaurant appeared and expressed support for the sidewalk café based on the owner's declarations to minimize use of the vent and to not offer chicken wings on the menu and to not permit smoking anywhere in the sidewalk café; and

Whereas, the applicant will offer full-service waitstaff who will deliver all food and drink to patrons at their seats and the applicant appeared at the SB2 SLA committee in March of 2019, at which time he was recommended for approval for an on-premises liquor license which is inclusive of this sidewalk café, and the applicant agreed that the sidewalk café would not operate past 10 PM, seven days a week; 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 **Marlinspike Hall, LLC, d/b/a The Jones, 54 Great Jones St. with 3 tables & 6 chairs (6114-2019-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. LE2, LLC, 27 ½ Morton St. between 7th Ave. South and Bedford St. with 6 tables & 23 chairs (6566-2019-ASWC)

Whereas, this establishment, previously occupied by Doma Na Rohu, is a full service Eastern and Central European restaurant, and is located in a mixed-use residential/commercial building and was granted a restaurant wine and beer license after being recommend for approval by CB2; and

Whereas, the applicant stipulated the café will be open for breakfast, lunch, and dinner and will close no later than 11 PM, 7 days a week; 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, no member of the community spoke regarding this application; 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 **LE2, LLC, 27 ½ Morton St. with 6 tables & 23 chairs (6566-2019-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