



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

330 West 42nd Street, 26th floor New York, NY 10036
tel: 212-736-4536 fax: 212-947-9512
www.nyc.gov/mcb4

BURT LAZARIN
Chair

Jesse Bodine
District Manager

November 20, 2019

Vincent G. Bradley
Chairman
New York State Liquor Authority
80 S. Swan Street, 9th Floor
Albany, New York 12210

**Re: CKBA LLC
150 West 26th Street (6/7 Avenues)**

Dear Chairman Bradley:

Manhattan Community Board 4 (MCB4) recommends **denial** of a new on-premise liquor license for CKBA LLC, 150 West 26th Street (6/7 Avenues) because granting this license would not be in the public interest.¹ The proposed establishment is on the ground floor of a residential building -- a space **that has not been previously licensed**. The application is vehemently opposed by both residents of this building and other nearby residents, who stress the noise and disruption that will arise from the operation of a licensed establishment open until 2:00 a.m. in a space that had previously been a hair salon. Residents also note that this block is already plagued by the disruptions caused by an intense concentration of licensed premises on this block.

The application falls within the 500 foot rule as there are 12 (twelve) OP liquor licenses within 500 feet of this address (per the SLA LAMP report). The concentration is particularly acute at this specific location: this one side-street block already has **8 (eight)** OP licensed premises (per the SLA LAMP report), including one of the most problematic establishments in MCB4, The Ainsworth at 122 West 26th Street. (Residents of this area have raised serious quality of life complaints about The Ainsworth for years, which remain unresolved as of this date.) Residents note that there are three licensed bars directly across the street from this location and another immediately next door -- four bars within 60 feet of the front door of the residential building that would house this applicant. An additional licensed operation, open until 2:00 a.m., would add to the problems accompanying a concentration of licensed establishments in very close proximity, including increased traffic and excessive late-night noise.

¹ MCB4's recommendation is based on a vote taken at its November 6, 2019 full board meeting, with 36 members voting in favor of the recommendation, 0 members opposed, 1 members abstaining and 0 present but not eligible.

Of key importance here is the fact that the proposed establishment would be located on the ground floor of a residential building in a space that has not previously been licensed and, to the best of our knowledge, has not previously been a restaurant of any kind. Despite that fact and the fact that residential units start on the floor immediately above the premises at issue, the applicant submitted only a one-page statement of “Noise mitigation measures,” noting that “[w]e are working with our architect ... on incorporating a comprehensive soundproofing plan into our design.”

At the October 17, 2019 meeting of MCB4’s Business Licenses and Permits (BLP) Committee, dozens of residents of the building at issue and the surrounding area presented their opposition to this application. Residents of the building at issue, the 150 West 26th Street Condominium, submitted in-person and/or written opposition from 96% of the building’s residential units (24 of the 25 units). They point out the likelihood that their reasonable quality of life would be disrupted by the noise, music, and vibrations -- until 2:00 a.m. -- both emanating from inside this previously-unlicensed space and from patrons as they enter and leave the premises and congregate and smoke immediately below dozens of residential windows. The condominium representatives also noted that the façade of the building belongs to the condominium and that the applicant had not approached the condominium about such important issues as what changes the applicant would seek to make to the front of its premises and how the applicant would build exhaust vents up the side of the building.

Neighborhood residents also stressed the unresolved problems already created by the major concentration of existing licensed premises on this block including: unruly crowds blocking the sidewalks and streets; inebriated patrons brawling on the block; excessive noise from patrons arriving, departing and loitering on the block; excessive traffic and traffic-related noise, including music blasting out of cars and parking disputes; a large number of smokers constantly filling the sidewalks; and puddles of vomit, broken glass, and discarded food on the sidewalks in the mornings. We note that the applicant submitted a petition with approximately 90 signatures in support of its application and that several individuals submitted emails of support or spoke in support of the application at the BLP meeting; the vast majority of these supporters, however, do not live on the block at issue and would be less affected by the problems and concerns raised by the building’s and block’s residents.

At the BLP meeting, there was also difference of opinion between the applicant and the local residents about the nature and method of operation of the proposed establishment. The applicant presented its establishment as a restaurant that would “serve simple and healthy new American cuisine with some European influences” and a “farm to table concept.” The residents pointed out that that concept was not consistent with the requested 2:00 a.m. nightly closing time and that the menu submitted with the application was a standard bar menu featuring “bar snacks,” sandwiches, burgers, soups, and salads. They also noted that the applicant’s other establishment, the Forest Hills Station House, was clearly a bar, with comments regarding loud noise and photos/videos of rowdy behavior appearing on social media.

In sum, based on the continued and consistent complaints of neighborhood residents going back for years, the block where this applicant seeks to open is under siege from the consequences of an over-saturation of licensed premises already on the block. Adding one more OP license would run the serious risk of adding to these problems and further damaging reasonable residential quality of life. The proposed establishment would add nothing new to the neighborhood, and an additional OP license here would not be in the public interest.

For the reasons stated above, MCB4 requests that the present application be **denied**.

Thank you for your attention and cooperation with this application.

Sincerely,



Burt Lazarin
Chair



Yoni Bokser
Co-Chair
Business Licenses & Permits
Committee



Frank Holozubiec
Co-Chair
Business Licenses & Permits
Committee