

COMMUNITY BOARD #1 - MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE: 5 In Favor 0 Opposed 1 Abstained 0 Recused
PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 33 In Favor 2 Opposed 6 Abstained 1 Recused

RE: Preservation of Gateway Plaza as Affordable Housing

WHEREAS: Manhattan Community Board 1 has recognized that availability of affordable housing in this District is vital to preserving and enhancing the character of the District as a vibrant residential community; and

WHEREAS: Since September 11, 2001, almost all residential development in this District has been market rate housing, and very little of it can be classified as “affordable” in any sense; and

WHEREAS: The most effective and efficient means of maximizing the availability of affordable housing requires maximum effort at preserving *existing* affordable housing; and

WHEREAS: Battery Park City was originally conceived and developed as part of a plan to bring more affordable housing to Lower Manhattan; and

WHEREAS: Gateway Plaza, the first project built in Battery Park City, was originally developed and financed as “affordable housing” pursuant to a U.S. Department of Housing and Urban Development (HUD) regulatory program; and

WHEREAS: In settlement of a lawsuit brought by the Gateway Plaza Tenants Association (GPTA) placing in issue Gateway’s actual status as of that time as market rate housing, effective July 1, 1985, GPTA, the landlord (a partnership formed by the Lefrak, Fisher and Olnick real estate interests, LFO) and the Battery Park City Authority (BPCA) entered agreement providing key components of rent stabilization protection for a period of 10 years, expiring June 30, 1995 (the “Gateway Stabilization Agreement”); and

WHEREAS: The Gateway Stabilization Agreement was subsequently extended such that its current expiration date is June 30, 2020; and

WHEREAS: Although at its inception in the 1980s, the Gateway Stabilization Agreement applied to all Gateway tenants, irrespective of when they moved into Gateway, since July 1, 2009, the Gateway Stabilization Agreement has only applied to tenants in residence at Gateway as of June 20, 2009; and

WHEREAS: The creation of a two-tiered class of Gateway residents resulting from the 2009 change to the Gateway Stabilization Agreement has resulted in a dramatic increase in the number of transient tenants at Gateway and a concomitant decrease in the number of Gateway tenants intending to make Gateway their permanent home; and

WHEREAS: The existence of the Gateway Stabilization Agreement, which has now been in effect for over 30 years, has materially contributed to the creation of a stable, family-friendly neighborhood in Battery Park City:

- Gateway Plaza is the largest residential complex in Battery Park City; its character has a major effect on the character of Battery Park City as a whole;
- The requirement of the Gateway Stabilization Agreement that LFO offer renewal leases at increases governed by the Rent Stabilization Guidelines, has encouraged individuals and families who wish to make this District their permanent home to make their homes in Gateway Plaza;
- Gateway Plaza is home to families, seniors and others who have now lived in Battery Park City for many years; some residents have made Gateway Plaza their home for over 30 years; and

WHEREAS: The BPCA is negotiating with the LFO to extend affordability by targeting potential changes in Gateway's ground lease with BPCA, and LFO is reported to be prepared to agree to extend the Gateway Stabilization Agreement as part of an agreement to modify its ground lease; and

WHEREAS: Continued uncertainty regarding a possible extension of the Gateway Stabilization Agreement with less than one year left in the term of the existing Gateway Stabilization Agreement is causing harm to the residential character of the District, as many tenants are choosing to leave the area rather than find themselves without affordability protections as the Gateway Stabilization Agreement term draws to a close; and

WHEREAS: None of the residential tenant protections that were recently passed by the New York State Legislature and signed by the Governor apply to the residents of Gateway Plaza and afford no additional protection outside of the expiring Gateway Stabilization Agreement; and

WHEREAS: The GPTA has affirmed that all elected officials who have districts that include Gateway Plaza, including Congressman Jerrold Nadler, State Senator Brian Kavanagh, State Assemblymember Yuh-Line Niou, and NYC Councilmember Margaret Chin, plus numerous elected officials with city-wide or state-wide representation, including U.S. Senators Charles Schumer and Kirsten Gillibrand and NYC Comptroller Scott Stringer, strongly support extending the Gateway Stabilization Agreement; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 urges the BPCA to set a high priority on preserving the affordability status of Gateway Plaza for a period coextensive with the timeframe of benefits that LFO may obtain in a modification of its ground lease, and in any event extending to no earlier than June 30, 2040 (the current end-date of the Gateway ground lease); and returning to the scope of the Gateway Stabilization Agreement to its original coverage of all tenants of Gateway; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges BPCA and LFO to conclude such an agreement to extend the Gateway Stabilization Agreement at the earliest possible date before January 1, 2020.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Bowling Green Shared Street

WHEREAS: The New York City Department of Transportation (DOT) is proposing a shared street at Bowling Green; and

WHEREAS: Bowling Green is a major tourist destination that draws many visitors. Many pedestrians cross streets back and forth into the northern portion of Bowling Green and they often exceed existing capacity. The current configuration is inadequate in terms of safety, and between 2013-2017 1 pedestrian, 1 cyclist and 5 motor vehicle occupants were involved in crashes at the location; and

WHEREAS: DOT conducted a traffic volume comparison at Bowling Green in February 2019 and found that pedestrian counts were significantly and consistently higher than vehicular counts. As the study was conducted in the winter, the pedestrian counts were likely lower versus the number of pedestrians that would have been captured during warmer months; and

WHEREAS: DOT is proposing to implement a shared street on the east side of Bowling Green on Broadway from Beaver Street to just north of Morris Street. The proposal includes realigned, shorter crosswalks; additional pedestrian space and protection; an advisory 5 MPH speed limit; widened sidewalk and realigned geometry with existing signals; and

WHEREAS: The portion of the street that is shared would be painted with a different color and texture to differentiate it from the standard street beds; and

WHEREAS: Over the course of July, DOT will conduct outreach to businesses and other stakeholders and implementation is anticipated during summer/fall; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 supports the shared streets proposal for Bowling Green, conditional that DOT re-evaluate its impact and return to CB1 after 1 year.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	7 In Favor	1 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	41 In Favor	1 Opposed	0 Abstained	0 Rescued

RE: Street Co-Naming Application for Baxter Street between Worth Street & Walker Street (Benjamin Ward)

WHEREAS: An application has been submitted by the Benjamin Ward Memorial Project to Manhattan Community Board 1 (CB1) to co-name Baxter Street running north from Worth Street to Walker Street as Benjamin Ward Way; and

WHEREAS: The effort to honor Mr. Ward started as far back in 2006 when it was suggested that the Manhattan Detention Complex be renamed after Mr. Ward. That advocacy went on for some time, but the plan ultimately fell through as it was unable to obtain mayoral support and the Benjamin Ward Memorial Project decided on a co-naming since it could be accomplished by a vote of the city council rather than the mayor's consent. The co-naming location was suggested as an appropriate place since it is not far from police headquarters (1 Police Plaza) to the South and near the Manhattan Detention Complex to the north; and

WHEREAS: In April 2008 CB1 adopted a resolution supporting the request to rename the Manhattan Detention Complex after Mr. Ward; and

WHEREAS: Benjamin Ward held numerous significant positions in government during his career, including Deputy Commissioner of Community Affairs, NYS Correction Commissioner, Chief of the New York City Housing Authority (NYCHA) Police, NYC Correction Commissioner and NYC Police Commissioner. Mr. Ward was the first African-American Police Commissioner in New York City; and

WHEREAS: The pending co-naming application was received by CB1 in November 2018, prior to CB1's decision to review the process of revising its co-naming guidelines; and

WHEREAS: The applicant has submitted letters of support from property owners, including government buildings, elected officials and government offices; and

WHEREAS: The revised co-naming guidelines require that signatures of support be attained in a one-block radius, an additional requirement that would have forced the applicant to receive 75% of the signatures of Chatham Towers, a housing complex to the east of the co-naming location with hundreds of residential units. Given the unique circumstances of the situation, CB1 members believed that it would be onerous and unfair to require the applicant to further delay the application in order to satisfy this additional requirement, and alternatively the applicant received a letter of support from Nancy Kong, President of the Board of Chatham Towers on behalf of the building; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 supports the application by the Benjamin Ward Memorial Project to co-name Baxter Street from Worth Street to Walker Street as Benjamin Ward Way.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 17 John Street, application for liquor license for 17 John Street Property Owner LLC and Kokua CW 11, LLC. d/b/a The Assemblage John Street

WHEREAS: The applicant, 17 John Street Property Owner LLC and Kokua CW 11, LLC., is applying for an on-premise liquor license; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a co-working space with a focus on wellness and community seeking to license a restaurant and bar on the 2nd and 3rd floors of 17 John, for use by members and their guests; and

WHEREAS: The establishment is a 10,769 square foot area on two floors with a total 243 person public assembly capacity, and a 4,442 square foot dining area on the second floor with 26 tables and 166 seats; a 4,233 square foot dining area on the third floor with 17 tables and 128 seats; and a 1,790 total square foot bar area on both floors, which includes a 930 square foot bar on the 2nd floor and a 860 square foot bar on the 3rd floor, with 12 tables and 44 seats, and two stand-up bars that will also be used as food counters -- one U-shaped on the second floor with 15 stools that's 60 feet in perimeter and one straight bar that's 39 feet long on the third floor with 18 stools; and a 304 square foot kitchen area; and

WHEREAS: The hours of liquor service will be 10AM to 12AM Sunday, 8AM to 12AM Monday through Wednesday, and 8AM to 1AM Thursday through Saturday; and

WHEREAS: The applicant will keep all windows closed; and

WHEREAS: The applicant has represented that there will be recorded background music, DJs for occasional internal events, live music, no dancing, no promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: There is a terrace on the third floor that is under the control of the establishment and is not to be licensed, and there is a 6th floor terrace and a rooftop that are not licensed and not under the establishment's control but might be used by the establishment; and

WHEREAS: For this application and also in April 2017 for a similar application many residents have expressed concerns about noise and quality of life issues related to the use of the outdoor spaces; and

WHEREAS: Many residents at 71 Nassau Street, immediately adjacent to 17 John, sleep only a few feet away from the terraces; and

WHEREAS: Six residential buildings have windows facing onto the terraces and roof, with a seventh being built; and

WHEREAS: The outdoor terraces sit inside of what is essentially an echo chamber created by these and the neighboring buildings; and

WHEREAS: Since the 2017 application that was withdrawn, residents have been bothered many times by parties and music on the roof and on the 3rd floor terrace, some of which were hosted by this applicant; and

WHEREAS: The applicant has agreed that on the 3rd floor terrace there will be no alcohol at all, no music after 7PM, no access at all after 11PM, and that "Please Respect Neighbors" type signs will be posted, and any noise will be monitored by employees so that neighbors will not be bothered; and

WHEREAS: Doors to the terrace will be kept closed as much as possible when music is being played inside the establishment; and

WHEREAS: The applicant has agreed that on the 6th floor terrace, the same stipulations as agreed to for the 3rd floor terrace will apply for any usage by the establishment or its tenants/patrons; and

WHEREAS: The applicant has agreed that if it uses the roof there will not be any music or any parties or events after 9PM, and that designated neighbors will be notified by email in advance of any events or parties on that roof; and

WHEREAS: The applicant was clear that it has no control over the hotel's use of the rooftop; and

WHEREAS: Deliveries will be made only between the hours of 7AM and 5PM; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to 17 John Street Property Owner LLC and Kokua CW 11, LLC., at 17 John Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 385 Broadway, application for liquor license for HC Downtown Inc. d/b/a High Court

WHEREAS: The applicant, HC Downtown Inc., is applying for a Private Members Club license for High Court; and

WHEREAS: CB 1 received an amended 30 day notice to remove the roof from the original license application in March 2019; and

WHEREAS: The applicant is leasing the entire building, but now asking for the license to cover the 4th and 5th floors only; and

WHEREAS: The applicant has represented on the March questionnaire that there are not three or more establishments with on premises liquor licenses within 500 feet of this establishment, but in fact there are five such establishments according to the SLA mapping system, with several more on line; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The establishment is a private member only club not open to the public, with licensed premises on the 4th and 5th floors, a locker room on the second floor, and a gym on the third floor; and

WHEREAS: The public assembly capacity on the 4th floor is stated to be 178, on the fifth floor 148, and on the roof 80, although there is no C of O yet and these are apparently estimating; and

WHEREAS: The 4th floor is a 2584 square foot space with a cafe/bar and casual work space, consisting of 20 tables and 100 seats, and one 20 feet and 1-inch stand-up bar with 3 bar stools; and

WHEREAS: The fifth floor is a 2,106 square foot space with kitchen, including a 944 square foot formal restaurant of 19 tables and 80 seats, and an 899 square foot bar/lounge with one 30'6" stand-up bar and 10 bar stools; and

WHEREAS: The fourth floor will have no bar and waitstaff service, and the fifth floor will have a full-service restaurant, bar and lounge; and

WHEREAS: The hours of liquor service on the fourth and fifth floor will be 11AM to 1AM Sunday through Thursday and 11AM to 2AM on Friday and Saturday; and

WHEREAS: The applicant will not have French doors or windows, and will keep windows closed at all times; and

WHEREAS: The applicant has represented that inside there will be recorded background music, DJs for occasional private events, live music such as a quiet jazz trio, cover fee events and scheduled performances for membership only, but no dancing and no promoted events; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant expects to have up to 3000 private members in total, with each member able to bring two guests, but the expectation is that many less will appear to use the facilities at any one time; and

WHEREAS: Membership will be required to abide by a code of conduct, but no code has been written yet and therefore none was supplied to the committee; and

WHEREAS: There will be no street queuing or velvet ropes, and there will be a front desk check-in that will also keep all members and guests inside while waiting for car services; and

WHEREAS: The applicant in March asked for liquor service on the roof until 11PM weekdays and 12AM on weekends; and

WHEREAS: The licensing committee generally does not recommend approval of any rooftop license applications in residential areas of CB1 due to quality of life issues, such as the inevitable noise that echoes between buildings and disrupts the lives of the families and children that live here; and

WHEREAS: The only rooftop license in the area, which was opposed by CB1, was recently granted, with limitations, by the SLA due mainly to the fact that at the time there were only two liquor licenses within 500'; and

WHEREAS: While the March presentation suggested that this was not a heavily residential area, a dozen or so neighbors appeared in opposition to any use at all on the roof, and expressed concerns about the increased street and pedestrian traffic; and

WHEREAS: Evidence was presented by neighbors and one committee member of the many residents and residential buildings in proximity; and

WHEREAS: In March the committee and the applicant could not come to an agreement on roof usage, but were agreed on interior usage; and

WHEREAS: The applicant has now withdrawn the application for licensing the rooftop; and

WHEREAS: Some of the residents appeared again to ask for either no roof usage at all or very limited hours, particularly so as not to keep infants and young children awake; and

WHEREAS: Though not licensed on the roof, the applicant agreed to have no more than 33 people on the roof at a time, with roof hour usage from 9AM to 8PM only, with no sound amplification, and any other noise and voices will be carefully monitored so as not to bother nearby residents; and

WHEREAS: The applicant also agreed to provide on the roof some sort of noise baffling device or plantings as recommended by a recognized acoustic consultant company, and CB1 offered to help navigate any roadblocks for such installation with the Landmarks Preservation Commission; and

WHEREAS: The applicant will have delivery of supplies, goods and services during business hours only; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to HC Downtown Inc. d/b/a High Court at 385 Broadway unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 19 Fulton Street, application for alteration of liquor license for HHC Cobblestones, LLC

WHEREAS: The applicant, HHC Cobblestones LLC, is applying for an alteration to its liquor license for Cobble & Co. to add seating and bar; and,

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The establishment is a New American Restaurant; and

WHEREAS: The applicant wishes to add a 10' bar with 5 seats to the second floor to draw more of the patrons upstairs; and

WHEREAS: All stipulations already agreed to will continue as agreed to; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a 7,041 square foot restaurant with a 256 public assembly capacity, and a 4,827 square foot dining area with 27 tables and 160 seats, and a 143 square foot bar area with 12 seats on the first floor and 5 on the second floor, and a 2,214 square foot kitchen area with 2 stand-up rectangular bars, one that is 28ft long and the other that is 10ft long; and

WHEREAS: The hours of liquor service will be 11AM to 1AM Sunday through Wednesday and 11AM to 2AM Thursday through Saturday; and

WHEREAS: The applicant has represented that there will be recorded background music, DJs for occasional private events, live music, no dancing, no promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe permit; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of a liquor license to HHC Cobblestones, LLC, at 19
Fulton Street *unless* the applicant complies with the limitations and conditions set
forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 121 Fulton Street, application for a transfer of liquor license from Burger Fulton LLC to Ainsworth Fulton LLC d/b/a TBD

WHEREAS: The applicant, Ainsworth Fulton LLC, is applying for an on-premise liquor license; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a restaurant and bar; and

WHEREAS: The establishment is an approximately 3,500 square foot restaurant with a 270 public assembly capacity, and a 1,500 square foot dining area, and a 1000 square foot bar area, and a 1000 square foot kitchen area with 1 service bar; and

WHEREAS: The hours of liquor service will be 11AM to 2 AM Monday through Sunday; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has represented that there will be recorded background music, DJs for occasional private events, no live music, no dancing, occasional promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant will close all doors and windows by 11PM every day; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant will actively manage crowds congregating on the street at night to minimize disturbances to residents; and

WHEREAS: The applicant will have delivery of supplies, goods and services during the hours of 11AM to 11PM; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Ainsworth Fulton LLC, at 121 Fulton Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 250 Vesey Street, application for alteration of liquor license for Tartinery Liberty LLC d/b/a Tartinery

WHEREAS: The applicant, Tartinery Liberty LLC, is applying for an alteration of liquor license for Tartinery to accurately update the dimensions of the 8' x 4' bar from what they previously submitted in the Board's questionnaire; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are not three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is an outdoors seasonal cafe; and

WHEREAS: The establishment is a 7,500 square foot restaurant with a 250 public assembly capacity, and a 6,500 square foot dining area with 40 tables, and a 300 square foot bar area with 4 tables, and a 200 square foot kitchen area with no food counters, and 2 stand-up bars, one that is square-shaped and another that is U-shaped; and

WHEREAS: The hours of liquor service will be 10AM to 9PM every-day; and

WHEREAS: The applicant has represented that there will be recorded background music, no DJs for occasional private events, no live music, no dancing, no promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant will have delivery of supplies, goods and services during the hours of 7AM to 10AM; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant will not apply for a sidewalk cafe until at least a year after operation; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Tartinery Liberty LLC, at 250 Vesey Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	8 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 225 Liberty Street, application for liquor license for 225 Liberty Location, LLC d/b/a Convene

WHEREAS: The applicant, 225 Liberty Location, LLC, is applying for an on-premise liquor license; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant did not post sufficient notice to the community with one notice on the doorway of a vacant retail space and not the entrance to the building and no other attempts at posting at intersections or other high visibility locations; and

WHEREAS: The postings themselves described an establishment that would serve liquor six days a week where in actuality the applicant desires to provide liquor service seven days a week; and

WHEREAS: The establishment is a multipurpose corporate meeting and events venue; and

WHEREAS: The establishment is a 73,000 square foot venue that holds six meeting rooms, three of which will occasionally be used for seated dining events and one dedicated dining area in the cafe, and an approximately 1,800 square foot kitchen area, and 1 food counter that's a rectangular cafe service stand-up bar that's 39 feet by the rear of the first floor; and

WHEREAS: The establishment's layout has two levels, four hubs, and a cafe; both levels are The Forum, with a banquet and theatre area; the first level's banquet seats approximately 456 persons, while the theatre at approximately 521 persons; the second level's banquet seats 360 persons, and the theatre at 432 persons; the North Hub seats approximately 68 persons, the West Hub seats 72 persons, the Central Hub seats 73 persons, and the East Hub seats 73 persons; the Cafe has 25 seats, 3 tables, and two wall counters; and

WHEREAS: The hours of proposed liquor service will be will vary per event, and the hours of operation are 11AM to 11PM on Sunday, 8AM to 12AM Monday through Thursday, 8AM to 12 AM on Friday, and 9AM to 12AM on Saturday; and

WHEREAS: The applicant has represented that there will be recorded background music, DJs for occasional private events, and live music; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: Brookfield Properties, which is both the applicant's landlord as well as a major shareholder of the Convene brand told the members of the Battery Park City Committee of CB 1 that there would be a robust conversation about serious community concerns, namely transportation and security impacts and a traffic mitigation and security plan, before Convene would file with the SLA for an on-premises liquor license; and

WHEREAS: The applicant was not prepared to speak to these concerns at the Licensing Committee meeting and committed to attending the Battery Park City Committee meetings to discuss and meet community needs before returning to the CB 1 Licensing & Permits Committee in September as the Licensing Committee does not meet in August; and

WHEREAS: The applicant's initial presentation to CB 1 was a venue for 300 people and it is now 1249 people; and

WHEREAS: There are no other operations of this scope and scale within this part of the community; and

WHEREAS: The building across the street from this venue has over 1,700 residents; and

WHEREAS: The applicant has not signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to 225 Liberty Location, LLC, at 225 Liberty Street as they did not provide the committee with the necessary documents and materials; and

BE IT

FURTHER

RESOLVED

THAT: Community Board 1 is willing to reconsider this decision if the applicant returns to the Licensing & Permits Committee and demonstrates that they have engaged with the Battery Park City community to address their valid concerns.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	7 In Favor	0 Opposed	2 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	41 In Favor	0 Opposed	1 Abstained	0 Rescued

RE: BSA application 2019-168-A to allow a proposed development to be located partially within the bed of a mapped but unbuilt portion of Fulton Street (140, 142 Fulton Street)

WHEREAS: An application has been filed with the Board of Standards and Appeals (BSA) on behalf of 140 Fulton Associates LLC (the "Applicant") under Section 35 of the General City Law ("GCL 35") for a waiver to allow a building to be constructed in the bed of a mapped street together with a waiver of bulk regulations under Section 72-01(g) of the Zoning Resolution; and

WHEREAS: The waivers would facilitate the construction of a mixed-use building with retail and hotel use on an 8,615 square foot (sq ft) zoning lot including the Development Parcel and the adjacent Lot 25 on Block 79 from which the Applicant purchased an additional 37,000 sq ft of development rights. If approved, the waivers would permit the construction of a new building which is partially located within a mapped but unbuilt portion of Fulton Street; and

WHEREAS: The development site is located partially within the bed of a mapped but unbuilt portion of Fulton Street in Lower Manhattan's Financial District (the "Widening Area"). The Widening Area was mapped in connection with a planned street widening in July 1961, prior to the effective date of the current Zoning Resolution (December 15, 1961), and spans four blocks on the south side of Fulton Street between Broadway and just east of Ryders Alley. The proposed widening has remained on the City Map since 1961 but the City has not taken any steps to advance the widening, while it has approved the construction of nearly half a dozen developments in the affected street bed, including a major public project (the Fulton Street Transit Center); and

WHEREAS: The Applicant has requested that 1) the decision of the New York City Department of Buildings Deputy Borough Commissioner dated May 21, 2019, acting on Department of Buildings Application No. 123732292, be modified by the Board pursuant to GCL 35 to allow the proposed development to be constructed within the Widening Area; and 2) the BSA waive the bulk regulations applicable to the Widening Area pursuant to ZR 72-01(g); and

WHEREAS: Both 140 and 142 have frontage on Fulton Street and require waivers. 140 is unimproved and has a Fulton Street frontage of approximately 27 feet. 142 is improved with a six-story building and has a Fulton Street frontage of approximately 27 feet. 142 will be demolished to permit construction of the proposed development. The footprint of the proposed development extends approximately 52.17 feet along Fulton Street. About 58% (3,258 sq ft) of the proposed development footprint is within the Widening Area; and

WHEREAS: The proposed development will contain approximately 119,695 sq ft of floor area in 41 stories. Approximately 5,036 sq ft are proposed to be ground floor commercial retail and the remainder will be allocated to hotel use. The proposed development will be constructed on the development parcel utilizing 36,909 sq ft of development rights acquired from the adjacent site. The street wall of the proposed development will reflect the prevailing street wall of other buildings on the south side of Fulton Street. Apart from the relief requested in the application, the proposed development will be constructed in compliance with the underlying zoning regulations; and

WHEREAS: The applicant has represented that without the waiver, the building would be 67 stories tall and would not match the existing street line; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 recommends that the BSA grant approval of application 2019-168-A by 140 Fulton Associates LLC for a waiver to allow the proposed building of 140-142 Fulton Street to be constructed in the bed of a mapped but unbuilt street, in addition to the waiver of bulk regulations under Section 72-01(g) of the Zoning Resolution.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	38 In Favor	2 Opposed	2 Abstained	0 Rescued

RE: Board of Standards and Appeals application 2019-170-BZ for a special permit to allow the operation of a physical culture establishment at 385 Broadway

WHEREAS: An application has been filed with the Board of Standards and Appeals (BSA) on behalf of High Court Holdings LLC d/b/a High Court, to permit the operation of a physical culture establishment (PCE) at 385 Broadway; and

WHEREAS: 385 Broadway is located on the west side of Broadway between White Street and Walker Street in Tribeca, within in a C6-2A zoning district and the Tribeca East Historic District. The existing building is five stories and the proposed PCE space is currently vacant; and

WHEREAS: This application seeks to permit the operation of a PCE on the second and third floors of the existing building. The PCE will be operated under the business name "High Court." The PCE will have approximately 8,974 square feet (sq ft) of floor area, with approximately 4,780 sq ft of floor area on the second floor and approximately 4,195 sq ft on the third floor; and

WHEREAS: High Court is a membership only "social-house" that incorporates fitness, wellness and "intelligent leisure". The PCE will only occupy the second and third floors and is subject to this application. The remainder of the building consists of office space and an eating and drinking establishment. Members are either current members or are nominated by existing members, with a focus towards young professionals; and

WHEREAS: The hours of operation for the PCE are 5:00 AM - 12:00 AM. The proposed group fitness classes would consist of pilates, yoga, and bootcamp classes. The open gym area would be open to individual workouts with personal trainers. The second floor will consist of locker rooms, two saunas, a treatment room and a Hamam (Turkish Bath). The third floor will consist of both small and large classrooms for various workout classes. The applicant does not foresee using large equipment in the PCE space, as the workouts will be focused on free weights and mats and other mobile workout tools. Sign up for classes will be web based and there will be no public access to the PCE; now

THEREFORE
BE IT
RESOLVED

THAT: CB 1 recommends that the BSA grant approval of application 2019-170-BZ for a special permit to allow for the operation of a PCE (High Court) at 385 Broadway.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	2 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Board of Standards and Appeals application 2019-159-BZ for a special permit to legalize the operation of a physical culture establishment at 249 Church Street

WHEREAS: An application has been submitted to the Board of Standards and Appeals (BSA) on behalf of The Dynasty Condominium Board of Managers for a special permit to legalize the operation of a physical culture establishment (PCE) located at 249 Church Street; and

WHEREAS: 249 Church Street is bounded by Church Street to the west, Leonard Street to the south, Franklin Street to the north, and Broadway to the east. The site is a corner lot and has approximately 50 feet of frontage along Church Street and approximately 40 feet of frontage along Leonard Street. The site is within the Tribeca East Historic District and contains a five-story mixed-use building with a commercial space on the ground floor and four residential units on the upper floors; and

WHEREAS: This application seeks to permit the legal operation of a PCE on a 368 square foot (sq ft) portion of the first floor, 1,882 sq ft in cellar, and 1,498 sq ft in sub-cellar of the existing building. The PCE is accessed via a lobby on the first floor. The cellar level contains a fitness studio, office, changing room, A/V room, staff break room, and closet. The subcellar contains shower and toilet rooms, a changing room, storage rooms, and a post-exercise session massage room; and

WHEREAS: The PCE is operated as NOVA Fitness, a boutique personal training studio that offers one-on-one fitness training. NOVA Fitness aims to provide customized, efficient, and intense workouts, combined with electric muscle stimulation and personal trainers; and

WHEREAS: The PCE is staffed by a total of approximately 12 employees. The PCE is open Monday through Friday from 6:00 AM to 8:00 PM to accommodate its patrons' schedules. Based on the transit-oriented location of the PCE, a majority of the fitness center's patrons use mass transit, walk or bike to the gym; and

WHEREAS: For sound attenuation, the PCE has a suspended acoustic ceiling, sound-attenuated stud walls, and a 3/8-inch thick layer of rubber flooring in the studio area; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 recommends that the BSA approve application 2019-159-BZ for a special permit to legalize the existing PCE (NOVA Fitness) located at 249 Church Street.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	5 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 84 South Street application for NYC Parks Department Concession

WHEREAS: The application is an amended application previously considered and unanimously rejected by CB1 in January 2019 and February 2019; and

WHEREAS: The application has already been approved by LPC at staff level under the new LPC rules; and

WHEREAS: The application is for a temporary structure for now – but if the bar/restaurant is successful it is intended to seek approval in 2021 to be a permanent structure; and

WHEREAS: The Committee expressed its continued concern that while the new design provides for a direct view corridor down John Street – it does not address other important view corridors; and

WHEREAS: The applicant agreed to provide more view corridor studies before the Board's review; and

WHEREAS: The bar/restaurant will be open from April 5, 2020 until October 11, 2020; and

WHEREAS: The Pizza ovens will be small and not require special venting; and

WHEREAS: The Committee inquired about DOB approval – the applicant and Parks agreed this will need to be approved before any building work is done; and

WHEREAS: The Committee felt the process of seeking approval at staff level for a temporary structure – when in fact was intended to be a permanent structure was entirely inappropriate; and

WHEREAS: A member of the Board attending the Committee noted the structure was opposite the important Imagination Park; and

WHEREAS: The Committee could not support an application that clearly violated the spirit of the Landmarks Law and the intention of the Seaport Working Group's principles on view corridors in the Seaport; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 recommends the Landmarks Preservation Commission **rejects** the application.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	1 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 54 Stone Street, application for legalization of storefront and signage

WHEREAS: The applicant has been served four violations for: removing the water table below a window to create a door; installing an illegal sign on Stone Street; switching a window for a door on the Pearl Street facade and installing an illegal sign on Pearl Street; and

WHEREAS: The Committee approved the legalization of the switched door and window – which made sense and matched the design of the westerly side of the building at 87-89 Pearl Street; and

WHEREAS: The Committee approved the legalization of the signs on the condition they met LPC signage guidelines; and

WHEREAS: The Committee could approve the legalization of turning a window into a door; and

WHEREAS: The Committee noted that there is no incentive for applicants to follow approved LPC applications as there are no penalties for non-compliance and violations – which should be urgently addressed by LPC; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 recommends the LPC legalizes the matters noted above and establishes a new policy for providing for material fines to applicants who are served violations.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	1 Opposed	0 Abstained	0 Recused

RE: A proposal for a three-story addition to 60 Pine Street; A through-block Romanesque-Revival individual landmark building in the heart of the historic financial district

WHEREAS: The 19th century building has two primary facades one each on Cedar and Pine Streets; and

WHEREAS: The building received a major alteration in 1917 with the addition of two-stories creating the existing five-story individual landmark building; and

WHEREAS: Pine and Cedar Streets are very narrow streets therefore creating an extremely limited view of the proposed addition from a public way; and

WHEREAS: The three-story addition to 60 Pine Street will continue the 125-year tradition building enlargements while being sensitive to the original lower floors; and

WHEREAS: The setback sixth, seventh and eighth floors on Cedar Street are visible from the east on William Street; and

WHEREAS: The visible Cedar Street mansard roof connects the proposed addition with the Romanesque-Revival lower portion while referencing a turn of the 19th century technique for enlarging existing buildings (adding a Mansard roof), and

WHEREAS: The design for the non-visible Pine Street addition is void of any historical character; and

WHEREAS: CB1 previously approved a very similar design and the minor modifications as presented are an improvement; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 recommends the Landmarks Preservation Commission approves the roof addition proposal with the condition that the invisibility of the Pine Street setback is as presented and not visible at all from a public way over the existing Pine Street roof cornice.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Proposed Improvements to the Official DOT and DDC Engineering Specifications for Cobblestone Streets

WHEREAS: Community Board 1 over many years has requested installation and/or refurbishing of cobblestone streets where they are currently or have previously existed; and

WHEREAS: The cobblestone streets in Tribeca have a long history and are part of the character of the neighborhood as CB1 does not want the cobblestone streets to be paved with black asphalt; and

WHEREAS: In 2009 the City of New York partially honored our request—for which we are thankful—by installing cobblestones or refurbishing the following streets in Tribeca:

- Greenwich Street from Canal Street to Hubert Street
- Hubert Street from Greenwich Street to Hudson Street
- N. Moore Street from Greenwich Street to Hudson Street
- Harrison Street from Greenwich Street to West Street
- Jay Street from Greenwich Street to Hudson Street; and
- Leonard Street from Hudson to Varick Street
- Varick Street from Canal Street to Laight Street
- Beach Street from Greenwich Street to Hudson Street; and

WHEREAS: And now, only 10 years later, all of these streets are in varying degrees of significant disrepair; and

WHEREAS: The cobblestone streets above suffer from following;

- Collapsed concrete base,
- Deteriorating grout,
- Unaligned stones,
- Grout not flush with surface,
- Grout poorly maintained,
- Concrete of suspicious quality,
- And most of all; joints too wide between the blocks.

WHEREAS: However, in comparison, other cobblestone streets that were built decades ago are still in a state of relatively good repair considering their age, such as Vestry Street between Greenwich Street and Hudson Street; and

WHEREAS: The NYC engineering specifications for cobblestone street are as follows;

- As per the NYC Parks Department Cobblestone Installation Instructions, joint between the block should be no wider than $\frac{3}{4}$ of an inch
- NYC Department of Transportation requires that the joints between the block should be a $\frac{1}{2}$ an inch; and

WHEREAS: It seems that the spacing between the blocks and not enough curing time are two main reasons for rapid and rapid disrepair and destruction our beloved Cobblestone street; and

WHEREAS: Of particular note is the intersection of Greenwich Street and Laight Street which is in dire disrepair, and the cobblestones on the east side of Greenwich Street for the crosswalk have been removed, creating an unpleasant asymmetrical appearance for the intersection; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 feels that construction contractors should be made to properly repair all he cobblestone streets they are responsible for; and

BE IT

FURTHER

RESOLVED

THAT: CB1 requests that the City Department of Transportation and Department of Design and Construction inspect the streets mentioned above and make repairs or replacements where needed; and

BE IT

FURTHER

RESOLVED

THAT: CB1 also requests that the City Departments of Transportation and Design and Construction report back to Community Board on both the above requests within the next six months from the date of this resolution.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 181 Duane Street, application for liquor license for VV&V Brothers 623 Corps d/b/a TBD

WHEREAS: The applicant, VV&V Brothers 623 Corps, is applying for an on-premise liquor license; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a restaurant serving Italian Cuisine; and

WHEREAS: The establishment is an 1800 square foot restaurant, and a 700 square foot dining area with 25 tables and 50 seats, and a 200 square foot bar area with one 20 feet “L” shaped stand-up bar located on the ground floor with 10 seats, and a 900 square foot kitchen area with no food counters; and

WHEREAS: The hours of liquor service will be 11AM to 11PM Sunday through Thursday and 11AM to 12AM Friday through Saturday; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has represented that there will be recorded background music, no DJs for occasional private events, no live music, no dancing, no promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: The applicant will not take deliveries to the business between 10PM and 8AM; and

WHEREAS: The applicant will have delivery bikes; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT:

CB1 opposes the granting of a liquor license to VV&V Brothers 623 Corps., at 181 Duane Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 281 Church Street, application for liquor license for IBH Paris LLC d/b/a TBD

WHEREAS: The applicant, IBH Paris LLC, is applying for an on-premise liquor license; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is an American/European restaurant; and

WHEREAS: The applicant with full food service until two hours before closing; and

WHEREAS: The establishment is a 2200 square foot restaurant, and a 1200 square foot dining area with 10 tables and 50 seats, and a 300-foot bar area with no tables and 10 seats, and a 500 square foot kitchen area with 1 stand-up bar in front; and

WHEREAS: The hours of liquor service will be 10 AM to 12 AM Sunday through Thursday, and 10 AM to 1 AM Friday through Saturday; and

WHEREAS: Hours for deliveries of goods to the restaurant will be between 9AM and 2PM; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has represented that there will be recorded background music, no DJs for occasional private events, no live music, no dancing, no promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: The applicant has agreed that a cooking vent near street level will not be used, as well as that he will sound-proof to eliminate noise up to residential apartments and has also agreed to work with the Co-op President to ensure proper sound proofing. Applicant has agreed to return in six months to reapply for later closing hours once sound-proofing is installed and residents are satisfied; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to IBH Paris LLC, at 281 Church Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 123 Washington Street, application for liquor license for 123W Hospitality Group LTD, d/b/a Skinso Mediterranean Cuisine

WHEREAS: The applicant, Skinso Mediterranean Cuisine, is applying for an on-premises liquor license; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a restaurant-bar serving Mediterranean Cuisine on the first and second floors, with an entrance on the north side through the W Hotel lobby on Albany Street, a secondary entrance at the corner of Albany and Washington, and with an outdoor area on the south side at Carlisle Street; and

WHEREAS: The establishment is a 6,926 square foot building with a 216 public assembly capacity, having on the first floor a 2,666 square foot dining area with 24 tables and 60 seats, a 540 square foot bar area with a wrap-around bar of approximately 60' and 21 stools where food will also be served; and

WHEREAS: On the second floor there is a 4,260 square foot dining area with 34 tables and 128 seats, one service bar and a 2400 square foot kitchen area; and

WHEREAS: The hours of liquor service inside the establishment will be 8AM to 12AM Monday through Thursday and 8AM to 2AM Friday through Saturday; and

WHEREAS: The outdoor area on Carlisle will have 26 tables and 90 seats, and will stop serving every day at 9PM and will close completely at 10PM; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has represented that there will be recorded background music, no DJs for occasional private events, no live music, and no dancing, no promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: The applicant will not use the rooftop, will have no deliveries between 10PM and 8AM, and have outdoor seating close at 10PM every day and stop serving at 9PM; and

WHEREAS: One person appeared at the committee claiming to have rights to the lease for this space, and is involved in litigation with the owners and/or partner, but was told that CB1 could not adjudicate the merits of the case; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to 123W Hospitality Group LTD, at 123 Washington Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 412 Greenwich Street, application for unenclosed sidewalk cafe license for Dig Inn 412 Greenwich LLC d/b/a Dig Inn

WHEREAS: The applicant, Dig Inn 412 Greenwich LLC, is applying for an unenclosed sidewalk cafe license for 8 tables and 14 seats; and

WHEREAS: The residents of the surrounding neighborhood were notified in accordance with Department of Consumer Affairs guidelines. Residents registered objections with the permit application; and

WHEREAS: CB1 guidelines ask applicants to wait a year before the start of operations, before applying for a sidewalk cafe, so that we can see how respectful they are of the neighborhood; and

WHEREAS: From our guidelines published on our community board website and sent to applicants: " ... applicants are asked to agree to give careful consideration to all quality of life issues, particularly with respect to hours of operation, noise, smoking, pedestrian street access and refuse removal... "; and

WHEREAS: Residents appeared at the committee and testified that this establishment was playing loud music for weeks and did not respond to neighbors' repeated requests to lower it, and were in fact rudely responded to; and

WHEREAS: Music was finally lowered only one month before the applicant appeared before the Board; and

WHEREAS: This volume of music was clearly in violation of the CB1 background music stipulation agreed to; and

WHEREAS: While the applicant had a liquor license for this establishment for over a year, it did not operate for the full year, closing temporarily due to unforeseen circumstances, before they applied for a DCA sidewalk cafe and alteration of their liquor license to include the sidewalk cafe; and

WHEREAS: At our committee meeting, we asked the applicant to withdraw this application and their DCA sidewalk cafe application and work with neighbors to remedy the establishment's issues and they would be welcome to return to the Board in 6 months; and

WHEREAS: Constituents presented photographic evidence to the Board that trash left out on the street from the establishment was crawling with maggots, which begs the question as to how trash if not food is stored within the building; and

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the new unenclosed sidewalk cafe license application for Dig Inn 412 Greenwich LLC d/b/a Dig Inn at 412 Greenwich Street.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 412 Greenwich Street, application for alteration of beer and wine license for Dig Inn 412 Greenwich Street, LLC d/b/a Dig Inn

WHEREAS: The applicant, Dig Inn 412 Greenwich Street LLC, is applying for an alteration to its on-premises beer and wine license to include a sidewalk cafe to the license; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is fast-casual chain restaurant serving American food; and

WHEREAS: CB1 guidelines ask applicants to wait a year before the start of operations, before applying for a sidewalk cafe, so that we can see how respectful they are of the neighborhood; and

WHEREAS: From our guidelines published on our community board website and sent to applicants: " ... applicants are asked to agree to give careful consideration to all quality of life issues, particularly with respect to hours of operation, noise, smoking, pedestrian street access and refuse removal... "; and

WHEREAS: Residents appeared at the committee and testified that this establishment was playing loud music for weeks and did not respond to neighbors' repeated requests to lower it, and were in fact rudely responded to; and

WHEREAS: Music was finally lowered only one month before the applicant appeared before the Board; and

WHEREAS: This volume of music was clearly in violation of the CB1 background music stipulation agreed to; and

WHEREAS: While the applicant had a liquor license for this establishment for over a year, it did not operate for the full year, closing temporarily due to unforeseen circumstances, before they applied for a DCA sidewalk cafe and alteration of their liquor license to include the sidewalk cafe; and

WHEREAS: At our committee meeting, we asked the applicant to withdraw this application and their DCA sidewalk cafe application and work with neighbors to remedy the establishment's issues and they would be welcome to return to the Board in 6 months; and

WHEREAS: Constituents presented photographic evidence to the Board that trash left out on the street from the establishment was crawling with maggots, which begs the question as to how trash if not food is stored within the building; and

WHEREAS: The applicant has not signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes at this time the granting of an alteration to the liquor license to Dig Inn 412 Greenwich Street LLC, at 412 Greenwich Street.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 112 Hudson Street, application for liquor license for Dreaming Moon Inc. d/b/a Noted Tribeca

WHEREAS: The applicant, Dreaming Moon Inc, is applying for an on-premise beer and wine license; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The establishment is a cafe/bar/tavern on the first floor; and

WHEREAS: The establishment is a 3200 square foot building with a public assembly capacity of 53, and a 783 square foot dining area with 14 tables and 30 seats, and a 100 square foot bar area with 1 table and 3 seats, and a 125 square foot kitchen area with no food counters, and 1 rectangular-sized stand-up bar located on the right side of the entrance, and a 1600 square foot basement that is used for storage; and

WHEREAS: The hours of liquor service will be 10AM to 1AM Monday through Thursday, and 8AM to 2AM Friday through Saturday; and

WHEREAS: The applicant will keep all windows and doors closed; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has represented that there will be recorded background music, no DJs for occasional private events, no live music, no dancing, no promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: The applicant will serve beer and wine only; and no dancing will be allowed; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Dreaming Moon Inc., at 112 Hudson Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	8 In Favor	0 Opposed	1 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 50 Hudson Street, application for liquor license for Donella LLC d/b/a Donella

WHEREAS: The applicant, Donella LLC, is applying for an on-premise liquor license; and

WHEREAS: The establishment is an upscale tasting menu restaurant on the second floor; and

WHEREAS: The applicant filed its 30-day notice at 50 Hudson, but now specifies that the entrance is at 90 Thomas St. and that this is the address to be used for SLA purposes; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is approximately 1000 square foot restaurant with a public assembly capacity of less than 74, and a 700 square foot dining area with 17 tables and 34 seats, and a 136 square foot bar area with no tables and 10 seats, and a 200 square foot kitchen area with 1 stand-up bar approximately 18 feet long with 10 seats; and

WHEREAS: The hours of liquor service will be 5PM to 12AM Sunday through Thursday and 5PM to 1AM Friday through Saturday; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has represented that there will be recorded background music, no DJs for occasional private events, no live music, no dancing, no promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Donella LLC, at 50 Hudson Street (now to be known as 90 Thomas Street) unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 200 Broadway, Store #2000 Fulton Center, application for liquor license for Tacodumbo 200 Broadway LLC, d/b/a Tacodumbo

WHEREAS: The applicant, Tacodumbo 200 Broadway LLC, is applying for an on-premises liquor license; and

WHEREAS: The Board voted in opposition of this application at its June 2019 full board meeting until the applicant provided missing seat number information and verification of the square footage of the establishment; and

WHEREAS: The applicant promptly provided the missing information and verification of the square footage of the establishment after the June 2019 full board meeting; and

WHEREAS: The applicant agreed to all limitations and conditions stated in the June 2019 resolution and the June 2019 signed and notarized stipulations sheet; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a Mexican fusion restaurant; and

WHEREAS: The establishment has a public assembly capacity of 4654, with a dining area of 3995 square feet, with 24 tables and 78 seats, and a bar area of 136 square feet, with no tables and 20 seats at the bar, and 1 rectangular bar near the center of the space; and

WHEREAS: The applicant anticipates 115 people, including employees, to occupy the premises; and

WHEREAS: The hours of operation will be 11 AM to 11 PM. Sundays through Saturdays; and

WHEREAS: The applicant will take deliveries of supplies between 8AM and 11AM; and

WHEREAS: The applicant has represented that there will be recorded background music, and no DJs, no live music, no promoted events, no scheduled performances, no dance or cover fee events; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license until at least a year after beginning operations at which time the committee will evaluate the feasibility of the application; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Tacodumbo 200 Broadway LLC at 200 Broadway, Store #2000 Fulton Center unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 52 Walker Street, application for renewal of liquor license for KNH Enterprises LLC, d/b/a M1-5

WHEREAS: The applicant, KNH Enterprises LLC, is applying for renewal of an on-premises liquor license; and

WHEREAS: The applicant did not appear at the Board's July 2019 committee meeting; and

WHEREAS: The applicant's attorney said he will come back in September 2019 with a comprehensive plan; and

WHEREAS: A member of the public distributed evidence to the Board showing the establishment was advertising dancing; and

WHEREAS: The Committee has concerns that M1-5 may be operating as a dance club and lounge in violation of its New York State SLA OP license; and

WHEREAS: Members of the public testified that the establishment had DJ's that operated as a night club, loud music until 3AM and 4AM on Friday and Saturday nights with the bass penetrating to the third floor at least, and the sound from the establishment reached 100 decibels inside and peaked at 108 decibels; and

WHEREAS: Concerned residents spoke to the manager, Solomon, about lowering the music, and they allege that he replied "this is a nightclub, we need to play loud music"; and

WHEREAS: Concerned residents say the establishment draws clientele that engage in anti-social behavior, such as shouting, drinking, smoking, public urination, public consumption of controlled substances, and fighting; and

WHEREAS: Residents do not feel safe coming home at night because of such anti-social behavior; and

WHEREAS: Constituents presented credible evidence to the Board proving allegations that the stipulations the applicant and the Board agreed to have been violated; and

WHEREAS: CB1 has been hearing complaints about this establishment for many years, the earliest resolution in opposition to a renewal being in July 2007; and

WHEREAS: Disturbances and violations of their stipulations seem to diminish for a while each time CB1 calls them in, but it never lasts; and

WHEREAS: In response to CB1's June 2015 resolution, the Commissioners of the SLA took the establishment to task for violating their initial stipulations and method of operation at their December 2915 meeting, and sent them back to CB1 to try to resolve the inconsistencies; and

WHEREAS: In February 2016 CB1 issued a resolution expressing dismay at "the continued lack of progress by the establishment" in controlling the crowds, and repeated our request to the SLA that the closing hours be reduced from 4AM to 2AM; and

WHEREAS: M1-5's website still advertises Friday and Saturday nights to 4AM; and

WHEREAS: The committee feels that the SLA should investigate whether M1-5 is legally operating within the parameters of its OP license; and

WHEREAS: The committee also feels that the 2-year renewal of M1-5 should be suspended during the SLA's investigation and while the owners and residents' meetings are taking place; and

WHEREAS: However, we feel that M1-5 should be able to continue to operate with a temporary extension in the interim until the investigation is completed; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of a renewal of liquor license to KNH Enterprises LLC at 52 Walker Street *until* the applicant meets with the Board to address these outstanding issues; and

BE IT

FURTHER

RESOLVED

THAT: The SLA investigate whether M1-5 is legally operating within the parameters of its OP license as an eating and drinking establishment; and

BE IT

FURTHER

RESOLVED

THAT: CB1 requests that the 2-year renewal of M1-5 should be suspended during the SLA's investigation; and

BE IT

FURTHER

RESOLVED

THAT: M1-5 should be able to continue to operate with a temporary extension of its OP license in the interim during the SLA investigation.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Rescued
PUBLIC VOTE: 0 In Favor 0 Opposed 0 Abstained 0 Rescued
BOARD VOTE: 42 In Favor 0 Opposed 0 Abstained 0 Rescued

RE: Proposed Guidelines for Liquor Licenses on Rooftops and Terraces in CB1

WHEREAS: CB1 has historically discouraged licensing of rooftops and terraces in residential areas, due to quality of life issues for nearby and adjacent residents arising from noise and music echoing between buildings and carrying a considerable distance from the point of origin; and

WHEREAS: Residential densities have increased in every neighborhood in the district. The demographic profile has also skewed towards more young families who are more sensitive to noise as children and infants need more restful sleep to support healthy development; and

WHEREAS: Commercial leasing trends appear to be more multi-floor and entire building leases by large tenants, which is facilitated by a local commercial stock that is well positioned to fulfill that demand; and

WHEREAS: As a result of this recent trend, CB1 is confronting an unusual number of liquor license applications for interior spaces that either want to add rooftop and/or terrace areas to the license, or alternatively leave them unlicensed, but with the ability to then use those spaces at all hours; and

WHEREAS: For several of these applications residents now turn out in large numbers to ask that no usage of roof be allowed in any manner whatsoever; and

WHEREAS: If an application request includes a license for an outdoor area, CB1 has to trust that the New York State Liquor Authority (SLA) will accept our historical guidelines and not approve, or contemplate adding to the final license those stipulations that have been mutually agreed upon by CB1 and the license applicant that may include, but are not limited to, serving hours, limits on events, and controls on amplified sound; and

WHEREAS: In situations when an applicant chooses *not* to license a rooftop or terrace, or if the SLA denies the outdoor permit, the SLA and by extension CB 1 have no direct legal control over the use of that outdoor space, meaning parties without liquor present, amplified music and other noise could go on to late hours and still greatly disturb the quality of life of adjacent and nearby neighbors; and

WHEREAS: We have recently seen applications for establishments on upper floors, making it easy and enticing for patrons to take drinks up to any unlicensed roof or terraces; and

WHEREAS: The SLA holds that even if an outdoor area is not licensed, any agreement between CB1 and an applicant on usage of that non-licensed space will become part of the license and therefore enforceable by the SLA; and

WHEREAS: Applicants might be reluctant to agree to the kinds of hours and other limits on unlicensed outdoor spaces that the committee and residents feel are appropriate for that case; and

WHEREAS: We have recently adapted this approach to several applications with the input of neighbors as to what might be acceptable, negotiating an agreement on outdoor usage for non-licensed areas such that neither party is quite happy but will try to live with, and with the proviso that the agreement will be reviewed in one year's time; now

THEREFORE

BE IT

RESOLVED

THAT: Unless applicants agree to stipulations regarding unlicensed or licensed outdoor spaces, the committee felt that our usual guidelines for hours *inside* the establishment should be reconsidered on a case by case basis such that if we feel the outdoor space will be a detriment to the community, particularly in those cases where the interior licensed spaces are adjacent to or within easy access to the unlicensed outdoor spaces, that we will then ask that the interior hours be commensurately reduced by the number of hours that is directly related to the likelihood of rooftop noise by patrons who become inebriated in lower floors to negatively impact the quality of life of residents in neighboring buildings; and

BE IT

FURTHER

RESOLVED

THAT: Guidelines posted on our website should now include a requirement that any establishment seeking to license an outdoor space or provide patrons access to unlicensed outdoor space shall post that information, in addition to or combined with our usual posting requirement, to all buildings on the block on either side of the street and to those that may border the outdoor space from behind the building; and

BE IT

FURTHER

RESOLVED

THAT: Our guidelines should advise applicants that if they have access to unlicensed rooftop or terrace space that is near neighbors, the committee will likely ask to reduce the interior hours beyond our normal interior guidelines, and/or seek stipulations for use of that space.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE: 7 In Favor 1 Opposed 1 Abstained 0 Rescued
PUBLIC VOTE: 0 In Favor 0 Opposed 0 Abstained 0 Rescued
BOARD VOTE: TABLED

RE: 32 Cliff Street, application for liquor license for Omarie Georges on behalf of an entity to be formed

WHEREAS: The applicant, Omarie Georges, is applying for an on-premise liquor license; and

WHEREAS: The applicant has represented that there is a Mosque within 200 feet of this establishment, but that the site at 32 Cliff is grandfathered to be not subject to the 200' rule; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a Bar/Tavern seeking a license for the first floor, and will use the basement for storage; and

WHEREAS: The establishment is a 3700 square foot building with a public assembly capacity of 63, and a 200 square foot dining area with 8 tables and 32 seats, and a 306 square foot bar area with 0 tables and 16 seats and one 32 feet U-shaped stand-up bar located on the ground floor and no service bars, and a 240 square foot kitchen area with no food counters; and

WHEREAS: The hours of liquor service will be 11AM to 1PM Sunday through Wednesday and 11AM to 2AM Thursday through Saturday; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has represented that there will be recorded background music, DJs for occasional private events, live music, promoted events, cover fee events, scheduled performances, and no dancing; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant agreed that DJ's will only be used on Mondays and Tuesdays for DJ's, and

WHEREAS: The applicant agreed there will be one night a week of live music; and

WHEREAS: The applicant will have security managing the front door 7 days a week; and

WHEREAS: The applicant agreed there will be no patron queuing at the front door; and

WHEREAS: The applicant agreed to use security personnel for crowd management; and

WHEREAS: The applicant stated there will be two sets of front-entry doors with a vestibule for the purpose of keeping sound at background music levels; and

WHEREAS: The applicant agreed there will be no deliveries from 10PM to 8AM; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 *opposes* the granting of a liquor license to Omarie Georges, at 32 Cliff Street *unless* the applicant complies with the limitations and conditions set forth above, and

BE IT

FURTHER

RESOLVED

THAT: CB1 asks the State Liquor Authority to verify that this site is grandfathered and that the 200' rule does not apply.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: JULY 30, 2019

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	9 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	42 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 175 Greenwich Street, application for liquor license for 175 Greenwich LLC d/b/a Tacodumbo

WHEREAS: The applicant, 175 Greenwich LLC, is applying for an on-premise liquor license; and

WHEREAS: The applicant has represented that there are no buildings used primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The establishment is a full-service Mexican Restaurant on the first floor; and

WHEREAS: The establishment is a 1958 square foot building with a public assembly capacity under 74, and has a 1107 square foot dining area with 18 tables and 49 seats, a 341 square foot bar area with 10 seats, and a 510 square foot kitchen area, and there will also be no food counters; and

WHEREAS: The hours of liquor service will be 11 AM to 11 PM every day; and

WHEREAS: The applicant will not have French doors or windows; and

WHEREAS: The applicant has represented that there will be recorded background music, no DJs for occasional private events, no live music, no dancing, no promoted events, no cover fee events, no scheduled performances or non-musical entertainment; and

WHEREAS: The applicant has agreed to abide by the CB1 definition of background music, such that no sound from events, performances or music will be heard outside the premises or by neighbors; and

WHEREAS: The applicant does not intend to apply for a sidewalk cafe license; and

WHEREAS: The applicant will have delivery of supplies, goods and services between the hours of 8AM and 11AM; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to 175 Greenwich LLC d/b/a Tacodumbo at 175 Greenwich Street unless the applicant complies with the limitations and conditions set forth above.