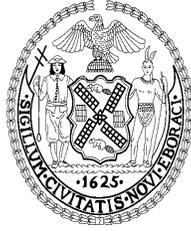


David Gruber, *Chair*  
Bo Riccobono, *First Vice Chair*  
Jo Hamilton, *Second Vice Chair*  
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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

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February 22, 2013

Jonathan Mintz, Commissioner  
NYC Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

Dear Commissioner Mintz:

At its Full Board Committee meeting on February 21, 2013, Community Board #2, Manhattan adopted the following resolution:

### **Renewal App. for revocable consent to operate an Unenclosed sidewalk cafe for:**

- 1. Carmine Restaurant Inc. d/b/a Il Cortile Rest., 125 Mulberry St. (btw Canal St & Hester St), with 9 tables & 18 seats, DCA# 1161434**

Block: 206; Lot:17

Year Built:1910(estimated)

Residential Units:6; Total # of Units:7

Lot Frontage: 42.75'; Lot Depth:50.5

Number of Buildings:1; Number of Floors:4

Zoning: C6-2G

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and neither the applicant nor a representative was present, and

**Whereas**, appearance before the Community Board is a critical part of the sidewalk café renewal process and is required just once every two years, and

**Whereas**, the committee noted yet again that a pair of brass railings installed at each entrance entirely separates the service aisle from the seating, requiring wait staff to illegally use the public sidewalk, and

**Whereas**, the applicant has subsequent to the original plan taken over the space to the south at 121 Mulberry St. and extended the seating in front of it without an alteration to its plan,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Carmine Restaurant Inc. d/b/a Il Cortile Rest., 125 Mulberry St. (btw Canal St & Hester St), with 9 tables & 18 seats, DCA# 1161434**

**UNLESS all of the illegal conditions noted in Whereas 3 & 4 are resolved**

**VOTE: Unanimous, with 40 Board members in favor.**

- 2. Maneken Corp. d/b/a Petite Abeille, 466 Hudson St. (btw Barrow St & Grove St), with 6 tables & 12 seats, DCA# 0979768**

Block: 585; Lot:1	Lot Frontage:146.92'; Lot Depth:189.08
Year Built:1900(estimated)	Number of Buildings:2; Number of Floors:6
Residential Units:133; Total # of Units:138	Zoning: C1-6R6
Landmark Building: Yes	Historic District: Greenwich Village

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's manager was present, and

**Whereas**, this café has been operated for several years by this applicant with few known issues,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Maneken Corp. d/b/a Petite Abeille, 466 Hudson St. (btw Barrow St & Grove St), with 6 tables & 12 seats, DCA# 0979768**

**VOTE: Unanimous, with 40 Board members in favor.**

- 3. L Plus L Productions LLC d/b/a Ofrenda, 113 7<sup>th</sup> Ave. South (btw Christopher St & W 10<sup>th</sup> St), with 12 tables & 24 seats, DCA# 1347094**

Block: 610; Lot:1	Lot Frontage: 90.58'; Lot Depth:149
Year Built:1915(estimated)	Number of Buildings:7; Number of Floors:1
Residential Units:23;Total # of Units:31	Zoning: C4-5R6
Landmark Building: Yes	Historic District: Greenwich Village

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant's representative, Bob Callahan, was present, and

**Whereas**, this café has been operated for several years by this applicant with few known issues, and

**Whereas**, the applicant has begun to use planters around the border of the café that are not on the approved plans, and

**Whereas**, the committee noted that the plan – which has no dimensions specified parallel to the façade – was approved with tables and chairs immediately under a fire escape ladder just to the left of the restaurant entrance in a space that is only 3' wide, and

**Whereas**, this fire escape drop ladder is the last leg of the fire escape route for several neighboring multi-story residential buildings included in this lot, and

**Whereas**, the elevation view on the plan shows an incorrect café location of West 105<sup>th</sup> St.,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **L Plus L Productions LLC d/b/a Ofrenda, 113 7<sup>th</sup> Ave. South (btw Christopher St & W 10<sup>th</sup> St), with 12 tables & 24 seats, DCA# 1347094**

**UNLESS a new print is filed with DCA removing the 2 tables and 4 chairs immediately to the left of the entry to the restaurant, leaving 10 tables and 20 seats. Additionally, the print must include all café dimensions, show the fire escape drop ladder and correct the mislabeled Elevation view.**

**VOTE: Unanimous, with 40 Board members in favor.**

**4. Cobra Caterers, Inc., d/b/a Dublin 6, 575 Hudson St.(btw W 11 St & Bank St), with 7 tables & 25 seats, DCA# 1135398**

Block:634; Lot:63	Lot Frontage:43.58' Lot Depth:75.17
Year Built:1900(estimated)	Number of Buildings:2; Number of Floors:4
Residential Units:7 Total # of Units:9	Zoning:C1-6
Landmark Building: Yes	Historic District: Greenwich Village

**Whereas**, the area was posted, community groups notified and there were no community members present regarding this application, and the applicant was present, and

**Whereas**, this café has been operated for several years by this applicant with few known issues,

**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **APPROVAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **Cobra Caterers, Inc., d/b/a Dublin 6, 575 Hudson St.(btw W 11 St & Bank St), with 7 tables & 25 seats, DCA# 1135398**

**VOTE: Unanimous, with 40 Board members in favor.**

**New App. for revocable consent to operate an Unenclosed sidewalk cafe for:**

**5. 18 Greenwich Avenue, LLC d/b/a Rosemary's, 18 Greenwich Ave. (NW corner W. 10<sup>th</sup> St.), with 8 tables & 16 seats, DCA# 1454964**

Block: 606; Lot:4	Lot Frontage:31.17'; Lot Depth:85.92
Year Built:1920	Number of Buildings:1; Number of Floors:1
Residential Units:0; Total # of Units:3	Zoning: C1-6
Landmark Building: Yes	Historic District: Greenwich Village

**Whereas**, the area was posted, community groups notified and there were numerous community members present regarding this application, and the applicant was present, and

**Whereas**, this café is proposed for approx. 40 ft of sidewalk on the W. 10<sup>th</sup> St side of this restaurant on a sidewalk of 13'1" width with no legal obstructions along its length, and

**Whereas**, the café seating is in two sections – one of 26’ length with a proposed 6 tables and 12 seats, the other of 9’ length with 2 tables and 4 seats – bracketed on each side with entrance doorways with a central doorway separating the two seating groups, and

**Whereas**, numerous residents of the immediate neighborhood were in attendance and 18-20 emails were received by CB2 in opposition to this application, primarily due to concerns with a marked increase of nightlife activity in the immediate area, and

**Whereas**, the applicant had originally signed an agreement with residents of 33 Greenwich Ave. (opposite the restaurant) to withhold an application for a sidewalk café for 1 year after opening (~ June 1, 2012), and to obtain the approval of the 33 Greenwich Ave. Tenants Association before doing so, and

**Whereas**, while the applicant did not wait 1 year from opening to apply for a café nor receive the approval of the 33 Greenwich Ave. Tenants Assoc., the president of the Tenants Assoc., Kamyar Atabai, who had negotiated the agreement, expressed his feeling that the intent, if not the letter, of the agreement had been sufficiently met by the applicant, and

**Whereas**, while the committee is extremely sensitive to the influx of nightlife establishments in this area, it can find no legal justification for denial of this application in whole, and

**Whereas**, based on its experience with multiple cafes, the committee has determined that proper operation can be managed only if each table/2 chair combination has a minimum of 5’ of space, particularly where the seating might impinge on entry doors as in this case, and

**Whereas**, the proposed plan does not meet this minimum, the committee requests the seating be reduced by 1 table and 2 seats on each side of the center door, making for 6 tables and 12 seats overall,

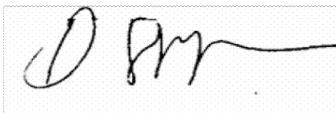
**THEREFORE BE IT RESOLVED** that Community Board 2 Manhattan recommends **DENIAL** of this application for a RENEWAL App. for revocable consent to operate an Unenclosed sidewalk café for **18 Greenwich Avenue, LLC d/b/a Rosemary’s, 18 Greenwich Ave. (NW corner W. 10<sup>th</sup> St.), with 8 tables & 16 seats, DCA# 1454964**

**UNLESS the seating is reduced to 6 tables and 12 seats as noted in Whereas 4 and 5 and the license is not issued by DCA until June 1, 2013, as noted in whereas clause #5.**

**VOTE: Unanimous, with 40 Board members in favor.**

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



David Gruber, Chair  
Community Board #2, Manhattan



Maury Schott, Chair  
Sidewalks & Public Access Committee  
Community Board #2, Manhattan

DG/gh

c: Hon. Jerrold L. Nadler, Congressman  
Hon. Brad Hoylman, NY State Senator  
Hon. Daniel L. Squadron, NY State Senator  
Hon. Deborah J. Glick, Assembly Member  
Hon. Scott M. Stringer, Man. Borough President  
Hon. Christine C. Quinn, Council Speaker  
Hon. Margaret Chin, Council Member  
Hon. Rosie Mendez, Council Member  
Hannah Friedman, Community Liaison, Man. Boro. Pres. Office  
Pauline Yu, Community Assistance Unit