



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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COREY JOHNSON
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

August 12, 2013

Amanda M. Burden, Director
Department of City Planning
22 Reade Street
New York, New York 10007

Re: Morning Star Restaurant - 401 West 57th Street/ULURP #: N120146ECM/DCA #: 1415773

Dear Director Burden:

At the recommendation of its Clinton/Hell’s Kitchen Land Use and Zoning Committee, Manhattan Community Board 4 recommends approval of the application by MS Restaurant Owners LLC for a “new” enclosed sidewalk café with 8 tables and 24 seats.

This application is listed as new because the windows have been modified. However, the structure has been there for over 20 years. We recommend approval in expectation that this operation will continue to be the successful, well-run restaurant it has been since the early 1990s.

Our recommendation, however, does not contravene the Board's fundamental opposition to enclosed sidewalk cafes. We remain opposed for three reasons:

One: Enclosed sidewalk cafes are permanent structures that appropriate public property for private use without providing a public benefit;

Two: Unlike unenclosed sidewalk cafes which can add to community ambiance and create more vibrant streetscapes, enclosed sidewalk cafes isolate diners from sidewalk activity and the community; and,

Three: As permanent structures, they are difficult to remove when warranted.

Sincerely,

Corey Johnson
Chair

Jean-Daniel Noland, Co-Chair
Clinton/Hell’s Kitchen Land Use Committee

cc: Steve Gagliano, Project Manager - DCP
NYC Council Member Gale Brewer
MBPO – Brian Cook, Michael Sandler
MS Restaurant Owners LLC
Gale Benjamin, NYC Council, Director, Land Use Division
Sasha Frederick, DCA, Licensing Issuance