



## **CITY PLANNING COMMISSION**

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May 11, 2011/Calendar No. 17

N 100373 ZRM

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**IN THE MATTER OF** an application submitted by the Department of City Planning pursuant to Section 201 of the New York City Charter, for an amendment of the Zoning Resolution of the City of New York, concerning Article I, Chapter 4 (Sidewalk Café Regulations) and Article IX, Chapter 7 (Special 125<sup>th</sup> Street District), to modify the regulations pertaining to the location of sidewalk cafes within the Special 125<sup>th</sup> Street District in the Borough of Manhattan, Community Districts 9, 10 and 11.

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The application for an amendment of the Zoning Resolution was filed by the Department of City Planning on May 11, 2010. The requested action would modify regulations that govern the location of sidewalk cafes within the Special 125<sup>th</sup> Street District.

### **BACKGROUND**

The Department of City Planning seeks approval of a zoning text amendment to modify regulations governing the location of sidewalk cafes within the Special 125<sup>th</sup> Street District. The proposed text amendment is a follow-up corrective action that responds to concerns expressed throughout the 125th Street rezoning public review process by the public and elected officials regarding the potential impact of sidewalk cafes on portions of the Special District's sidewalks that accommodate high pedestrian traffic volumes.

The Special 125th Street District (N 080100(A) ZRM, C 080099(A) ZMM) was approved by the City Council on April 30, 2008 and subsequently amended on November 19, 2008 (N 090031 ZRM).

The existing Special 125<sup>th</sup> Street District zoning regulations allow all types of sidewalk cafes (enclosed, unenclosed large and unenclosed small sidewalk cafes) to be located throughout the Special District.

As referred, the proposed zoning text amendment would prohibit enclosed and unenclosed large sidewalk cafes entirely throughout the Special District; would prohibit all sidewalk cafes within

areas of the Special District with high pedestrian traffic and opposite predominately residential areas; and would allow unenclosed small sidewalk cafes in a limited number of locations where they are appropriate and would not adversely affect pedestrian circulation.

The Special 125<sup>th</sup> Street District includes 24 blocks in East, Central and West Harlem. It comprises an area generally bounded by 124<sup>th</sup> and 126<sup>th</sup> streets, Broadway and Second Avenue.

125<sup>th</sup> Street, “Harlem’s Main Street”, is the main commercial and transportation spine of Harlem, having direct connections with the Triborough Bridge, the Harlem River and FDR drives and the Henry Hudson Parkway. The majority of the sidewalks along 125<sup>th</sup> Street are heavily used as they provide access and connections to varied forms of public transportation, a diverse range of retail and commercial establishments, office structures, apartment buildings and places of worship. The sidewalks along portions of the street are also heavily used by street vendors. This collection of destinations and activities provides most sidewalks along 125<sup>th</sup> Street with vast amounts of pedestrian traffic throughout the day and evening.

The character along 124<sup>th</sup> and 126<sup>th</sup> Streets varies from that of 125<sup>th</sup> Street and, although it accommodates commercial uses, the predominant land use is residential. Significant portions of both streets contain uninterrupted rows of brownstones on the north and south sides of the streets. Similarly, the areas north and south, outside the Special 125<sup>th</sup> Street District are predominantly residential and defined with a strong residential character. Ground floor commercial uses are located along the north-south avenues.

The majority of the sidewalks along 125<sup>th</sup> Street are 20 feet wide; this width generally includes a five-foot amenity strip containing trees and typical street elements such as trash receptacles, lamp posts and parking meters, thus leaving an effective circulation path of 15 feet. The sidewalks west of Morningside Avenue are 15 feet wide from the point where the 125<sup>th</sup> Street western alignment shifts north.

In Central Harlem (Community District 10) the sidewalk widths for the intersecting north-south avenues are generally wider than 125<sup>th</sup> Street (e.g., Adam Clayton Powell Jr. and Frederick Douglass boulevards – 25 feet wide; Malcolm X Boulevard – 35 feet wide; Fifth Avenue – 30 feet wide). In East and West Harlem (Community Districts 11 and 9, respectively), the sidewalks are more narrow (e.g., Park, Madison and Third avenues have 15-foot wide sidewalks; Lexington Avenue has 18.5-foot sidewalks; Morningside Avenue has 15-foot wide sidewalks).

Sidewalk cafes in the City of New York are regulated by the Department of Consumer Affairs and the Department of City Planning with rules set for in Title 6, Chapter 2, Subchapter F of the Rules of the City of New York and Article I, Chapter 4 of the Zoning Resolution respectively. The licenses to operate a sidewalk cafe are issued by the Department of Consumer Affairs.

The sidewalk cafes rules collectively regulate the physical criteria, including structural and operational requirements for sidewalk cafes, dictate the locations in the City where sidewalk cafes are allowed and are not allowed, and define the types of sidewalk cafes that can be placed on a sidewalk: enclosed, unenclosed large and unenclosed small sidewalk cafes.

Enclosed sidewalk cafes are fully contained within a permanent structure generally made of predominately transparent materials, such as glass, and lightweight metal.

Unenclosed large sidewalk cafes occupy space on the sidewalk with movable tables, chairs and railings and have no overhead coverage other than umbrellas or retractable awnings affixed to the building walls.

Unenclosed small sidewalk cafes occupy space on the sidewalk no greater than four and a half feet adjacent to the building with no more than a single row of movable tables and chairs.

Sidewalk cafes are generally allowed within commercial districts and generally not allowed within solely residential districts. Within special purpose districts sidewalk cafes are allowed or not allowed according to the particular goals of the districts.

In order to allow adequate pedestrian movement, the placement of a sidewalk cafe on a public sidewalk is generally allowed only when the resulting clear path for pedestrian circulation on the sidewalk has a clear straight path of at least 8 feet wide and is free from all obstructions for pedestrian movement. In addition, sidewalk cafes are generally required to be placed at least 9 feet away from intersections and at least 15 feet away from large obstructions such as bus shelters or subway entrances.

The existing Special 125<sup>th</sup> Street District zoning regulations allow all types of sidewalk cafes (enclosed, unenclosed large and unenclosed small sidewalk cafes) to be located within the commercial zoning districts that comprise the majority of the Special District. In addition to 125<sup>th</sup> Street, the current regulations allow sidewalk cafes to be located within commercial districts, currently mapped along the south side of 126<sup>th</sup> Street and along the north side of 124<sup>th</sup> Street, where the opposite sides of both streets, outside the Special District, are predominantly residential.

The proposed text amendment would modify the regulations that govern the location of sidewalk cafes within the Special 125<sup>th</sup> Street District to:

- Prohibit enclosed and unenclosed large sidewalk cafes throughout the Special District.
- Prohibit all sidewalk cafes on those portions of 125<sup>th</sup> Street that accommodate heavy pedestrian volumes and thus ensure that the sidewalk's ability to accommodate pedestrian traffic in these areas is not compromised.
- Prohibit all sidewalk cafes along 124<sup>th</sup> and 126<sup>th</sup> streets where residential uses are predominant, either within the Special District or directly across the street.

- Limit the location of unenclosed small sidewalk cafes to only those areas within the Special District where these types of cafes are appropriate, would not adversely affect pedestrian circulation, and should continue to be allowed.

Sidewalk cafes would also be prohibited in the Core Subdistrict, an area bounded by St. Nicholas Avenue and a point 545 feet east of Malcolm X Boulevard (Lenox Avenue). This area has the highest pedestrian traffic; the Apollo Theater, Studio Museum, Touro College and the Adam Clayton Powell Jr. State Office Building are located here. It is well-served by mass transit; consequently, the area draws large numbers of residents and tourists that compete for sidewalk space with street vendors that occupy significant portions of the sidewalk and impede pedestrian flow.

The areas within the Special 125<sup>th</sup> Street District where unenclosed small sidewalk cafes would continue to be allowed are generally located outside the Special District's core, west of St Nicolas Avenue, and along portions of 125<sup>th</sup> Street between Fifth and Madison Avenues, and east of Third Avenue. These areas generally accommodate lower pedestrian traffic than the Special District's core.

## **ENVIRONMENTAL REVIEW**

This application (N 100373 ZRM) was reviewed pursuant to the New York State Environmental Quality Review Act (SEQRA), and the SEQRA regulations set forth in Volume 6 of the New York Code of Rules and Regulations, Section 617.00 et seq. and the City Environmental Quality Review (CEQR) Rules of Procedure of 1991 and Executive Order No. 91 of 1977. The designated CEQR number is 10DCP042M. The lead agency is the City Planning Commission (CPC).

After a study of the potential environmental impact of the proposed action, a Negative Declaration was issued on May 24, 2010.

## **PUBLIC REVIEW**

On May 24, 2010, the application, N 100373 ZRM, was duly referred to Community Boards 9, 10 and 11, the Borough Board and the Borough President for information and review in accordance with the procedures for non-ULURP matters.

### **Community Board Review**

The application, N 100373 ZRM, was considered by Community Board 10 who on August 8, 2010, issued a resolution recommending approval of the application, subject to the following conditions:

**Therefore be it resolved** that the Land Use Committee votes to approve the Text Amendment for sidewalk cafes, however, such restrictions for unenclosed cafes shall not apply to Lenox Avenue/Malcolm X Boulevard, Adam Clayton Powell Boulevard and Frederick Douglass Boulevard or to any sidewalk café permit applications previously granted by, or now pending before, Community Board 10.

On October 12, 2010, Community Board 11 issued a letter stating:

A major consideration for the board was to determine how the proposed changes would affect commercial corridors, residential streets and pedestrian traffic flow within the district. With these goals in mind, we found that the Department of City Planning was recommending no cafes in areas where we felt unenclosed or small cafes would be an appropriate allowable use. During this review, we also gave much thought to the future potential of certain areas being developed for commercial uses that would be able to utilize sidewalk cafes.

We have attached a map illustrating our recommendations based in the findings of this analysis. Our hope is that City Planning will give careful consideration to our recommendations as we feel they allow the most flexibility to this vital growing commercial corridor in East Harlem.

Community Board 9 had no comments on this application.

**Borough Board Review**

The Borough Board had no comments on this application.

**Borough President Recommendation**

The Borough President had no comments on this application.

**City Planning Commission Public Hearing**

On August 11, 2010, (Calendar No. 4), the City Planning Commission scheduled August 25, 2010, for a public hearing on the application, (N 100373 ZRM). The hearing was duly held on August 25, 2010 (Calendar No. 29).

There were no speakers and the hearing was closed.

**CONSIDERATION**

The Commission believes that the proposed zoning text amendment to modify regulations governing the location of sidewalk cafes within the Special 125<sup>th</sup> Street District, as further modified, is appropriate.

The City Planning Commission notes that the proposed text amendment is a follow-up corrective action that responds to concerns expressed throughout the 125th Street rezoning public review process by the public and elected officials regarding the potential impact of sidewalk cafes on portions of the Special District's sidewalks that accommodate high pedestrian traffic volumes.

The Commission shares their concern that the existing Special 125<sup>th</sup> Street District zoning regulations allow all types of sidewalk cafes (enclosed, unenclosed large and unenclosed small sidewalk cafes) to be located throughout the Special District, including where sidewalks are heavily used and congested.

The Commission notes that, as referred, the proposed zoning text amendment would prohibit enclosed and unenclosed large sidewalk cafes entirely throughout the Special District; would prohibit all sidewalk cafes within areas of the Special District with high pedestrian traffic and opposite predominately residential areas (including the Core Subdistrict, an area bounded by St. Nicholas Avenue and a point 545 feet east of Malcolm X Boulevard); and would allow unenclosed small sidewalk cafes in a limited number of locations where they are appropriate, would not adversely affect pedestrian circulation, and should continue to be allowed.

The Commission notes that unenclosed small sidewalk cafes occupy space on the sidewalk no greater than four and a half feet adjacent to the building with no more than a single row of movable tables and chairs. In order to allow adequate pedestrian movement, a clear straight path of at least 8 feet wide, free from all obstructions for pedestrian movement, must be provided.

The Commission acknowledges that Community Boards 10 and 11 submitted comments on the Department's proposal. Both boards were supportive of a more nuanced approach in determining the location of future unenclosed small sidewalk cafes in the Special District; that no sidewalk cafes be allowed along 125<sup>th</sup> Street in the Core Subdistrict, and that enclosed cafes should not be allowed anywhere in the Special District.

The Commission also acknowledges that local elected officials also suggested that revisions be made to the proposed text amendment regarding where unenclosed small cafes could be placed, as well as a recommendation to allow unenclosed large sidewalk cafes along a one-block stretch of Malcolm X Boulevard.

After careful review of the recommendations received from the community boards and outreach to the local elected officials, the Commission believes that the proposal should be modified to expand opportunities for the placement of future sidewalk cafes, and it is hereby modifying the proposed text change as described below.

The Commission is modifying the original proposal to allow unenclosed large sidewalk cafes along the east side of Malcolm X. Boulevard between West 125<sup>th</sup> and West 126<sup>th</sup> streets. The Commission notes that Malcolm X. Boulevard has 35-foot wide sidewalks and upon further review, could accommodate unenclosed large sidewalk cafes. Additionally, this block front has evolved into a local “restaurant row” with Chez Lucien, Le Provencal and the recently opened Red Rooster restaurants; each restaurant would like to place unenclosed large cafes on the sidewalks. Sylvia’s Restaurant, which is not included in the Special District, is located one block to the north and serves as a northern anchor to this row of restaurants. The Commission believes that, within the Special 125<sup>th</sup> Street District, unenclosed large sidewalk cafes should only be allowed along the east side of Malcolm X Boulevard between West 125<sup>th</sup> and West 126<sup>th</sup> streets. The Commission believes that, due to the unusually wide sidewalk, the placement of sidewalk cafes at this location would not impede pedestrian circulation and would support the existing, recently-created eating establishments.

The Commission is also modifying the original proposal to allow unenclosed small sidewalk cafes along the west side of Malcolm X. Boulevard between West 124<sup>th</sup> and West 125<sup>th</sup> streets. On this block, the sidewalk fronts along a vacant lot that has been the subject of several mixed-use development proposals. The Commission believes that allowing unenclosed small sidewalk cafes on this block would expand options to further enhance use of the sidewalk, once the site is developed. The Commission believes that the placement of unclosed small sidewalk cafes at this location would not impede pedestrian circulation and would enhance future street life.

The Commission is also modifying the application to allow unenclosed small sidewalk cafes along the north side of East 125<sup>th</sup> Street between Park and Third avenues (sidewalk width – 20 feet) and along the east side of Lexington Avenue between East 125<sup>th</sup> and East 126<sup>th</sup> streets (sidewalk width – 18.5 feet). The original proposal recommended that no cafes be placed here due to the high volume of pedestrian traffic. However, given the strong commercial character of these block fronts, which also have several eating establishments, this post-referral modification would give property owners the option to apply for unenclosed small sidewalk cafes and undergo the required review for location and pedestrian clear path, and consequently, would provide additional opportunities for residents to dine outdoors.

The Commission concurs with the community board and local councilmember that no sidewalk cafes be allowed in front of Promise Academy, a charter school located on the north side of East 125<sup>th</sup> Street between Madison Avenue and a point 160 feet east of Fifth Avenue. Although the sidewalk measures 20 feet wide and the block front commercially zoned, the Commission believes that a sidewalk café may not be compatible land use with the school. The Commission also believes that unenclosed small sidewalk cafes not be allowed along both sides of Madison Avenue between East 124<sup>th</sup> and East 125<sup>th</sup> streets. Although both block fronts have a commercial presence, the sidewalks, which measure 15 feet wide, have brownstone stoops that encroach, which in turn do not provide the optimal pedestrian path for these sidewalks.

The Commission also believes that no sidewalk cafes should be allowed along Third Avenue between East 124<sup>th</sup> and East 126<sup>th</sup> streets. The sidewalks measure 15 feet wide. The original proposal recommended that no cafes be placed on the west side of Third Avenue between East 124<sup>th</sup> and East 125<sup>th</sup> streets, which is developed with a firehouse that serves several fire companies and the east side of Third Avenue between East 125<sup>th</sup> and East 126<sup>th</sup> streets, which is not included in the Special 125<sup>th</sup> Street District. The remaining block fronts are developed with a newly constructed residential building (originally proposed to have ground floor retail space) and

a Salvation Army facility. For the remaining block fronts, which are commercially zoned, the Commission concurs with the local councilmember that unenclosed small sidewalk cafes would not be appropriate here.

The Commission believes that the proposed zoning text amendment acknowledges and addresses comments heard during the 125<sup>th</sup> Street Rezoning public review process and public discussion related to this application, regarding the placement of sidewalk cafes in the Special 125<sup>th</sup> Street District. The proposed text amendment ensures that clear sidewalk space continues to be sufficiently available to accommodate pedestrian movement and that future sidewalk cafes do not adversely impact the sidewalk's ability to accommodate pedestrian traffic. The Commission, therefore, believes that the proposed zoning text amendment to modify regulations governing the location of sidewalk cafes within the Special 125<sup>th</sup> Street District, as further modified, is appropriate.

## **RESOLUTION**

**RESOLVED**, that the City Planning Commission finds that the actions described herein will have no significant impact on the environment; and be it further

**RESOLVED**, by the City Planning Commission, pursuant to Section 200 of the New York City Charter, that based on the environmental determination and the consideration described in this report, the Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended as follows:

Matter in underline is new, to be added;

Matter in ~~strikeout~~ is to be deleted;

Matter with # # is defined in Section 12-10;

\* \* \* indicates where unchanged text appears in the Zoning Resolution

## **Article 1 – General Provisions**

\* \* \*

### **Chapter 4**

### **Sidewalk Cafe Regulations**

\* \* \*

#### **14-43**

#### **Locations Where Only Small Sidewalk Cafes Are Permitted**

#Small sidewalk cafes# may be located wherever #sidewalk cafes# are permitted, pursuant to Section 14-011 (Sidewalk café locations). In addition, only #small sidewalk cafes# shall be allowed on the following #streets#, subject to the underlying zoning.

Manhattan:

\* \* \*

63rd Street - from Second Avenue to Fifth Avenue

86th Street - from First Avenue to a line 125 feet east of Second Avenue, south side only

116th Street - from Malcolm X Boulevard to Frederick Douglass Boulevard

Special 125<sup>th</sup> Street District – only as set forth in Section 97-13 (Permitted Small Sidewalk Cafe Locations)

First Avenue - from 48th Street to 56th Street

Third Avenue - from 38th Street to 62nd Street

Lexington Avenue - from a line 100 feet south of 23rd Street to a line 100 feet north of 34th Street

\* \* \*

#### **14-44**

#### **Special Zoning Districts Where Certain Sidewalk Cafes Are Permitted**

#Enclosed# or #unenclosed sidewalk cafes# shall be permitted, as indicated, in the following special zoning districts, where allowed by the underlying zoning. #Small sidewalk cafes#, however, may be located on #streets# or portions of #streets# within special zoning districts pursuant to the provisions of Section 14-43 (Locations Where Only Small Sidewalk Cafes Are Permitted).

Manhattan	#Enclosed Sidewalk Cafe#	#Unenclosed Sidewalk Cafe#
	<del>Yes</del> <u>No</u>	<del>Yes</del> <u>No****</u>
125 <sup>th</sup> Street District	<del>Yes</del> <u>No</u>	<del>Yes</del> <u>No****</u>
Battery Park City District	Yes	Yes
Clinton District	Yes	Yes
Limited Commercial District	No	No*
Lincoln Square District	No	Yes
Little Italy District	No	Yes
Lower Manhattan District	No	Yes**
Manhattanville Mixed Use District	No***	Yes
Transit Land Use District	Yes	Yes
Tribeca Mixed Use District	Yes	Yes
United Nations Development District	No	Yes

\* #Unenclosed sidewalk cafes# are allowed on Greenwich Avenue

\*\* #Unenclosed sidewalk cafes# are not allowed on State, Whitehall or Chambers Streets or Broadway

\*\*\* Enclosed sidewalk cafes are allowed in Subdistrict B

\*\*\*\* #Unenclosed sidewalk cafes# are allowed on east side of Malcolm X Boulevard between West 125<sup>th</sup> and West 126<sup>th</sup> streets.

\* \* \*

## Article IX - Special Purpose Districts

### Chapter 7 Special 125<sup>th</sup> Street District

\* \* \*

**97-03**

**District Plan and Maps**

The regulations of this Chapter are designed to implement the #Special 125th Street District# Plan. The District Plan, including ~~the m~~Map 1 of the (#Special 125th Street District#) and Map 2 (Permitted Small Sidewalk Cafe Locations), is set forth in Appendix A of this Chapter and is hereby incorporated as part of this Resolution for the purpose of specifying locations where the special regulations and requirements set forth in this Chapter apply.

\* \* \*

**97-10**

**SPECIAL USE AND LOCATION REGULATIONS**

\* \* \*

**97-13**

**Permitted Small Sidewalk Cafe Locations**

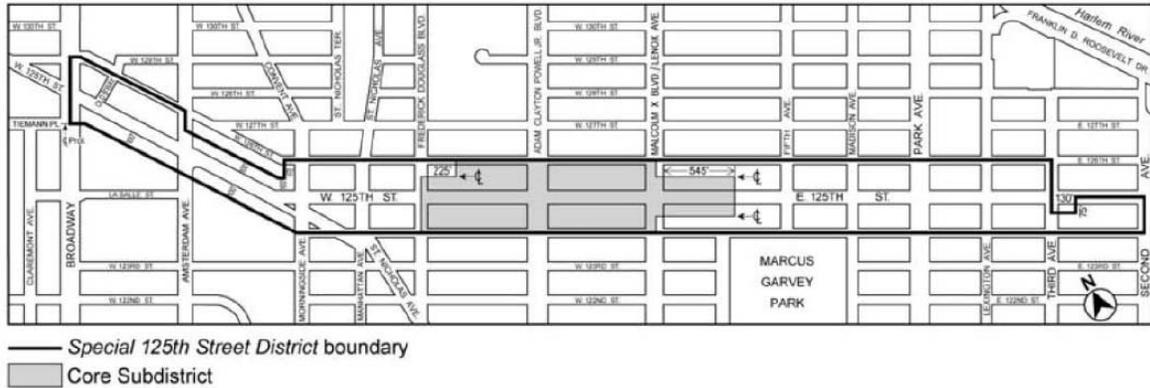
#Small sidewalk cafes# shall be permitted in the #Special 125<sup>th</sup> Street District# as indicated in Map 2 (Permitted Small Sidewalk Cafe Locations) in Appendix A to this Chapter, subject to all applicable regulations of Article I, Chapter 4 (Sidewalk Cafe Regulations).

\* \* \*

\* \* \*

## Appendix A Special 125th Street District Plan

### Map 1 – Special 125<sup>th</sup> Street District





The above resolution, duly adopted by the City Planning Commission on May 11, 2011  
(Calendar No. 17), is filed with the Office of the Speaker, City Council and the Manhattan  
Borough President, pursuant to Section 197-d of the New York City Charter.

**AMANDA M. BURDEN, FAICP, Chair**  
**ANGELA M. BATTAGLIA, RAYANN BESSER,**  
**IRWIN G. CANTOR, P.E., ALFRED C. CERULLO, III,**  
**BETTY CHEN, MARIA M. DEL TORO,**  
**RICHARD W. EADDY, NATHAN LEVENTHAL,**  
**ANNA HAYES LEVIN, SHIRLEY A. McRAE,**  
Commissioners



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD 10**  
215 West 125<sup>th</sup> Street, 4<sup>th</sup> Floor—New York, NY 10027  
T: 212-749-3105 F: 212-662-4215

**W. FRANC PERRY**  
Chairman

**PAIRMAAN LODHI**  
District Manager

August 8, 2010

**RESOLUTION**

*Re: Special 125th Street District Small Sidewalk Café Proposed Text Amendment*

**Whereas**, the City of New York completed the 125th Street Special District Rezoning in March of 2008; and

**Whereas**, DCP presented a Follow-Up Corrective Action to the 125th Street Rezoning (the "Text Amendment") as it relates to regulating the placement of sidewalk cafes at the meeting of the Land Use Committee of Community Board 10 on June 17, 2010; and

**Whereas**, the Land Use Committee supports the goals of the Text Amendment for sidewalk cafes as it will promote a more pedestrian friendly corridor along 125th Street; and

**Whereas**, the Land Use Committee believes that any sidewalk café permit applications previously granted by, or now pending before, Community Board 10 are permissible; and

**Whereas**, the Land Use Committee believes that the sidewalks along Lennox/Malcolm X Avenue, Adam Clayton Powell Boulevard, and Frederick Douglass Avenue are wide enough to support larger unenclosed sidewalk cafes;

**Therefore be it resolved** that the Land Use Committee votes to approve the Text Amendment for sidewalk cafes however such restrictions for unenclosed sidewalk cafes shall not apply to Lenox Avenue/Malcolm X Boulevard, Adam Clayton Powell Boulevard, and Frederick Douglass Boulevard or to any sidewalk café permit applications previously granted by, or now pending before, Community Board 10.

**VOTE: 10 in favor, 1 opposed, 1 abstained**

CC: Manhattan Borough President Scott M. Stringer  
City Councilmember Inez Dickens  
125th Street Business Improvement District



Matthew S. Washington  
Chair

George Sarkissian  
District Manager

## COMMUNITY BOARD ELEVEN

BOROUGH OF MANHATTAN  
1664 PARK AVENUE  
NEW YORK, NEW YORK 10035  
TEL: (212) 831-8929/30  
FAX: (212) 369-3571  
www.cb11m.org

OFFICE OF THE  
CHAIRPERSON

OCT 15 2010  
22231

October 12, 2010

Chair Amanda Burden  
Department of City Planning  
22 Reade Street, Room 2W  
New York, NY 10007

Re: N100373 ZRM Special 125<sup>th</sup> Street District Sidewalk Café Text Amendment

Dear Chair Burden:

I am writing to follow-up on Community Board 11's letter, dated August 4, 2010 regarding the proposed *Special 125<sup>th</sup> Street District Sidewalk Café Text Amendment*. Community Board 11 had requested an extension of the review period to allow for a comprehensive analysis of the proposed changes as applicable within this district. Our City Properties & Land Use Committee conducted a thorough walk-through of the areas to be affected by the proposed changes, and recommendations based on their analysis were submitted and approved by full board.

A major consideration for the board was to determine how the proposed changes would affect commercial corridors, residential streets, and pedestrian traffic flow within the district. With these goals in mind, we found that the Department of City Planning was recommending no cafes in areas where we felt unenclosed or small sidewalk cafes would be an appropriate allowable use. During this review, we also gave much thought to the future potential of certain areas being developed for commercial uses that would be able to utilize sidewalk cafes.

We have attached a map illustrating our recommendations based on the findings of this analysis. Our hope is that City Planning will give careful consideration to our recommendations as we feel they allow the most flexibility to this vital growing commercial corridor in East Harlem.

Sincerely,

Matthew S. Washington  
Chair  
Community Board 11

**CB11 Zoning Committee commendations from “walk-through” of proposed 125<sup>th</sup> Street Sidewalk Café Text Amendment area:**



**Legend**

- GRAY** - Special 125<sup>th</sup> Street District Boundary
- BLUE** - Regular sidewalk cafés permitted
- GREEN** - Small sidewalk cafés only
- RED** - No sidewalk cafés allowed

\*\* Note: CB11 recommends that no enclosed cafés be permitted within the East Harlem portion of the Special 125<sup>th</sup> Street District. \*\*

**Department of City Planning Proposal – 125<sup>th</sup> Street Sidewalk Café Text Amendment**

(small sidewalk cafes are proposed in the shaded areas only; sidewalk cafes are prohibited in all other locations):

