



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD No. 4

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J. LEE COMPTON
Chair

ANTHONY M. BORELLI
District Manager

October 7, 2005

Beverly Gotay
Assistant Director of Licensing
Department of Consumer Affairs
42 Broadway, 8th floor
New York, NY 10004

Re: SIDEWALK CAFÉ APPLICATION - DENIAL

Applicant: Arriba Arriba Mexican Restaurant Inc.
Location: 762 Ninth Avenue
DCA License No.: 1206030
Type: Modification Application – Unenclosed Sidewalk Café
Tables/Chairs: Current - 4 Tables / 7 Chairs
Proposed - 9 Tables / 17 Chairs

Dear Ms. Gotay:

At its September 21, 2005 meeting, Manhattan Community Board No. 4's Transportation Planning Committee heard from the above applicant and reviewed plans to enlarge an existing unenclosed sidewalk café by adding 5 tables and 10 chairs along the 51st Street frontage of the restaurant. The submitted plans appear to conform to DCA regulations.

No one appeared in opposition to the application, and the Board office has received no complaints. However, the Committee found that extension of the café would significantly obstruct pedestrian movement on West 51st Street.

If arranged as proposed, the café would restrict the width of usable sidewalk space to less than 4 feet, due to a street tree. Passage through a sidewalk of this width would be especially difficult for people using wheelchairs. The proposed café would also detract from the residential character of the street.

The Committee voted to approve the application for modification of the sidewalk café so long as the applicant revised the plans as follows:

- The applicant must add only three (3) tables and six (6) chairs, bringing the total at this location to seven (7) tables and thirteen (13) chairs;
- The applicant must not use stanchions on the new portion of the sidewalk café in order to allow greater pedestrian mobility on West 51st Street.

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The applicant was unwilling to accept this proposed compromise and did not submit plans conforming to the suggested revisions. On October 6, 2005 the Full Board voted to recommend denial of the application.

Sincerely,



J. Lee Compton
Chair
Manhattan Community Board No. 4



Jay Marcus
Chair
Transportation Planning Committee

cc: Elected Officials
Applicant