



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD FOUR**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
tel: 212-736-4536 fax: 212-947-9512  
www.ManhattanCB4.org

**JEAN-DANIEL NOLAND**  
Chair

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

April 13, 2009

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

**Re: Sidewalk Café (New)**

**Applicant: Q Chelsea LLC d/b/a Qdoba Mexican Grill**  
**Location: 216 Eighth Avenue (21<sup>st</sup>)**  
**DCA License No.: 1282396**  
**Type: New Application – Unenclosed Sidewalk Café**  
**Tables/Seats: 6 tables; 12 Seats**

Dear Ms. Gotay:

Manhattan Community Board 4 recommends denial of the application for a new unenclosed sidewalk café unless the following stipulations are met:

- Three (3) tables and six (6) chairs on Eighth Avenue and three (3) tables and six (6) chairs on West 21<sup>st</sup> Street against the wall of the building;
- Two/three person wait staff for the sidewalk cafe;
- Café will close at 11:00 p.m. seven (7) days a week;
- No amplified music or audio television sports broadcasts at any time if the exterior doors on 21<sup>st</sup> Street are open;
- Adequate monitoring of sanitation;
- Monitoring and elimination of amplified music from the kitchen area;
- Submission of complete and detailed drawings of the site with verifiable measurements of all posts, trees, and street architecture objects; and
- No use of any sandwich boards because these are illegal.

The stipulations reflect the efforts of the Quality of Life Committee to arrive at reasonable solutions to community concerns.

We continue to request that the outer boundaries of cafes be marked on the sidewalk, as required by Department of Consumer Affairs' sidewalk café regulations.

Sincerely,

*Jean-Daniel Noland*

Jean-Daniel Noland  
Chair  
Manhattan Community  
Board 4

Millie Glaberman  
Co-Chair  
Quality of Life Committee

Howard Smith  
Co-Chair  
Quality of Life Committee

cc: Manhattan Borough President Scott M. Stringer  
City Council Speaker Christine Quinn