



Legislation Details (With Text)

File #: Res 1991-2009 **Version:** * **Name:** LU 1076 - Sidewalk Cafe, permit small sidewalk cafes on the south side of East 86th Street from First Avenue to a line 125 feet east of Second Avenue. (N090165ZRM)

Type: Resolution **Status:** Adopted

In control: Committee on Land Use

On agenda: 5/20/2009

Enactment date: **Enactment #:**

Title: Resolution approving the decision of the City Planning Commission on Application No. N 090165 ZRM, for an amendment of the Zoning Resolution of the City of New York, concerning Article I, Chapter 4 (Sidewalk Café Regulations), relating to Section 14-43 to permit small sidewalk cafes on the south side of East 86th Street from First Avenue to a line 125 feet east of Second Avenue, Borough of Manhattan (L.U. No. 1076).

Sponsors:

Indexes:

Attachments: 1. Committee Report, 2. Hearing Transcript - Stated Meeting 5/20/09

Date	Ver.	Action By	Action	Result
5/14/2009	*	Committee on Land Use	Approved by Committee	
5/20/2009	*	City Council	Approved, by Council	Pass

THE COUNCIL OF THE CITY OF NEW YORK
RESOLUTION NO. 1991

Resolution approving the decision of the City Planning Commission on Application No. N 090165 ZRM, for an amendment of the Zoning Resolution of the City of New York, concerning Article I, Chapter 4 (Sidewalk Café Regulations), relating to Section 14-43 to permit small sidewalk cafes on the south side of East 86th Street from First Avenue to a line 125 feet east of Second Avenue, Borough of Manhattan (L.U. No. 1076).

By Council Members Katz and Avella

WHEREAS, the City Planning Commission filed with the Council on April 27, 2009 its decision dated April 22, 2009 (the "Decision"), pursuant to Section 201 of the New York City Charter, regarding an application submitted by Maz Mezcal Restaurant for an amendment of the Zoning Resolution of the City of New York, concerning Article I, Chapter 4 (Sidewalk Café Regulations), relating to Section 14-43 to permit small sidewalk cafes on the south side of East 86th Street from First Avenue to a line 125 feet east of Second Avenue (Application No. N 090165 ZRM), Community District 8, Borough of Manhattan (the "Application");

WHEREAS, the Decision is subject to review and action by the Council pursuant to Section 197-d(b)(1) of the City Charter;

WHEREAS, upon due notice, the Council held a public hearing on the Decision and Application on May 12, 2009;

WHEREAS, the Council has considered the land use implications and other policy issues relating to the Decision and Application; and

WHEREAS, the Council has considered the relevant environmental issues and the Negative Declaration issued on December 15, 2008 (CEQR No. 08DCP046M):

RESOLVED:

The Council finds that the action described herein will have no significant impact on the environment.

Pursuant to Sections 197-d and 200 of the City Charter and on the basis of the Decision and Application, the Council approves the Decision.

The Zoning Resolution of the City of New York, effective as of December 15, 1961, and as subsequently amended, is further amended as follows:

Matter in underline is new, to be added;
Matter in strikeout is old, to be deleted;
Matter within # # is defined in Section 12-10;

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 cafe locations). In addition, only #small sidewalk cafes# shall be allowed on the following #streets#, subject to the underlying zoning.

Manhattan:

Orchard Street - from Canal Street to Houston Street

Delancey Street - from Norfolk Street to the Bowery

Centre Street - from Canal Street to Spring Street

Lafayette Street - from Canal Street to Houston Street

Sixth Avenue - from Canal Street to a line 100 feet south of Spring Street

Special Union Square Special District*

14th Street - from Second Avenue to Irving Place

14th Street - from a line 100 feet west of University Place to Eighth Avenue

23rd Street - from the East River to Eighth Avenue

31st Street - from Fifth Avenue to a line 200 feet east of Broadway

34th Street - from the East River to Fifth Avenue

35th Street - from a line 150 feet east of Fifth Avenue to a line 150 feet east of Sixth Avenue

36th Street - from a line 150 feet east of Fifth Avenue to a line 150 feet west of Fifth Avenue

37th Street - from a line 150 feet east of Fifth Avenue to a line 150 feet west of Fifth Avenue

37th Street - from a line 150 feet east of Sixth Avenue to Broadway

38th Street - from Third Avenue to Seventh Avenue

39th Street - from Exit Street to Seventh Avenue

40th Street - from a line 100 feet east of Exit Street to Broadway

41st Street - from a line 100 feet east of Exit Street to Third Avenue

42nd Street - from First Avenue to Third Avenue

42nd Street - from Fifth Avenue to a line 275 feet east of Sixth Avenue

All #streets# bounded by 43rd Street on the south, 46th Street on the north, a line 200 feet east of Third Avenue on the east and Third Avenue on the west

43rd Street - from Fifth Avenue to Sixth Avenue

44th Street - from Fifth Avenue to Sixth Avenue

45th Street - from Fifth Avenue to Sixth Avenue

46th Street - from Fifth Avenue to Sixth Avenue

47th Street - from a line 200 feet east of Third Avenue to Third Avenue

48th Street - from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west

49th Street - from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west

50th Street - from a line 150 feet east of Third Avenue on the east and Sixth Avenue on the west

51st Street - from a line 150 feet east of Third Avenue to Eighth Avenue

52nd Street - from a line 160 feet east of Third Avenue to Eighth Avenue

53rd Street - from a line 160 feet east of Third Avenue to Eighth Avenue

54th Street - from a line 150 feet east of Third Avenue to Eighth Avenue

55th Street - from a line 100 feet west of Second Avenue to Eighth Avenue

56th Street - from a line 100 feet west of Second Avenue to Eighth Avenue

57th Street - from the East River to Eighth Avenue

58th Street - from the East River to Eighth Avenue

59th Street - from the East River to Second Avenue

59th Street (Central Park South) - from Sixth Avenue to Columbus Circle

60th Street - from Lexington Avenue to Fifth Avenue

61st Street - from Third Avenue to Fifth Avenue

62nd Street - from Second Avenue to Fifth Avenue

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

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

Lexington Avenue - the entire length from a line 100 feet north of 96th Street, northward

Park Avenue - from 38th Street to 40th Street

Park Avenue - from 48th Street to 60th Street

Park Avenue - the entire length from a line 100 feet north of 96th Street, northward

Madison Avenue - from 23rd Street to 38th Street

Madison Avenue - from 59th Street to 61st Street

Special Madison Avenue Preservation District**

Madison Avenue - the entire length from a line 100 feet north of 96th Street, northward

Fifth Avenue - from 12th Street to 33rd Street

Fifth Avenue - from 59th Street to 61st Street

Sixth Avenue - from 36th Street to 42nd Street

Sixth Avenue - from a line 150 feet north of 42nd Street to 48th Street

Sixth Avenue - from 50th Street to Central Park South

Seventh Avenue - from 50th Street to Central Park South

Broadway - from 36th Street to 40th Street

Broadway - from 50th Street to Columbus Circle

Columbus Circle - from Eighth Avenue, westward, to Broadway.

* #Small sidewalk cafes# are not allowed on 14th Street

** #Small sidewalk cafes# are not allowed on 86th Street within the Special Madison District

Adopted.

Office of the City Clerk, }
The City of New York, } ss.:

I hereby certify that the foregoing is a true copy of a Resolution passed by The Council of The City of New York on May 20, 2009, on file in this office.

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City Clerk, Clerk of The Council