



Eric Adams
Mayor

Ydanis Rodriguez
Commissioner

COMMUNITY BOARD FEEDBACK PACKAGE

Please review this application and provide the required feedback.

Manhattan Community Board 4's (MCB4) recommendation is based on a vote at its January 6, 2025 Full Board Meeting with 39 members in favor of the recommendation, 1 member opposed, 0 members abstaining and 0 present but not eligible.

DINING OUT NYC

COMMUNITY BOARD RECOMMENDATION FORM

This form is to be used by community boards during the cafe review process. Any comments from the community board should be recorded on this form and submitted to NYC DOT. For information pertaining to specific cafe design requirements, visit the Dining Out NYC website for program legislation, rules, and Setup Guides.

Business Name: EMPIRE DINER

Cafe Location: 210 10TH AVE, NEW YORK, NY, 10011

Application Number: 20240716010013

Recommendation Response Deadline: 12/18/2024

NYCDOT Internal Use Only

Roadway Cafe Setup Comments:

Comments related to the cafe's **physical footprint and dimensions**:

Comments related to **pedestrian flow** (i.e., visibility, safety, potential crowding):

Comments related to potential conflicts with **existing curb use** (i.e., planters, bike racks, bus stops):

Overall recommendation for the cafe setup:

Suggested modifications related to the above referenced application:

Nelly Gonzalez

Community Board Authorizing Name



12/17/24

Date

On 12/10/24 the Business Licenses & Permits Committee voted to recommend approval of this application. This application is subject to ratification by the Full Board on Monday, January 6, 2025.

Restaurant Details

Food Service Establishment Permit (FSEP)

FSEP#: **50059989**

Expiration Date: **02/28/2025**

DOHMH Status: **CURRENT**

Business Legal Name: **210 EMPIRE LLC**

Assumed Name: **EMPIRE DINER**

Business Address: **210 10TH AVE, NEW YORK, NY 10011**

Venue Type: **Restaurant (with bar)**

Last updated from DOHMH: **11/15/2024**

Restaurant Information

Entity Type: **Limited Liability Corporation (LLC)**

Phone: **(212) 335-2277**

Email Address: **hello@pb.law**

Secondary Email Address: **jcorns@cafeteriagroup.com**

DOS Information

DOS ID#: **4893203**

Process Name: **Northwest Registered Agent LLC**

DOS Address: **418 Broadway, Ste N, Albany, New York 12207**

NYS Liquor Authority Information

NYSLA Serial No: **034023137619**

License Type: **On-Premises**

Name of License: **210 Empire LLC**

Title of Representative: **Attorney of Record**

Name of Certificate Holder: **210 Empire LLC**

User Information

Created By: **Max Bookman**

Created On: **7/16/2024 12:56:09 PM**

Modified By: **Max Bookman**

Modified On: **7/16/2024 12:56:09 PM**

Business hours

Sun:

10:00 AM- 12:00 AM

Mon:

9:00 AM- 12:00 AM

Tues:

9:00 AM- 12:00 AM

Wed:

9:00 AM- 12:00 AM

Thurs:

9:00 AM- 12:00 AM

Fri:

9:00 AM- 12:00 AM

Sat:

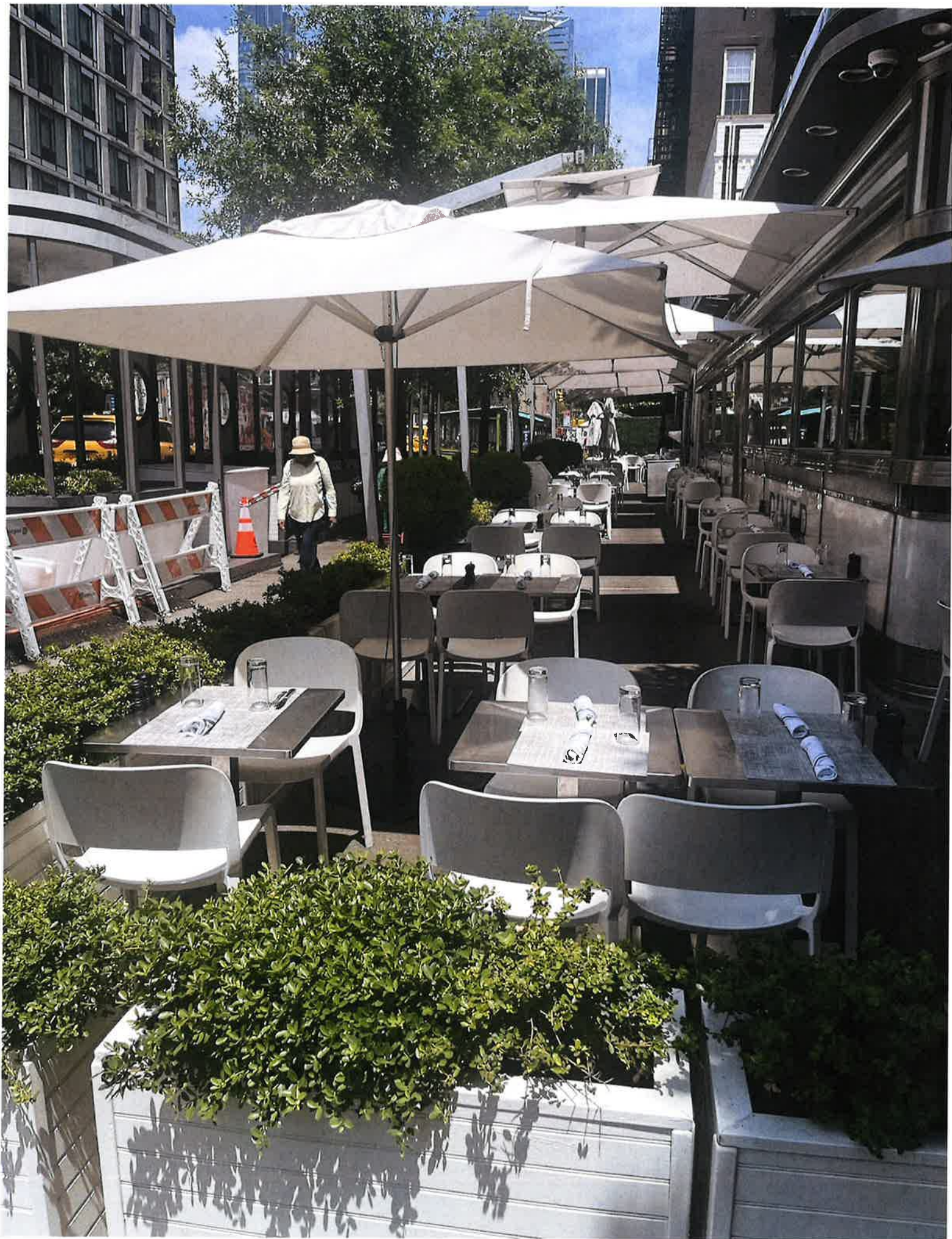
9:00 AM- 12:00 AM











SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Roadway Site Plan" field of your online application.
- Refer to the [How to Apply](#) page in the Dining Out NYC website for more information about the application process.

Identify Permitted Parking Location:

- Identify the Parking Sign in front of or around the area where your roadway setup would be located.
- Roadway cafes can only be placed in:
 - Parking spaces, which include: metered and non-metered spaces, commercial parking, alternate side parking, angled parking, and seasonally restricted parking.
 - Loading areas, including loading only, truck loading, hotel loading, and no parking zones.
 - Floating Parking Lane- a parking lane that is separated from the curb by a protected bicycle lane that is adjacent to the curb.

- ☐ P1- Parking Space
- ☐ P2- Loading Area
- ☐ P3- Floating Parking Lane



Roadway Cafe Site Plan Form

Applicant Name: **210 Empire LLC**

Restaurant Name: **Empire Diner**

FSEP Number: **50059989**

Drawing Requirements

- Food service establishment frontage shown by:**
- Line representing space occupied in building
 - Labels
 - Length

- Street names:**
- Labels on each street

- Sidewalk shown as:**
- Line representing street curb
 - Width measured from building line to curb line

- Roadway shown as:**
- Lines indicating parking lane
 - Width of parking lane

- Cafe perimeter shown as:**
- Lines indicating perimeter
 - Length and width of all three sides

- Set-up furniture (tables, chairs, etc.) shown as:**
- Lines or symbols at approximate location within setup

- Elements or objects shown as:**
- Lines or symbols
 - Labels
 - Distance from cafe perimeter

- Utility coverings shown as:**
- Symbols representing the approximate shape of the covering within the setup

- MANHOLE COVER
- UTILITY COVERING

Use the space below to draw or upload your Site Plan representing your cafe perimeters, furniture, and clearances.

LOCATION DIAGRAM
SCALE: 50' = 1"

DINING OUT NYC
PROPOSED ROADWAY CAFE

EMPIRE
100 TENTH AVENUE, NEW YORK, NY 10011

BLOCK: #720
LOT: #1

PLAN
SCALE: 1/8" = 1'-0"

CAROLINE BRENNAN, SILENT VOLUME
112 EAST 20TH ST, NEW YORK, NY 10010
PH: 347-343-8308

PROPOSED ROADWAY CAFE

EMPIRE

210 TENTH AVENUE, NEW YORK NY 10011

SCALE: 1/8" = 1'-0"

DATE: 06/28/2024

S-01

Length of roadway cafe: 40 feet

Width of roadway cafe: 8 feet

SECTION 2: Required Clearances

- Please provide distances from the following objects.
- Only provide a distance if the listed object is within 15 feet of your proposed setup.
- Leave box blank if not applicable.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding clearances.

Elements with minimum 15 feet clearance from roadway cafe:

- ☐ R01- Subway Stair: Open End _____ feet
- ☐ R02- Fire Hydrant _____ 15 feet

Elements with minimum 10 feet clearance from roadway cafe:

- ☐ R03- Subway Elevator Entrance _____ feet
- ☐ R04- FDNY Curb Cut _____ feet
- ☐ R05- MTA Curb Cut _____ feet

Elements with minimum 5 feet clearance from roadway cafe:

- ☐ R06- Curb Cut _____ feet
- ☐ R07- Emergency Exit Hatch _____ feet
- ☐ R08- Subway Stair: Closed End _____ feet
- ☐ R09- Subway Elevator: Non-Entry _____ feet
- ☐ R10- Bus Stop Pole: _____ feet
- ☐ R11- CitiBike/Bike Share Station _____ feet
- ☐ R12- Bike Corral _____ feet
- ☐ R13- Micromobility Station _____ feet
- ☐ R14- Drainage Infrastructure _____ feet
- ☐ Non- Approaching Side _____ feet

Elements with minimum 3 feet clearance from roadway cafe:

- ☐ R15- Elevated Train Infrastructure _____ feet
- ☐ R16- Transformer Vault _____ feet

Elements with minimum 1 foot and 6 inches clearance from roadway cafe:

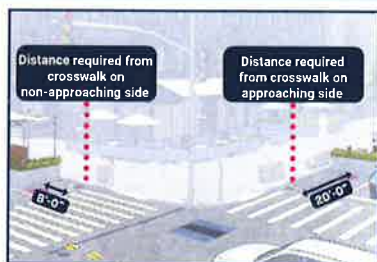
- ☐ R17- Vent Infrastructure _____ feet

Elements with minimum 6 inches clearance from roadway cafe:

- ☐ R18- Thermoplastic Marking _____ feet

Roadway cafe distance from crosswalks:

- ☐ R19- Adjacent to non-approaching side of crosswalk (min. 8 foot distance) _____ 27 feet
- ☐ R20- Adjacent to approaching (stopping) side of crosswalk (min. 20 foot distance) _____ feet
- ☐ R21- No crosswalk present (maintain 20 feet from curb line of intersecting street) _____ feet



SECTION 3: Material Requirements

- Please indicate which of the following materials will be part of your roadway cafe by checking the box next to the category. If applicable, please confirm the materials comply with the Dining Out NYC requirements.
- Refer to the [Setup Guides](#) in the Dining Out NYC website for more information regarding materials.

Materials Checklist:

Barriers

Required

- ☐ Maintained on all sides of the cafe except the side fronting the ground floor restaurant.
- ☐ Not permanently affixed to the roadway.
- ☐ 30-42 inches tall (excluding planting), and at least 4 inches in width.
- ☐ Barriers are interconnected with each other.
- ☐ Any cladding over the barriers is securely fastened or affixed.
- ☐ Minimum 4 inches wide reflective strip on each barrier on the outward facing side.
- ☐ Water-filled with a minimum of 150 pounds per linear foot of barrier length.
- ☐ If your proposed barriers will utilize fill materials other than water please check this box. This may require additional information from the applicant and further review by the Dining Out NYC team, as well as supporting DOT units and City agencies.

Optional- Only check the material categories you intend to use in your roadway cafe

Flooring

- ☐ Durable, lightweight, easily removable, mold-resistant, elevated from the ground level to allow for drainage, and removable to allow for cleaning.
- ☐ Flush with the curb line (except if located on a slope, be flush to the greatest extent feasible), and compliant with applicable accessibility requirements.
- ☐ Maintains a 6 inch covered channel between curb and base of flooring to allow for drainage.

Furnishings

- ☐ Lightweight and easily movable.

Vertical Screenings

- ☐ Located between the barrier and 6 feet above the cafe base or floor.
- ☐ Located on the roadway facing side, does not extend the beyond the perimeter of the roadway cafe, and is not affixed to the outward facing side of barriers.
- ☐ Easily removable, comprised of non-opaque, fire-grade, and wind resistant materials.
- ☐ If within 50 feet of any regulatory or warning signs, does not exceed 46 inches in height.

Overhead Coverings/ Umbrellas

- ☐ Minimum of 7 feet and maximum of 10 feet from the base or floor of the roadway cafe.
- ☐ Has a weighted base and any support structures are not affixed to the outward facing side of barriers, are of sufficient size and strength, made of durable materials, and free of defects.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ If within 50 feet of any regulatory or warning signs, does not exceed 46 inches in height.

Lighting and Electrical Connections

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ At least 14 feet above sidewalk, and 18 feet above roadway.
- ☐ Not attached to any City property, including street trees.
- ☐ Electrical work complies with the applicable requirements set forth in the DOT's rules and the New York City Electrical Code.

- ☐ Please check this box if you are submitting additional documents for review. Documents may include technical drawings prepared by a licensed professional.