



Eric Adams
Mayor
Ydanis Rodriguez
Commissioner

COMMUNITY BOARD FEEDBACK PACKAGE

Please review this application and provide the required feedback.

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: 44 & X HELL'S KITCHEN**Cafe Address:** 622 10 AVENUE, NEW YORK, NY, 10036**Application Number:** 20240715010010**CB Review Deadline (on date or next business day):** 03-15-2025

NYCDOT Internal Use Only

Sidewalk Cafe Setup Feedback:☐ Community Board chooses to **WAIVE** reviewComments related to the cafe's **physical footprint and dimensions**:

The proposed Site Plan does not provide for the required 8 foot pedestrian clear path. To provide for the required clear path, the applicant has agreed to reduce the width of the cafe to 6'5". The applicant has provided the attached Revised Site Plan.

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):

Please check one of the recommendations below, either **approval**, **denial**, or **approval with modifications** relating to the above application:

☐ Community Board recommends **approval**☐ Community Board recommends **denial**☒ Community Board recommends **approval w/ modifications**Recommended modifications (**only if approved w/ modifications**):

To provide for the required 8 foot pedestrian clear path, MCB4 requests reduction of the width of the sidewalk cafe. Applicant has agreed to this modification, has reduced the width of the sidewalk cafe to 6'5", and has provided the attached Revised Site Plan.

☒ Applicant acknowledges and agrees to modifications relating to the above referenced application☐ Applicant acknowledges **BUT** does **NOT** agree with modifications relating to the above referenced application. If this box is checked, please provide NYC DOT with documentation of such agreement for NYC DOT's consideration.

Nelly Gonzalez

Community Board Authorizing Name

Community Board Authorizing Signature

3/14/25

Date

Manhattan Community Board 4's (MCB4) recommendation is based on a vote at its March 5, 2025 Full Board Meeting with 43 members in favor of the recommendation, 0 member opposed, 0 members abstaining and 0 present but not eligible.

RESTAURANT DETAILS

Food Service Establishment Permit(FSEP)

FSEP#: 40809948

Expiration Date: 01/31/2026

DOHMH Status: CURRENT

Business Legal Name: 10TH AVENUE GROUP, INC

Assumed Name: 44 & X HELL'S KITCHEN

Business Address: 622 10 AVENUE, NEW YORK, NY 10036

Venue Type: Restaurant (with bar)

Last updated from DOHMH: 01/31/2025

Restaurant Information

Entity Type: Corporation

Phone: (917) 697-4484

Email Address: kellymlk136@gmail.com

Secondary Email Address: BRUCEHNYC@AOL.COM

DOS Information

DOS ID#: 2362686

Process Name: THE CORPORATION

DOS Address: 622 10TH AVE, NEW YORK, New York 10036

NYS Liquor Authority Information

NYSLA Serial No: 034021116790

License Type: On-Premises

Name of License: BRUCE HOROWYTZ

Title of Representative: PRESIDENT

Name of Certificate Holder: 10TH AVENUE GROUP INC

User Information

Created By: Michael Kelly

Created On: 7/15/2024 4:49:18 PM

Modified By: Michael Kelly

Modified On: 7/15/2024 4:49:18 PM

Business hours

Sun:11:30 AM- 10:30 PM

Mon:11:30 AM- 10:30 PM

Tues:11:30 AM- 10:30 PM

Wed:11:30 AM- 10:30 PM

Thurs:11:30 AM- 10:30 PM

Fri:11:30 AM- 10:30 PM

Sat:11:30 AM- 10:30 PM



SUPERSEDED

SECTION 1: Site Plan

- This Site Plan form is required to be uploaded in the "Sidewalk 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 Clear Path Requirements:

- Clear path requirement for your sidewalk cafe can be found by identifying your corridor type on the DOT's Pedestrian Mobility Plan Pedestrian Demand Map on Open Data.
- ☐ C1- Global Corridor (12 feet Clear Path)
 - ☐ C2- Regional Corridor (10 feet Clear Path)
 - ☒ C3- Neighborhood Corridor (8 feet Clear Path)
 - ☐ C4- Community Connector (8 feet Clear Path)
 - ☐ C5- Baseline Street (8 feet Clear Path)

Setup Area Identification :

- ☐ Please check this box if you plan to have outdoor dining located within private property. If so, indicate the property line in the site plan drawing below.
- ☐ Please check this box if all or part of your sidewalk cafe is in a sidewalk widening area, developed pursuant to the NYC Zoning Resolution. If so, indicate the property line in the site plan drawing below.



Sidewalk Cafe Site Plan Form

Applicant Name: 10th Avenue Group Inc.
Restaurant Name: 44 & X
FSEP Number: 40809948

Drawing Requirements

Food service establishment **frontage** shown by:

- Line representing space occupied in building
- Labels

Street names:

- Labels on each street

Sidewalk shown as:

- Line representing street curb
- Width measured from building line to curb line

Primary building entrance shown as:

- Label
- Distance from proposed setup

Cafe perimeter shown as:

- Line
- Length and width
- (Dashed line) representing Private Property Line

Set-up furniture (tables, chairs, etc.) shown as:

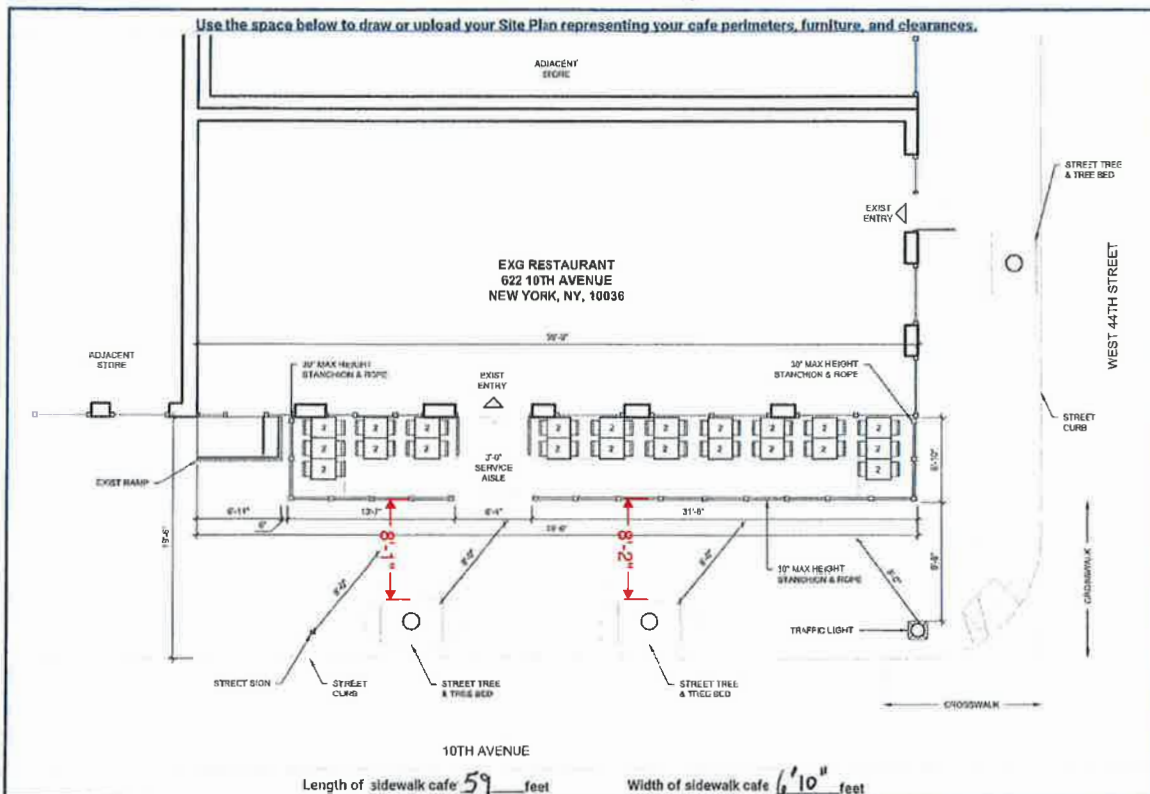
- Lines or symbols at approximate location within setup

Sidewalk 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



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 sidewalk cafe:

☐ S01- Subway Stair: Open End _____ feet

Elements with minimum 10 feet clearance from sidewalk cafe:

☐ S02- Subway Elevator Entrance _____ feet ☐ S04- MTA Curb Cut _____ feet

☐ S03- Exhaust Duct _____ feet ☐ S05- FDNY Curb Cut _____ feet

Elements with minimum 8 feet clearance from sidewalk cafe:

☒ S06- Street Tree Bed 8 _____ feet ☐ S13- Newsstand _____ feet

☐ S07- Mailbox _____ feet ☐ S14- Streetlight _____ feet

☐ S08- LinkNYC Kiosk _____ feet ☐ S15- Bus Stop Pole _____ feet

☐ S09- Wayfinding Kiosk _____ feet ☐ S16- Fire Hydrant _____ feet

☐ S10- E-charging Station _____ feet ☐ S17- Bus Stop Shelter _____ feet

☐ S11- Parking Meter _____ feet ☒ S18- Traffic Signal 8 _____ feet

☐ S12- Select Bus Service Fare Machine _____ feet

Elements with minimum 5 feet clearance from sidewalk cafe:

☐ S19- CitiBike/Bike Share Station _____ feet ☐ S24- Emergency Exit Hatch _____ feet

☐ S20- Bike Corral _____ feet ☐ S25- Subway Stair: Closed End _____ feet

☐ S21- Micromobility Station _____ feet ☐ S26- Subway Elevator: Non-Entry _____ feet

☐ S22- Primary Building Entrance _____ feet ☐ S27- Slanese Connection _____ feet

☐ S23- Curb Cut _____ feet

Elements with minimum 3 feet clearance from sidewalk cafe:

☐ S28- Elevated Train Infrastructure _____ feet

☐ S29- Transformer Vault _____ feet

Elements with minimum 1 foot 6 inches clearance from sidewalk cafe elements:

☐ S30- Vent Infrastructure _____ inches



SECTION 3: Material Requirements

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

Materials Checklist:

Required

☒ Perimeter Demarcation

- ☒ Perimeter demarcation must be clear and visible by using a lightweight and removable self-supporting base wall, railing, planter, fence, or stanchion and rope.
- ☒ Maximum height is 2 feet 6 inches (excluding planting(s)).
- ☒ Not affixed to the sidewalk.

Optional: Only check the material categories you intend to use in your sidewalk cafe

☐ Furnishings

- ☐ Lightweight and easily movable.
- ☐ Not affixed to the sidewalk.

☐ Awnings (Physically attached to the building)

- ☐ Minimum 8 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Complies with the New York City Building Code and the requirements of the Landmarks Preservation Commission, as applicable.

☐ Overhead Coverings/ Umbrellas

- ☐ Minimum 7 feet height from the ground and does not exceed 10 feet height.
- ☐ Easily removable, comprised of fire-grade and wind resistant materials.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ The umbrella/overhead covering has a weighted base and any supports are not affixed to the sidewalk.
- ☐ Any support structures are of sufficient size and strength, made of durable materials, and free of defects.

☐ Lighting and Electrical Connections

- ☐ Any lighting is outdoor rated, properly secured, and lightweight.
- ☐ Connection is directly connected to ground floor restaurant's power source and within the perimeter of the cafe.
- ☐ Does not extend beyond the perimeter of the sidewalk cafe.
- ☐ Does not exceed 10 feet in height.
- ☐ 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.

REVISED SITE PLAN

SECTION 1: Site Plan

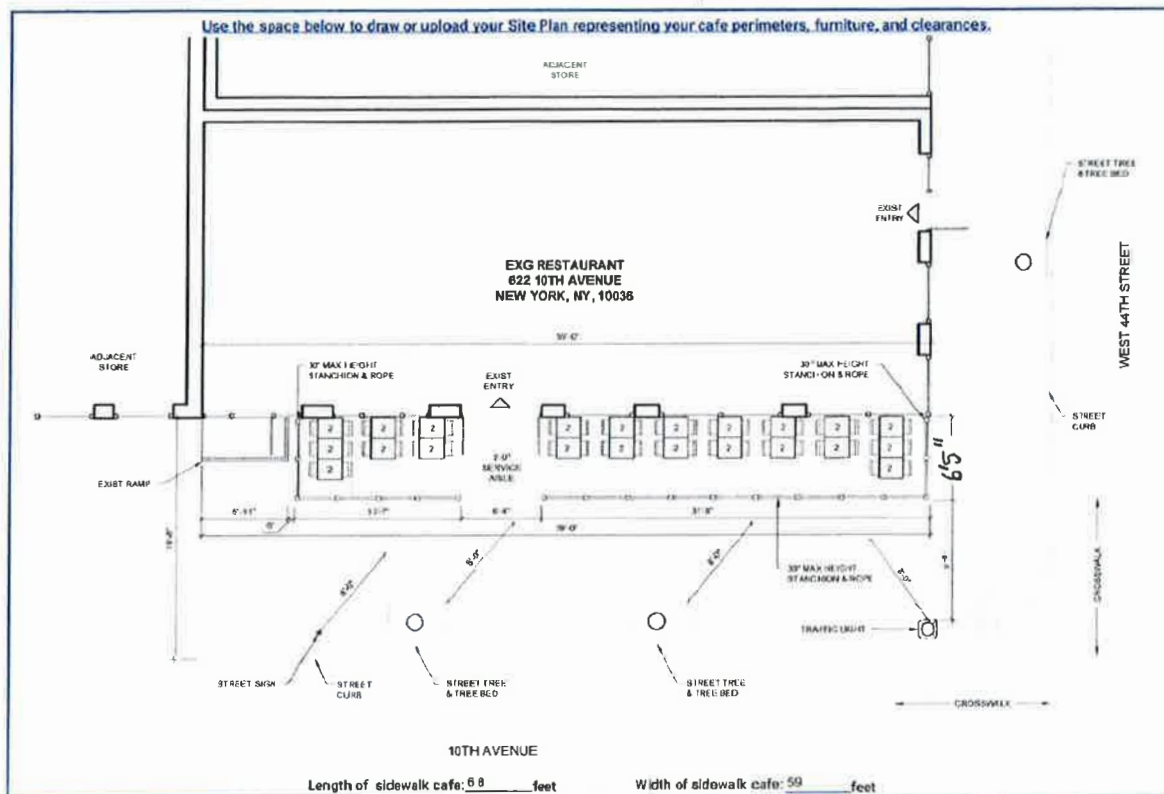
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DIRTING OUT NEW YORK CITY Eric Adams
Mark
Viggo Rindgren
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