

Alida Camp  
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**The City of New York  
Community Board 8 Manhattan**

May 16, 2019

Heather L. Bermingham, Deputy Director of Licensing  
License Department  
Department of Consumer Affairs  
42 Broadway  
New York, NY 10004

**RE: 804 Lexington Avenue Restaurant Inc, dba Burger Heaven, 804 Lexington Avenue - Renewal Application for a Sidewalk Café – unenclosed – 7 tables and 28 chairs**

**Applications will only be approved based upon the applicants' agreement to the following stipulations:**

1. **The applicant will abide by the bicycle guidelines and will ensure that any third party delivery provider that it contracts with shall abide by the bicycle guidelines.**
2. **The applicant will not use electric bikes or contract with third party delivery providers who utilize electric bikes.**
3. **The applicant will keep the front of the establishment clean.**
4. **The applicant will be denied if they participate in bar-crawls.**

At the May 15, 2019 Full Board meeting of Community Board 8 Manhattan, the board unanimously approved the following recommendation by a vote of 39 in favor, 0 opposed, 0 abstentions and 0 not voting for cause:

**WHEREAS** this is a renewal application for a sidewalk cafe; and

**WHEREAS** no one from the public objected; and

**WHEREAS** the applicant agreed to store all tables and chairs inside the establishments and not outside on the sidewalk; and


**WHEREAS** the applicant has agreed to Community Board 8's stipulations concerning delivery bikes and bar crawls; therefore

**BE IT RESOLVED** that the application is **APPROVED**, subject to the stipulations above.

Please advise this office of any action taken regarding this matter.

Sincerely,

  
Alida Camp  
Chair

  
Abraham Salcedo  
Co-Chairs, Street Life Committee

Cc: Hon. Bill de Blasio, Mayor of the City of New York  
Hon. Gale Brewer, Manhattan Borough President  
Hon. Liz Krueger, NYS Senator, 26<sup>th</sup> Senatorial District  
Hon. Dan Quart, NYS Assembly Member, 73<sup>rd</sup> Assembly District  
Hon. Rebecca Seawright, NYS Assembly Member, 76<sup>th</sup> Assembly District  
Hon. Keith Powers, NYC Council Member, 4<sup>th</sup> Council District  
Hon. Ben Kallos, NYC Council Member, 5<sup>th</sup> Council District