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AS RESTAURANTS SUFFER FROM COVID-19, BP ADAMS CALLS ON MAYOR DE BLASIO TO ISSUE EXECUTIVE ORDER OPENING CURBSIDE SPACE FOR RESTAURANT SEATING AND ANNOUNCES WILLINGNESS TO SERVE AS A CO-APPLICANT FOR SIDEWALK CAFÉ LICENSES, POTENTIALLY SAVING THOUSANDS OF DOLLARS FOR SMALL BUSINESSES

Brooklyn, NY – Today, Brooklyn Borough President joined a coalition of business advocacy organizations, business improvement districts (BIDs), and restaurant and bar owners to urge Mayor de Blasio to issue an executive order allowing food service establishments to place outdoor seating in adjoining sidewalks and curbside parking spaces. The call comes in response to the significant financial hardship faced by restaurants throughout the five boroughs as a result of the COVID-19 pandemic, which has caused many to lay off workers or close permanently.

In a letter sent to City Hall last week, Borough President Adams notes that several restaurants throughout Brooklyn and other boroughs have been forced to choose between closing entirely and remaining open for takeout, both of which are not tenable long-term options. Issuing an executive order, which would be without regard to the current Zoning Resolution (ZR)’s zoning district designation, would allow restaurants to receive patrons while observing social distancing guidelines that dictate six feet of separation. Given the uncertainty of the duration of the pandemic and lockdown measures, Borough President Adams in the letter asked for the executive order to extend to October 15, 2020.

“As the weather warms, we must explore all options to protect our food service industry and ensure they can receive dine-in customers. So many business owners are suffering from this pandemic and are unsure as to whether or not they will be able to survive the summer months. That’s why we have assembled a robust coalition to call on City Hall to issue an executive order allowing restaurants to place seating outside to encourage social distancing while bringing in much-needed revenue. Our business community showcases the great diversity of our borough, and we must find outside-the-box ways to keep these establishments open during these challenging times,” said **Brooklyn Borough President Eric Adams**.

Borough President Adams additionally announced his willingness to serve as a co-applicant for legal non-conforming restaurants seeking the necessary commercial zoning toward becoming

eligible to apply for a sidewalk café license, which are administered by the City. The move, while unprecedented, can save restaurants approximately \$2,500 in Uniform Land Use Review Procedure (ULURP) and environmental assessment filing fees, helping to keep their business afloat.

“Great restaurants are the heart and soul of Brooklyn’s diverse neighborhoods and what makes each unique. These establishments will face new challenges in reopening. Allowing them to utilize outdoor space for health and safety reasons, and to maximize the volume of patrons that can be served, is the right thing to do and makes good business sense. The Brooklyn Chamber of Commerce stands with Borough President Adams in calling for this common-sense recommendation to be implemented,” said **Brooklyn Chamber of Commerce President and CEO Randy Peers**.

“Given a choice between using public space for private parking or to allow businesses to continue operations, drive the economy, and save jobs, there is simply no question on what the City should do. Our businesses are hanging by a thread and under these circumstances immediate, bold action is required if they are to survive. Thank you to Borough President Adams for his attention to this issue, and I urge Mayor de Blasio to enact this executive order,” said **Downtown Brooklyn Partnership President Regina Myer**.

“We’ve all got to be nimble and get this done for our restaurants. There are businesses who need customers and customers who crave all that the New York experience has always promised — community and delight. This is a solution we owe our restaurateurs who have worked so hard and created so much character for their neighborhoods for years,” said **DUMBO Improvement District Executive Director Alexandria Sica**.

“Restaurants operate on the thinnest of margins and now need our leaders and community to find smart, creative solutions to support safe environments for them to operate within. Opening up sidewalks and streets for dining is the first step toward reimagining how eateries can survive,” said **Montague Street BID and Atlantic Avenue BID Executive Director Kate Chura**.

“During this time, we are trying to reimagine what our community’s business landscape looks like. It is urgent to support businesses and get our neighbors back to work by looking at a paradigm shift in repurposing our open and shared spaces. Warmer weather is upon us and practicing appropriate safety measures in public will be essential as residents clamor to be outdoors. Let’s look to the successes across the globe in activating space for public dining and help get our North Flatbush businesses open and operating successfully,” said **North Flatbush BID Executive Director James D. Ellis**.

“Restaurant owners in both the Church Avenue BID and Flatbush Avenue BID are excited about this idea, which would allow them to fire up their grills and return to serving the varied foods for which Flatbush is famous. This proposal to allow restaurants to provide outdoor seating could provide a jump start for the struggling restaurant industry and a safer way for people to gather and enjoy a meal, all while giving our Flatbush Avenue and Church Avenue chefs an opportunity to do what they do best,” said **Flatbush Avenue BID and Church Avenue BID Executive Director Lauren Elvers Collins**.

“During this challenging period, we need to develop and implement out-of-the-box solutions, of which this is one. This initiative brings into the envelope: social distancing, outdoor eating when

we have been sheltered in place, and most importantly, helps an industry increase profitability that was crippled. Let's bring pedestrian-friendly, Parisian-styled dining to Gotham," said **East Brooklyn BID Manager Bill Wilkins**.

The full text of the letter is below:

*May 15, 2020
Honorable Bill de Blasio
Mayor of the City of New York
City Hall
New York, NY 10007*

Re: Proposed issuance of immediate Executive Order that would allow dining establishments to bring outside seating to adjoining sidewalks and curbside parking lanes

Dear Mayor de Blasio:

I am writing regarding the urgent crisis being experienced by those whose livelihoods depend on the solvency of New York City's eating and drinking establishments. I urge you to issue an immediate Executive Order that allows all such establishments to bring outside seating to adjoining sidewalks and curbside parking lanes.

As you are aware, this industry employs many people in limited floor space, including many low-wage earners who do not have enough resources to withstand the loss of a paycheck. In addition, this industry supports many indirect jobs, such as the suppliers of food and beverages who are in similar financial circumstances. The cycle even includes many landlords who depend on the rents received to pay off mortgages and property taxes. Unfortunately, the shutdowns to prevent the spread of COVID-19 are threatening the very existence of these establishments.

In response to New York PAUSE, many restaurant operators have had to weigh total suspension of operation with merely sustaining operation as take-out venues. Neither are healthy economic options. Even when New York PAUSE is lifted, establishments would likely be meeting social distancing standards that would significantly reduce functional dining capacity, as science is dictating separation when patrons would remain seated for the typical amount of time to enjoy dining out.

This Executive Order should be without regard to the New York City Zoning Resolution (ZR) zoning district designation and should be through no earlier than October 15th. Sidewalk seating should be consistent with the clearances established to comply with an approved sidewalk café, though maintaining six feet between chairs of adjacent tables. As there would be no guarantee that such seating would be extended beyond the Executive Order, steps should be taken to minimize any need for out-of-pocket expenses to be incurred. Establishments should be encouraged to bring tables and chairs from within the establishment to the sidewalk and designated sections of the curbside and/or bike lane-adjacent parking lane.

As for establishing the perimeter of the curbside parking lane seating area, I would recommend that the New York City Department of Transportation (DOT) coordinate the provision of traffic warning barrels to be placed at the nearest point between the oncoming travel lane. Additionally, I would urge that the New York City Police Department (NYPD) coordinate the provision of its metal barrier fence sections used for controlling event spacing to form the enclosure from the traffic warning barrel to form the sides. This scenario would create temporary and quickly deployed seating in the model of DOT's existing "Street Seats" program.

As there is always the possibility of an operation resulting in quality-of-life impacts, the affected community board, City Council member, and local NYPD precinct command should have oversight to cease specific establishments from continuing operation according to such an Executive Order.

Should you have any questions, please contact my director of land use, Richard Bearak, at (718) 974-0885.

Thank you in advance for considering this matter.

Sincerely,

*Eric Adams
Brooklyn Borough President*

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