

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

FINANCIAL DISTRICT

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused

YOUTH COMMITTEE: 7 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Relocation of Department of Probation Offices with Case Management Facility from 346 Broadway to 66 John Street

WHEREAS: The City of New York has stated plans (“the Plan”) to relocate a Department of Probation office with case management functions (“the Facility”) currently located at 346 Broadway to 66 John Street; and

WHEREAS: This planned relocation is a consequence of the disposition by the City of certain properties located in the Civic Center area; and

WHEREAS: Community Board #1 (CB #1) voted to recommend approval by the City Council of the disposition of two buildings, located at 49-51 Chambers Street and 22 Reade Street as part of a ULURP process in 2012, and the disposition of 346 Broadway had been approved as part of a ULURP process in 1998, and the City Council voted to approve the disposition of two of the three buildings (346 Broadway and 49-51 Chambers Street) but not the third (22 Reade Street) as that location is to be the site of a future African Burial Ground Museum; and

WHEREAS: The City of New York has taken no further action with respect to the proposed disposition of 49-51 Chambers Street but thereafter requested that CB #1 recommend approval of the sale of 346 Broadway to a private developer; and

WHEREAS: A subsequent motion to recommend approval by the Borough Board of the sale of 346 Broadway to a private developer did not carry, therefore, CB #1 abstained from the vote at the Borough Board meeting and the Borough Board voted to approve the sale of the building; and

WHEREAS: CB #1 was not directly and formally notified of any plans to move the Facility and we were not aware of the Plan until Deputy Mayor Cas Holloway mentioned it during an appearance at the CB #1 meeting held on October 22, 2013, in response to a question from a CB #1 member; and

WHEREAS: CB1 was not aware of the public hearing DCAS held regarding these leases, and only after investigating did CB1 learn of the notices referencing the plan to move the facility that were included in the City Record editions of April 10 and May 9, 2013. The City Record provides minimal notice and is read by very few people, and notices of hearings are not easily retrievable by the general public; and

WHEREAS: Matthew Berk, Executive Director, Citywide Real Estate for the New York City Department of Citywide Administrative Services, stated at a meeting of the CB #1 Financial District Committee (“the Committee”) on November 6, 2013, that the City has signed a lease for the facility at 66 John Street, and according to the City Record edition of April 10, 2013, the lease would “be for the term from Substantial Completion of work of each floor to August 31, 2021 and involves “42,854 rentable square feet of space on the entire 5th and part of the 6th floors in a building located at 66 John Street . . . for the Department of Probation, Department of Sanitation and the New York City Police Department to use as offices” and

WHEREAS: Although the notice in the City Record did not state that the facility would be used for case management and visited by clients, Ryan Dodge of the Department of Probation stated at the CB #1 Financial District Committee meeting on November 6, 2013 that it would be visited by an average of 40 Department of Probation clients daily or 200 per week and there were no assurances that the number of visitors would not increase over time; and

WHEREAS: According to research compiled by area residents and made available to CB #1, there are approximately 2,500 daycare and elementary school seats in the vicinity of 66 John Street, including over 750 children in the fourth grade and younger who go to school or daycare within a 3-block radius, and seven elementary schools, preschools and daycare centers within 7 blocks of 66 John Street with over 1,400 children including Montessori of Manhattan, PS 397 Spruce Street School, PS 343 Peck Slip School, Downtown Little School, Bright Horizons, Leman Manhattan Preparatory School, and the Blue School; and

WHEREAS: According to information from a 2010 Downtown Alliance residential survey, there are 10,842 residential units within a 1,100 foot radius of 66 John Street, with an estimated 23,852 residents; and

WHEREAS: John Street is in the Financial District which continues to experience rapid growth, and where CB1 studies show that the number of residents will have increased by 240% in 2013 over the number recorded in the 2000 Census, and the child population increased by 246% between 2000 and 2010; and

WHEREAS: The ongoing, rapid growth of the residential population of the Financial District is a significant economic boon for the City, which should protect the quality of life that has made this growth possible and not add uses that will detract from it; and

WHEREAS: John Street is a predominantly residential street, with 17 residential buildings with over 1,900 apartments at the following street numbers: 12, 17, 20, 24-26, 39, 41, 45, 55, 59, 65-67, 80, 85, 99, 100, 112, 116, 170, and 71 Nassau which is actually on John, all within six blocks; and

WHEREAS: The Dean of Students at Pace University spoke at the meeting in opposition to the Plan due to the proximity of 66 John Street to Pace University dormitories housing 1,900 students, including one across the street at 55 John Street, and a representative of Century 21, one of lower Manhattan’s largest retailers, also strongly opposed it as did a representative of the Blue School who said that school’s plans to expand in the area were being reconsidered as a result of the

Plan. In addition the Southbridge Towers Board of Directors voted to oppose the Plan; and

WHEREAS: Over 100 people attended the Committee meeting and were overwhelmingly opposed to the relocation of the Facility to 66 John Street, and dozens of people were turned away when the capacity of the meeting venue was exceeded; and

WHEREAS: CB #1 wrote on November 4, 2013 to Deputy Mayor Cas Holloway and Department of Citywide Administrative Services Commissioner Edna Wells Handy asking why a Section 195 hearing for the acquisition of 42,854 square feet of space at 66 John Street was not held rather than a Section 824 hearing that does not require notice to the Community Board and we await their response; and

WHEREAS: CB1 is concerned that, given the number of ULURP disposition actions, a Borough Board vote and court relocation decisions involved in the Civic Center Plan, a sufficient environmental assessment was not conducted to adequately identify and address the impacts on the community of the cumulative actions and because there was no comprehensive analysis there was a string of actions that were improperly segmented; now

THEREFORE

BE IT

RESOLVED

THAT: CB #1 strongly opposes the decision to relocate the Department of Probation Facility to 66 John Street in a densely populated residential area on a street with 1,900 apartments and that is home to seven elementary schools, preschools and daycare centers within a seven block radius; and

BE IT

FURTHER

RESOLVED

THAT: CB1 urges the City to relocate the facility to a different location and use this space for another use that does not involve case management for people who have committed crimes including felonies, a use that is inappropriate in a densely populated residential neighborhood; and

BE IT

FURTHER

RESOLVED

THAT: CB 1 calls upon all its elected City and State officials, NY State Assembly Speaker Sheldon Silver, Manhattan Borough President Scott Stringer, NY State Senator Daniel Squadron, Assembly Member Deborah Glick, and City Council Member Margaret Chin, to join in opposing the proposed relocation of the probation facility to 66 John Street until such time as a comprehensive assessment can be conducted to adequately identify and address the impacts on the community of the City's proposed relocation actions.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 11 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 23 Park Place, application for tavern liquor license for Murray Place Inc., d/b/a
The New Yorker

WHEREAS: The applicant, Murray Place Inc., d/b/a The New Yorker, is applying for a tavern
liquor license for 23 Park Place; and

WHEREAS: The square footage of the establishment is 4,000, with 90 tables and 200 seats on
two floors; and

WHEREAS: There will be recorded background music; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant has stated that there are not buildings used primarily as schools,
churches, synagogues or other places of worship within 200 feet of this
establishment; and

WHEREAS: The applicant has stated that there are three or more establishments with on-
premises liquor licenses within 500' of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet agreeing to a closing
time of 2 a.m. seven days a week; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of tavern liquor license for Murray
Place Inc., d/b/a The New Yorker at 23 Park Place, *unless* the applicant complies
with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: LANDMARKS

*COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 100 Franklin Street, application for approval to construct two new buildings on a vacant parking lot

WHEREAS: This application is for the construction of a new residential and retail building on the east side of Avenue of the Americas, between Franklin and White Streets, in the TriBeCa East Historic District, and

WHEREAS: The Committee first reviewed the application on October 10, 2013 and provided detailed feedback for the applicant to consider – which they said they would, and

WHEREAS: 20+ neighbors – who did not know of the October 22 meeting asked the Board at it's meeting on October 22 to encourage a second meeting which they could attend to review the application and see how the applicant had incorporated the Landmarks Committee's suggestions – which the Board vote 35-0-0 to do so, and

WHEREAS: The applicant acknowledges it is an awkward site, actually the combination of what are currently two parking lots connected by a tiny strip of land a mere few feet deep, created when 6th Avenue was extended south in 1930's and significantly architecturally important properties in the right-of-way were demolished or sliced away, and

WHEREAS: The adjoining building on White Street, #13, is one of the defining architectural jewels of the TriBeCa historic districts, completed in 1868 and done in the Second Empire style, with a magnificent mansard roof, segmented and pure arch windows as well as oculi, rusticated piers, and an astonishingly intact first story, with cast-iron columns, a stone cornice, and even some original granite sidewalk pavers, and

WHEREAS: Nothing could be composed to compete with this, and very few designs could but harm the prospect of 13 White Street, except that its eastern flank was sheared off when 6th Avenue was expanded, and the existing Church Street façade is a raw brick wall, never meant to be seen, fronted by a surface parking lot, and

WHEREAS: The architect of the proposed 100 Franklin Street - whose primary façade would be on less glamorous-sounding Church Street - has done a remarkable job fending off most impediments and creating a handsome, clean and coherent structure out of very complicated parts, with the glaring exceptions of the mansard roofs and the bulbous bulkheads, and

WHEREAS: The façade would be a four-layer regime of fritted and clear glazing; brick arches; structural material; and interior glass, the middle part of which the designer rightly describes as reading like a palimpsest, and

WHEREAS: The glazing and arches would interact in a sophisticated way, and would attempt to tie together what is now a visually incoherent block front, and

WHEREAS: Moments along both the Franklin and Church Street façades would be punctuated by delicate landscaping and vines, which add to the gentle drama and veiling of this assemblage, and are a signature of this architect, and

WHEREAS: The "hinge" connecting the two "parts" of the building, at the point - and it is a point - where the two plots merge would be fashioned by glass about three inches deep in front of a mere few feet of supporting material, and while this is an absurd physical condition, it is not architecturally disturbing, although its efficacy is something for the Landmarks Preservation Commission, the Department of Buildings and the City Planning Commission to determine, and

WHEREAS: The proposed one- and two-story punctuated mansard roofs are a rambling, jagged mess, and look like they were drawn by a separate architectural firm, with seemingly random cantilevers, odd window penetrations and terraces, inappropriate surfacing of dark glass, and even a suddenly post-modern cornice beam above the south side of the "hinge" floating into space, and

WHEREAS: The design rationale for this clumsy, badly massed resolution to an otherwise striking proposal is hard to fathom, and

WHEREAS: The same may be said for the two enormous rooftop bulkheads, whose shapes - perhaps intended to hide their bulk - look rather like giant mounting points from which a helicopter could carry the buildings away, and

WHEREAS: The applicant was enthusiastic to report that the buildings' massing was below the as-of-right 120' - by 20' on the north façade (100') and 44' to the south (76') but with bulk heads and mechanicals - which admittedly don't count to the calculation - the north façade would be 91' and the south 115' which is important given how prominent and outrageous design of the bulkheads, and

WHEREAS: The applicant admitted they were still refining the "jagged mess" of the roof, but declined the opportunity offered by the Committee twice to hold-over the submission of the application for a public hearing on November 12 - stating they

believed in the process and that the cash burn of the project required them to move forward – interestingly a member of the public used this statement to challenge the applicant to admit that they in fact did not presently own the land – which after some embarrassing pauses – was in fact confirmed to be true, and

WHEREAS: Having discovered the applicant does not in fact own the lots – the Committee reiterated its earlier question as to why would the applicant want to try to make this difficult lot into a new building – but as was stated before the ownership question was clarified – the applicant restated that they went into this project with “their eyes wide open” – members of the public used this opportunity to offer to buy the lots off the applicant - if they in fact did close on the contract – which the applicant said would happen “very soon” – and turn the small lots into a public park – the proposal received a resounding applause from the 50+ neighbors attending the meeting, and

WHEREAS: The Committee probed the applicant who represented many times that they want to be a good neighbor, to take the Community’s points to heart - the Principals having reported proudly that they live in the CB1 Community - to see what changes had been made – disappointedly they found that only a building mansard study of six renderings had been produced with no change to the original plans submitted, and

WHEREAS: The applicant reminded the Committee and neighbors that they would need Community Board #1’s support for the future filings for variances to make their investment economically viable for the stated uses – and at this time there would be a further opportunity for the Community to provide input to the applicant – but in the meantime everyone was invited to stop into the applicant’s office to chat about the proposal – which was received by laughter and ridicule by the public, the Committee again suggested that it would negatively impact the previously good reputation for excellent work held by the applicant if they were to push this well intentioned – but ill-conceived application on the Community, and

WHEREAS: The 11 members of the 50+ neighbors attending the meeting spoke passionately against the application as being inappropriate for the Historic District, incorporated a poor kitschy mansard design, a landscape specialist questioned the viability of the tree plantings and success of the vine plantings – concluding it was really eye-wash phantasy, the applicants reference to Jane Jacobs was vehemently denied by one preservation historian speaker, there was too much bulk on this small lot, more time was needed to make a design successful, one neighbor submitted a petition (attached) against the application with over 1,200 signatures – and commented passionately that if this went ahead she would be lying in front of the bulldozer, and that there was a general consensus that people would prefer the present use of a parking lot over the design submitted, and

WHEREAS: The Committee thanked the two Principals from DDG and their lawyer for attending the meeting and presenting to the Committee and Community, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1, Manhattan recommends that the Landmarks Preservation Commission hold-over any decision on the application at the November 12, 2013 public hearing and encourages the applicant to work with the Community to find a proposal that is contextual, appropriate, and has the Community's support, and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1, Manhattan recommends that the Landmarks Preservation Commission specifically reject the proposed roofs and bulkheads as presented in the application and require the applicant to work with Community to find a better overall solution.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: LANDMARKS

*COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 115 West Broadway, application for legalization of previously approved vault project

WHEREAS: The application is to legalize work done that was approved by CB#1 and by LPC at staff level in 2007, and

WHEREAS: The applicant presented to CB#1 in 2007 to carefully restore the leaking vault, and

WHEREAS: The Committee in 2007 approved the: removal of the original blue-stone pavers, repair of the failing vault, reuse of the pavers, installation of new diamond plate where necessary, and

WHEREAS: LPC staff approved with the work in 2007, and

WHEREAS: The work was completed in 2010, and

WHEREAS: The applicant received a violation notice in 2013 as the plans did not have an “LPC approval” stamp because the staff level approval could not apply the stamp, and

WHEREAS: The Committee considered the work to have been well and apologized for LPC’s poor management of their procedures, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 recommends the Landmark Preservation Commission legalize the work and the previously approved application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 28 In Favor 3 Opposed 1 Abstained 0 Recused

RE: 11 Avenue of the Americas, application for a full liquor license for TBD

WHEREAS: The applicant, Eleven Food and Beverage Inc., is applying for a liquor license; and

WHEREAS: The hours of operation of this establishment are 6:00 a.m. to 2:00 a.m, Sunday through Wednesday, and 6:00 a.m. to 4:00 a.m Thursday through Saturday; and

WHEREAS: The total area of the restaurant is 2,200 square feet, including a dining area of 900 square feet with 14 tables and 56 seats and a bar area of 800 square feet with 8 tables and 19 seats; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant does intend to apply for an enclosed sidewalk café license; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: CB1 recently made an exception of granting a 4:00 a.m. license two blocks away at 305 Church for Los Americanos for an applicant with a long history of responsible operations in the area; and

WHEREAS: In that resolution for 305 Church CB1 specifically stated that “Based on the applicant's long history of operating in Tribeca without any complaints from residents or other operating issues, the Committee is willing to agree, on a one-time basis and without establishing any precedent whatsoever, to the applicant's request for closing hours beyond the normal standard”; and

WHEREAS: The applicant promises to have an open kitchen and serve food until closing hours; and

WHEREAS: The Board of CB1 felt that the applicant's history of responsible management in CB3, along with the support of several neighbors of this proposed site, also warranted closing hours beyond our normal standard; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a liquor license for Eleven Food and Beverage Inc. at 11 Avenue of the Americas unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	5 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	29 In Favor	0 Opposed	1 Abstained	1 Recused

RE: Future of the South Street Seaport Area

WHEREAS: In 2012, Community Board 1 (CB1) participated in the Uniform Land Use Review Process (ULURP) for a proposal to re-construct Pier 17, involving several public meetings and an official public hearing including CB1's Planning, Seaport/Civic Center, Landmarks and former Waterfront Committees as well as the full board; and

WHEREAS: The Howard Hughes Corporation (HHC) has been given the option by the City of New York to develop additional properties in the South Street Seaport area, including the Tin Building, the New Market Building and areas adjacent to them; and

WHEREAS: On November 19th, 2013, the Howard Hughes Corporation presented their preliminary plans for these sites to the Seaport/Civic Center Committee, including the following features:

- Dismantling the Tin Building and demolishing the New Market Building in order to reconstruct the platforms underneath them;
- Reconstructing the Tin Building with an additional floor, pushed back 30 feet East from the original placement to allow for elevation to meet FEMA standards and a more easily accessible East River Esplanade walkway/bikeway;
- Demolishing the Link Building and Pier 17's "back of house" structure;
- Constructing a marina north of the New Market site;
- Constructing a new mixed-use 600 foot tower in place of the New Market Building;

WHEREAS: In October 2008, Community Board 1 adopted a resolution in response to a feasibility study of a major redevelopment of Pier 17 by General Growth Properties (GGP), including a proposed 495 foot tower hotel and residential building, of which 390 feet was as-of right. The resolution states,

"Regarding the impact of the project on the area and the historic district the Community Board is pleased with the overall design but laments that even

without variances there is an opportunity for an as-of-right 390-foot high building so close to the South Street Seaport Historic District;" now

THEREFORE

BE IT

RESOLVED

THAT:

Community Board 1 reiterates its opposition to a tower in place of the New Market Building, particularly a tower of 600 feet, whose height would be out of context with the low-rise character of the area, block views of the waterfront, and would conflict with the iconic presence of the Brooklyn Bridge.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	0 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 213 Front Street, application for a liquor license for Fernando Dallorso, Jeremy Dahm (entity to be formed)

WHEREAS: The applicant, Fernando Dallorso & Jeremy Dahm, is applying for a liquor license; and

WHEREAS: The hours of operation of this establishment are 11:30 a.m. to 4:00 a.m. Sunday through Thursday and 11:30 a.m. to 4:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 2,300 square feet, including a dining area of 900 square feet with 19 tables and 40 chairs and a bar area of 300 square feet with 0 tables and 16 bar stools; and

WHEREAS: The applicant does not intend to apply for a cabaret license or a sidewalk café license; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a liquor license to Fernando Dallorso & Jeremy Dahm (entity to be formed) at 213 Front Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 30 In Favor 0 Opposed 0 Abstained 1 Recused

RE: 5 Beekman Street, application for a hotel liquor license for 5 Beekman

WHEREAS: The applicant, 5 Beekman Property Owner LLC, Thompson Hotels LLC & Craft Beekman LLC, is applying for a hotel liquor license; and

WHEREAS: The applicant has requested the hours of 6:30 a.m. to 2:00 a.m. all week; and

WHEREAS: The Committee has agreed to the hours of 6:30 a.m. to 12:00 a.m. Sunday through Thursday and 6:30 a.m. to 1:00 a.m. Friday and Saturday, for a 6 month trial basis after which the applicant may revisit the Committee and request extended hours based on performance in the neighborhood; and

WHEREAS: The total area of the establishment is 187,500 square feet, including a dining area of 1,733 square feet with 26 tables and 90 chairs and a bar area of 2,277 square feet with 24 tables and 67 chairs; and

WHEREAS: The applicant does not intend to apply for a cabaret license, and does intend to apply for a sidewalk café license; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 *opposes* the granting of a hotel liquor license to 5 Beekman Property Owner LLC, Thompson Hotels LLC & Craft Beekman LLC at 5 Beekman Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	10 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 42 Peck Slip, application for the transfer of a liquor license for Paris Cafe

WHEREAS: The applicant, Paris Café LLC, is applying for the transfer of a liquor license; and

WHEREAS: The hours of operation of this establishment are 11:00 a.m. (12:00 p.m. Sunday) to 4:00 a.m. Sunday through Thursday and 11:00 a.m. to 4:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 2,200 square feet, including a dining area of 800 square feet with 13 tables and 38 chairs and a bar area of 1,200 square feet with 13 tables and 28 chairs; and

WHEREAS: The applicant does not intend to apply for a cabaret license, and does intend to apply for a sidewalk café license; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a transfer of a liquor license to Paris Café LLC at 42 Peck Slip *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*: 5 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: The Washington Market School Block Party Street Activity Permit application

WHEREAS: The Washington Market School Block Party has applied for a street activity permit for Saturday, May 3, 2014, on Duane Street between Church Street and West Broadway, 9:00 a.m. to 4:00 a.m.; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 does not oppose the application submitted by The Washington Market School Block Party for a street activity permit for Saturday, May 3, 2014 subject to the following conditions:

1. The Lower Manhattan Construction Command Center reviews the application and determines that it is compatible with nearby construction activity that is expected to be simultaneously underway, and
2. Traffic control agents are deployed as needed to ensure that there is no significant adverse impact from the event on traffic flow, and
3. Clean-up will be coordinated with the appropriate City Agencies, and
4. Bands and persons with megaphones are not situated along the route such that they disturb residents, and
5. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*: 5 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 350-370 Canal Street Church Street, Board of Standards and Appeals application to permit a physical culture establishment

WHEREAS: Warshaw Burstein, LLP, on behalf of 370 Canal Fitness Group, LLC, has filed an application with the Board of Standards and Appeals for a special permit to allow a physical culture establishment at 350-370 Canal Street; and

WHEREAS: This physical culture establishment will be a Planet Fitness of 13,406 square feet, operated on portions of the cellar and first floor of the existing buildings; and

WHEREAS: The majority of the fitness center's space will be located on the cellar level of the 350 Canal Street building, and the entrance will be located on the ground level of the adjoining 370 Canal Street building; and

WHEREAS: The fitness center would provide a mix of cardiovascular and weight lifting machines with shower rooms, locker rooms and bathrooms; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board 1 has no objection to the granting of a special permit to allow a physical culture establishment at 350-370 Church Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*: 5 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 404-406 Broadway, Board of Standards and Appeals application to permit a physical culture establishment

WHEREAS: Warshaw Burstein, LLP, on behalf of Antonaccio-Crous, LLC, has filed an application with the Board of Standards and Appeals for a special permit to allow a physical culture establishment at 404-406 Broadway; and

WHEREAS: This physical culture establishment will be a Bikram yoga studio of 2,907 square feet, operated on a portion of the buildings' existing third floor; and

WHEREAS: The yoga studio will have a studio space of approximately 1,360 square feet, a small office, reception area, and women's and men's changing areas with accessory lockers and showers; and

WHEREAS: The proposed yoga studio will be operated under the business name "Bikram Yoga Soho" and will provide yoga classes and instruction in Bikram yoga techniques. Bikram yoga involves yoga movement and poses practiced in a studio that is heated to a temperature of 105 degrees; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 has no objection to the granting of a special permit to allow a physical culture establishment at 404-406 Broadway.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*: 5 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 136 West Broadway, application for a renewal of a sidewalk cafe license for Edwards

WHEREAS: The applicant, 136 West Broadway Inc., is applying for a renewal sidewalk cafe license for 6 tables and 12 seats; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves the renewal of the sidewalk cafe license for 136 West Broadway Inc. at 136 West Broadway.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*: 5 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 241 West Broadway, application for a renewal of a sidewalk cafe license for Cercle Rouge

WHEREAS: The applicant, 241 W B Way Café Inc., is applying for a renewal sidewalk cafe license for 10 tables and 23 seats; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 approves the renewal of the sidewalk cafe license for 241 W B Way Café Inc. at 241 West Broadway.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*: 5 In Favor 0 Opposed 0 Abstained 0 Recused
PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 31 Walker Street, application for a liquor license alteration for TBD

WHEREAS: The applicant, an entity to be formed by Anejo Diehl, is applying for a liquor license; and

WHEREAS: The hours of operation of this establishment are 11:30 a.m. to 1:00 a.m. Sunday through Thursday and 11:30 a.m. to 2:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 3,000 square feet, including a dining area of 1,300 square feet with 47 tables and 106 seats and a bar area of 300 square feet with 19 seats; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant does intend to apply for a sidewalk café license; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a liquor license to an entity to be formed by Anejo Diehl at 31 Walker Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*: 6 In Favor 0 Opposed 0 Abstained 0 Recused

PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 31 In Favor 0 Opposed 0 Abstained 1 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 221-223 West Broadway aka 5-7 White Street, application for a liquor license alteration for TBD

WHEREAS: The applicant, an entity to be formed by Robert Collins, is applying for a liquor license; and

WHEREAS: The hours of bar service of this establishment are 11:30 a.m. to 1:00 a.m. Sunday through Thursday and 11:00 a.m. to 1:00 a.m. Friday and Saturday; and

WHEREAS: The hours of operation of this establishment are 11:30 a.m. to 2:00 a.m. Sunday through Thursday and 11:00 a.m. to 2:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is 5,175 square feet, including a dining area of 3,800 square feet with 47 tables and a bar area of 3,000 square feet; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant does intend to apply for a sidewalk café license; and

WHEREAS: The applicant has signed an agreement with the landlord regarding sound stipulations; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a liquor license to an entity to be formed by Robert Collins at 221-223 West Broadway aka 5-7 White Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*: 5 In Favor 0 Opposed 0 Abstained 1 Recused
PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 31 In Favor 0 Opposed 0 Abstained 1 Recused

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 105 Reade Street, application for an alteration to the method of operation of liquor license for Sazon

WHEREAS: The applicant, Sazon Inc., is applying for an alteration to the method of operation of liquor license; and

WHEREAS: The current hours of operation of this establishment are 11:00 a.m. to 1:00 a.m. Sunday through Thursday and 11:00 a.m. to 2:00 a.m. Friday and Saturday; and

WHEREAS: The applicant has requested to extend the establishment's closing hours to 4:00 a.m. on Thursday through Saturday; and

WHEREAS: Residents unanimously opposed the alteration and have cited numerous quality of life concerns emanating from this establishment, including noise and security issues late at night, urination on the street and on doorsteps; and

WHEREAS: Residents have made numerous complaints to management, 311 and to the 1st Precinct; and

WHEREAS: Windows have continued to be left open late into the evening despite a license stipulation by SLA that they be closed by 7 pm; and

WHEREAS: The only other establishment on that block with a 4am closing hour is Ward III, which was opposed by CB1 but approved by the SLA apparently due to the long and (continuing) responsible history in the neighborhood of two of the owners; and

WHEREAS: Sazon's present closing hours are already one hour later than what the committee usually advises approval of on Tribeca side streets; and

WHEREAS: The total area of the restaurant is 4,500 square feet, including a dining area of 2,500 square feet with 50 tables and 150 seats and a bar area of 1,000 square feet with 4 tables and 18 seats; and

WHEREAS: The applicant does not intend to apply for a cabaret license or a sidewalk café license; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of an alteration to the method of operation of the liquor license for Sazon Inc. at 105 Reade Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE*:	2 In Favor	2 Opposed	2 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	5 In Favor	30 Opposed	2 Abstained	0 Recused

Motion defeated see new business

** Due to the absence of a quorum, the committee vote taken on this resolution is unofficial and for informational purposes only.*

RE: 11 Avenue of the Americas, application for an alteration to the method of operation of liquor license for TBD

WHEREAS: The applicant, Eleven Food and Beverage Inc., is applying for an alteration to the method of operation of liquor license; and

WHEREAS: The hours of operation of this establishment are 6:00 a.m. to 4:00 a.m.; and

WHEREAS: The total area of the restaurant is 2,200 square feet, including a dining area of 900 square feet with 14 tables and 56 seats and a bar area of 800 square feet with 8 tables and 19 seats; and

WHEREAS: The applicant does not intend to apply for a cabaret license; and

WHEREAS: The applicant does intend to apply for an enclosed sidewalk café license; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has represented that there are three or more establishments with on-premises liquor licenses within 500 feet of this establishment; and

WHEREAS: The applicant claimed there are no residents for three blocks, yet there are several residential buildings backing onto this location from West Broadway and the side street of White; and

WHEREAS: CB1 recently made an exception of granting a 4:00 a.m. license two blocks away at 305 Church for Los Americanos for an applicant with a long history of responsible operations in the area; and

WHEREAS: In that resolution for 305 Church CB1 specifically stated that

“Based on the applicant's long history of operating in Tribeca without any complaints from residents or other operating issues, the Committee is willing to agree, on a one-time basis and without establishing any precedent whatsoever, to the applicant's request for closing hours beyond the normal standard”; and

WHEREAS: The Tribeca Committee offered to extend its usual preferred closing hours on weekends for avenues to 2:30 a.m. or even 3:00 a.m. from 2:00 a.m., but was turned down by the applicant; and

WHEREAS: The committee does not find it appropriate to grant a liquor license with a 4:00 a.m. closing without any history in the neighborhood; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a liquor license for Eleven Food and Beverage Inc. at 11 Avenue of the Americas.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: YOUTH AND EDUCATION

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 1 Recused
BOARD VOTE: 32 In Favor 0 Opposed 1 Abstained 0 Recused

RE: Support for Community Board #1 to serve as a sponsor for the World Trade Center Pediatric Study “Early Identification of WTC Conditions in Adolescents”

WHEREAS: The World Trade Center Pediatric Program research team has reached out to Community Board #1 to request sponsorship during their outreach campaign for the “Early Identification of WTC Conditions in Adolescents” study; and

WHEREAS: Community Board #1 unanimously adopted a resolution on September 20, 2012 urging the National Institute of Occupational Safety and Health (NIOSH) to fund the “Early Identification of WTC Conditions in Adolescents” study; and

WHEREAS: The WTC Pediatric Study will include parental consent; and

WHEREAS: World Trade Center Pediatric Program research team will work with Community Board #1 to seek a more convenient location within the community to conduct the study; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 agrees to serve as a sponsor for the World Trade Center Pediatric Study “Early Identification of WTC Conditions in Adolescents”.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: BATTERY PARK CITY

Battery Park City Committee

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 1 Recused
PUBLIC MEMBERS: 2 In Favor 0 Opposed 0 Abstained 0 Recused

Youth & Education

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 1 Recused
BOARD VOTE: 33 In Favor 0 Opposed 0 Abstained 0 Recused

RE: BPC Parks Conservancy Community Center at Stuyvesant High School
Continued operation

WHEREAS: The Battery Park City Authority (BPCA) announced at our last committee meeting that as of the end of December 2013 the Community Center operated by the BPC Parks Conservancy will cease operations; and

WHEREAS: This center has served all residents, of all lower Manhattan, not just BPC, and of all age groups (children, families and seniors) for almost two decades since its opening in 1993. At that time there was practically no active recreation space in Lower Manhattan; and

WHEREAS: By virtue of a 1987 Board of Estimate resolution and a 1990 Community Board #1 resolution, this center was established with the BPCA as the lead operator and ultimately enrolled over 1,000 members at an affordable cost. These resolutions created a legal obligation on the part of both BPCA and Stuyvesant High School (along with the NYC Department of Education); and

WHEREAS: In 1993, the BPCA filed suit against the then NYC Board of Education to require their compliance to allow the use of Stuyvesant HS as a community center. This positive, community-focused action by the BPCA shows the importance of this community asset; and

WHEREAS: The legal obligation that created this center did not include a provision for any condition under which it would be closed, especially unilaterally by the BPCA; and

WHEREAS: While other alternatives are now available to lower Manhattan residents, it is also true that this is the fastest growing district in New York City, doubling its population in half the time the center has been open. It must also be noted that affordable active recreation is needed even more; and

WHEREAS: CB#1 understands that in 20 years, the community, its needs and the environment have changed, which would call for a re-examination of this center's operation; and

WHEREAS: Asphalt Green may not be a financially viable alternative for residents and additionally does not have the capacity to meet the recreationally and community amenity needs of a growing residential population; and

WHEREAS: This decision by the BPCA calls into question how it views its current mission as a public benefit corporation funded by the taxes, ground rents and civic fees of all BPC residents and businesses; and

WHEREAS: The BPCA has not, to our knowledge, explored alternatives to the current operation nor have they engaged any community organizations about their intent to close a hard-fought asset; and

WHEREAS: Our local, elected representatives, including NYS Assembly Speaker Sheldon Silver, Manhattan Borough President Scott Stringer, NYS Senator Daniel Squadron, and NYS Assembly Member Deborah Glick, have voiced support for the continuation of the community center; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 calls upon the BPCA to not close, but instead, continue operation of the Stuyvesant HS center, as required by a legally binding agreement; and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 urges the BPCA to engage in a process with our elected officials to review the center's operation, potential partners and operating models so as to ensure the continued existence of this vital community asset. This must be an open and transparent process; and

BE IT
FURTHER
RESOLVED

THAT: Community Board #1 also urges that the membership charge be maintained at current levels, with possible cost-of-living adjustments.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: NOVEMBER 21, 2013

COMMITTEE OF ORIGIN: BATTERY PARK CITY

Battery Park City Committee

COMMITTEE VOTE: 5 In Favor 0 Opposed 0 Abstained 1 Recused
PUBLIC MEMBERS: 2 In Favor 0 Opposed 0 Abstained 0 Recused

Youth & Education

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 1 Recused
BOARD VOTE: 31 In Favor 0 Opposed 0 Abstained 1 Recused

RE: BPCA Contributions and Charitable Donations

WHEREAS: BPCA is a Public Benefit corporation and based on their own statement (provided below), we are confident that appropriate contributions can and should be made:

All decisions will reflect the public interest and support a public benefit to our stakeholders, the City of New York, tenants of BPCA, residents and workers in Battery Park City, the downtown community, and tourists/visitors to Battery Park City, in the development of properties, creation of spaces, and in the provision of opportunity to the M/WBE community to share in the economic growth of the Battery Park City community. As an integral part of the lower Manhattan fabric, the Authority will seek to cooperate with and support both public and private sector entities whose missions are in concert with that of the Authority, and whose efforts directly benefit furtherance of same (www.bpca.org); and

WHEREAS: Battery Park City Authority (BPCA) has for most of its existence, made contributions to organizations, service providers, cultural institutions, after school programs, non-profits and charities (BPC Block Party, our local PTAs, and Run for Knowledge are examples); and

WHEREAS: A 2010 Inspector General's investigative report cited abuses along with payments that had no connection with BPCA's mission but these were to organizations clearly outside the community and BPCA's responsibility to provide public benefits; and

WHEREAS: Community Board #1 understands that BPCA must establish standards and checks and balances for how they make contributions; and

WHEREAS: Recently, the BPCA Board has determined that all payments and contributions should be stopped; and

WHEREAS: Community Board #1 believes this decision is overreaching and is concerned that recipients who justifiably should be supported will suffer as an over-reaction to past abuses; and

WHEREAS: This decision by the BPCA calls into question how it views its current mission as a public benefit corporation funded by the taxes, ground rents and civic fees of all BPC residents and businesses; and

WHEREAS: The BPCA was able to re-categorize support of the Downtown Alliance's Connections Bus service as a fee for service, which shows that alternative approaches can be found to addressing this problem; and

WHEREAS: Community Board #1 believes that, along with "fee for service", other approaches such as a transparent grant program, with published criteria and applications, should be considered as an example; and

WHEREAS: Our local, elected representatives, including NYS Assembly Speaker Sheldon Silver, Manhattan Borough President Scott Stringer, NYS Senator Daniel Squadron, and NYS Assembly Member Deborah Glick, have voiced support for the continuation of BPCA contributions and charitable donations to community organizations; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 urges the BPCA to, not only reconsider its current position on contributions and support of local community organizations, but to work with all interested parties to develop alternatives and positive processes to continue vital support.