

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	6 In Favor	0 Opposed	1 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Support for 80/20 Tenants and Landlord at 225 Rector Place in Battery Park City

WHEREAS: In 1986, Developer Related Companies opened 225 Rector as an 80/20 rental building. Of the 305 apartments, more than 60 were set aside as affordable units through the year 2009 under 421(a), with rent increases during this time limited to those allowed by rent stabilization. The developer received generous government subsidies in exchange for these affordability provisions; and

WHEREAS: Soon after the 9/11/2001 Terror Attacks, government officials stated that it was safe for residents and workers in lower Manhattan, going so far as to offer a monthly rent subsidy of up to \$500 per apartment rented in lower Manhattan to entice folks to return to and rebuild the area. This subsidy was granted for 1 year; and

WHEREAS: We now know that the ambient environment was still too toxic for people to safely live and work downtown at that time; and

WHEREAS: In 2002, the economic downturn that followed the terrorist attacks of September 11, 2001, the State and Local governments gave Related Companies a new package of taxpayer-financed subsidies, in exchange for extending the affordability protections from 2009 to 2019; and

WHEREAS: Amid 2005's surging real estate market, Related sold 225 Rector Place to another developer, Yair Levy, who announced plans to convert the building into condominiums; and

WHEREAS: In 2006 Mr. Levy claimed that he was not bound by the new 2019 sunset date for affordability protections, He then allegedly began an illegal campaign to harass and drive out as many of the affordable tenants as he could; and

WHEREAS: In 2009, Mr. Levy defaulted on his own mortgage, and abandoned the building, draining escrow and reserve funds meant to protect residents, and using the proceeds to cover his personal expenses; and

WHEREAS: 2011 witnessed the purchase of the building from foreclosure by The Related Companies, which then subsequently moved ahead with the condo offering plan that Mr. Levy had begun. By this time, there were fewer than 20 units still occupied by the 80/20 tenants; and

WHEREAS: In 2013, an investment partnership, Ven One Rector (led by Sunil Kukreja), purchased 22 Units that included the remaining affordable units at 225 Rector, as a block. To their credit, Mr. Kukreja and his partners planned from the beginning to abide by the affordability protections through their planned sunset, on November 19, 2019; and

WHEREAS: In May 2018, Ven One Rector and the remaining 80/20 Tenants entered 2-year leases which all expired on April 30, 2020. In March 2020, Ven One Rector offered tenants the option to renew their leases at market rates, or else to decide to move out; and

WHEREAS: Also, in March 2020, the 80/20 tenants advised that they are unable to pay market rate rents; and

WHEREAS: Subsequently in March 2020, Ven One Rector signed a lease with a corporate tenant, who wished to rent all the apartments, as a block, at pre-COVID-market rates; and

WHEREAS: By the end of March 2020, the coronavirus pandemic unleashed a public health crisis and economic slowdown, which included a freeze on eviction and move-ins/move-outs of all residential buildings; and

WHEREAS: In light of the eviction moratorium, Ven One Rector extended the tenancies of the remaining affordable tenants in April 2020. These extensions lasted through the spring, and then the summer, at the 80/20-affordable rents; and

WHEREAS: In August 2020 Governor Cuomo extended the eviction moratorium until December 31, 2020; and

WHEREAS: City Council member Margaret Chin sought to broker a compromise that would allow the 80/20-affordable-unit tenants to remain in their homes for another year; and

WHEREAS: Ven One Rector has been in compliance with the eviction moratoriums, to them financial detriment; and

WHEREAS: Ven One Rector is not financially able to sustain supporting the 80/20 Tenants at their respective rental payments of between \$1,200 and \$1,600 respectively, per apartment per month indefinitely, especially as the monthly PILOT, Ground Rent and Common Charges well exceed these amounts; and

WHEREAS: The Battery Park City Authority (BPCA) has played a constructive leadership role in the past (as they recently did at Gateway Plaza), by committing financial resources to mitigate a landlord's financial shortfall, while preserving and extending affordability protections for tenants; and

WHEREAS: Our elected officials have joined together to write a letter to Sunil Kukreja, manager of Ven One Realty to assure him that having tenants at this moment is better than spending money in housing court and that the office of Councilmember Margaret Chin is looking to find subsidies for the units in question; and

WHEREAS: Some of the 225 affordable tenants are People with 9/11-related illnesses and are more susceptible to experiencing serious side effects if they contract the COVID-19 virus and should not be forced to move during the pandemic; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 encourages continued negotiations among elected officials and the BPCA, Ven One Rector and the 80/20 Tenants, with the goal of reducing the financial burden on Mr. Kukreja and his partners until October 1, 2021 or one month after the Coronavirus pandemic is declared over, whichever comes first; and

BE IT

FURTHER

RESOLVED

THAT: Both the 80/20 Tenants in 225 Rector Place (many of whom have 9/11-related illnesses) and Ven One Rector should be given financial support by government agencies with relevant jurisdiction (such as New York City Housing Preservation & Development and the Battery Park City Authority) to keep the tenants in place and mitigate Ven One Rector's financial losses until October 1, 2021, or one month after the Coronavirus Pandemic is declared over, whichever comes first.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	13 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Capital and Expense Budget Requests for Fiscal Year 2022

THEREFORE

BE IT

RESOLVED

THAT: CB 1 recommends the funding of the following budget requests for FY 2022 (attached).

CB 1 FY 2022 Budget Requests

#	Name	Explanation	agency	Type	Location
1	Evaluate a public location or property for green infrastructure, e.g. rain gardens, stormwater greenstreets, green playgrounds	Provide or expand green infrastructure, e.g. greenbelts, bio swales - CB 1 would like to see budget increases for investment in new technologies required to advance sewage treatment plants and wastewater management.	DEP	Continue...	
2	Provide a new or expanded park or amenity (i.e. playground, outdoor athletic field)	Reconstruct playground in The Battery.	DPR	Continue...	
3	Provide a new or expanded park or amenity (i.e. playground, outdoor athletic field)	Provide additional funding for the expansion and renovation of Elizabeth Berger Plaza to include Trinity Plaza.	DPR	Continue...	
4	Improve traffic and pedestrian safety, including traffic calming (Capital)	Fund additional intergovernmental coordinate to expedite the proposed intersection safety improvements that resulted from the study of Route 9A (West Street) traffic patterns from 59th Street to Battery Place, focusing on pedestrian and vehicular interaction.	DOT	Continue...	Route 9A 59th Street Battery Place
5	Provide new or upgrade existing sanitation garages or other sanitation infrastructure	Install waste containment compartments in the public rights-of-way in areas where residential conversion buildings overwhelm the sidewalks. Such installations may be found in other large cities like Barcelona, Seville, and The Hague.	DSNY	Continue...	Please consult with the Downtown Alliance for pilot locations
6	Stormwater Retention in Barnett Newman Triangle	Work with DDG to implement stormwater retention practices such as bioswales in Barnett Newman Triangle	DEP	Capital	Barnett Newman Triangle

7	Support of City's "Green Infrastructure Program"	Support of City's "Green Infrastructure Program" to assure all city parks and green streets have pervious green space and adequate stormwater capture	DEP	Capital	
8	Bluestone Pathways in City Hall Park	Replace the current pathway material at City Hall Park with the more durable Bluestone.	DPR	Capital	City Hall Park
9	Reconstruct or upgrade a park or amenity (i.e. playground, outdoor athletic field)	Rebuild comfort station and park office in The Battery.	DPR	Capital	
10	Reconstruct or upgrade a park or amenity (i.e. playground, outdoor athletic field)	Renovate the pathway of Bowling Green Park, which currently pools with water after heavy rains.	DPR	Capital	Bowling Green
11	Restore and upgrade City Hall Park Northeast Plaza	This large space should be re-examined to make it into a more useful open space to serve the community. This area has also suffered damage from NYPD vehicle parking.	DPR	Capital	City Hall Park
12	Needed repairs at City Hall Park	DPR should work with CB 1 and Friends of City Hall Park to review the list of recommended repairs including repair of broken pavement, replace chemically damaged plantings and soil, tree maintenance, broken water features	DPR	Capital	City Hall Park
13	Barnett Newman Triangle	Support completion of Barnett Newman Triangle which is part of the Greenstreets program (a partnership between Parks and DOT)	DPR	Capital	Barnett Newman Triangle
14	Bowling Green Restoration/Re-Design	Enlarge and make this major tourist destination safer. Now that the City has decided to keep the Charging Bull statue there, we need to find a way to separate visitors from vehicular traffic by enlarging this busy park.	DPR	Capital	Bowling Green Park
15	Create a new, or renovate or	Create a new library on the east side of Community District 1.	NYPL	Capital	

	upgrade an existing public library				
16	Accessibility in Public Rights-Of-Way	Continue funding projects to make intersections safe for all users using best available technology and techniques such as sidewalk ramps, smooth crosswalks, auditory signals, etc.	DOT	Capital	
17	Speed Cameras in CB 1	Install speed cameras in the most dangerous intersections that are close to schools	DOT	Capital	Within Community District 1 where the danger from speeding is greatest
18	Restore and reopen Brooklyn Bridge Banks open space	This area had long served as an open space for basketball, skateboarding and other activities. In an area very lacking in such facilities, this open space needs to be restored and reopened as soon as possible.	DOT	Capital	Adjacent to Brooklyn Bridge Arches
19	Roadway maintenance (i.e. pothole repair, resurfacing, trench restoration, etc.)	Reconstruct and restore Franklin Street between Hudson and Varick Streets, a cobblestone street within CB 1's historic district.	DOT	Capital	Franklin Street and Hudson Street
20	Improve traffic and pedestrian safety, including traffic calming	Build out a mid block crosswalk that serve P.S.89/I.S. 289 with additional signage at a minimum.	DOT	Capital	PS 89
21	Repair or provide new street lights	Replace non-historic street lamps with distinctive Bishops Crook street lamps or best fitting contextual alternative within CB 1s historic districts and adjacent to individual landmarks.	DOT	Capital	Worth Street between West Broadway and Hudson streets
22	Roadway maintenance (i.e. pothole repair, resurfacing, trench restoration, etc.)	Repair Theater Alley behind the Park Row block.	DOT	Capital	Theater Alley Beekman Street
23	Roadway	Repair the currently cobbled roadbed of	DOT	Capital	Moore Street,

	maintenance (i.e. pothole repair, resurfacing, trench restoration, etc.)	Moore Street between Water and Pearl Streets.			Water Street, Pearl Street
24	Roadway maintenance (i.e. pothole repair, resurfacing, trench restoration, etc.)	Reconstruct and restore Vestry Street between West and Greenwich Streets, a cobblestone street within CB 1's historic district.	DOT	Capital	Vestry Street, West Street
25	Roadway maintenance (i.e. pothole repair, resurfacing, trench restoration, etc.)	Reconstruct and restore Staple Street between Duane and Harrison Streets, a cobblestone street within CB1's historic district.	DOT	Capital	Staple St Duane St Harrison St
26	Roadway maintenance (i.e. pothole repair, resurfacing, trench restoration, etc.)	Reconstruct and restore N. Moore Street between Hudson Street and Varick Street within CB1's historic district.	DOT	Capital	North Moore Street Hudson Street Varick Street
27	Roadway maintenance (i.e. pothole repair, resurfacing, trench restoration, etc.)	Reconstruct and restore Greenwich Street between Vestry Street and Hubert Street, a cobblestone street within CB's historic district.	DOT	Capital	Greenwich Street Vestry Street Hubert Street
28	Roadway maintenance (i.e. pothole repair, resurfacing, trench restoration, etc.)	Reconstruct and restore Duane Street between Greenwich and Hudson Streets, a cobblestone street within CB 1's historic district.	DOT	Capital	Duane St Greenwich St Hudson St
29	Roadway maintenance (i.e. pothole repair, resurfacing, trench restoration, etc.)	Reconstruct and restore Collister Alley between Laight and Beach Streets, a cobblestone street within CB1's historic district.	DOT	Capital	Collister Street Laight Street Beach Street
30	Improve traffic and pedestrian	Fund NYC's portion of the redesign and reconstruction of South End Avenue in	DOT	Capital	South End Avenue Liberty

	safety, including traffic calming	Battery Park City.			Street West Thames Street
31	Increase pedestrian and cyclist space on the Brooklyn Bridge	The esplanade is a pinch-point that impairs our district's cycling network and can be unsafe for the local and tourist pedestrians as well. Funds to create more safe space would make sustainable transportation between downtown Brooklyn and Lower Manhattan.	DOT	Capital	Brooklyn Bridge
32	Pedestrian safety improvement for low vision pedestrians	People with low or no vision have difficulty knowing when the traffic signals change, hence when it is safe to cross the street. Auditory signals that can inform people with low vision should be added to the intersections along Centre St, especially by government buildings so that they can safely participate in government related activities along that very busy road.	DOT	Capital	Centre St from Chambers St to Walker St
33	Safety Improvement - traffic signal for low-vision pedestrians	When the Rector Street pedestrian bridge across West St (RT 9) was removed, some residents with low or no vision requested that the traffic light at Albany and West St be made accessible to them. Adding an auditory signal at that corner is requested to allow those residents to recover the independence that they lost when the bridge was removed without having to walk to W Thames St.	DOT	Capital	Albany St and West St Intersection
34	School Safety	A new school under construction at 42 Trinity lacks adequate outdoor gathering space and a safe place designated for buses to stop and let children on and off. Funds are needed to complete the Edgar Street project to close a lane and create an expanded sidewalk or pedestrian area on the south side of the school. Planning and approval of the needed bus stops are also requested that will accommodate the children before and after school.	DOT	Capital	Trinity Place around Edgar Street (School entry at 42 Trinity PL)
35	Create new active recreation space in area beneath Brooklyn Bridge	The east side of CB 1 has very little active recreation space for the growing youth population. DOT has an area known as the "Dugout Space" located beneath the Brooklyn Bridge ramps off South St	DOT	Capital	"Dugout Space" located beneath Brooklyn Bridge ramps off South St between

		between Frankfort and Robert F. Wagner Sr. Place. This large lot has been little used by DOT for many years and should be converted into a green play space for youth from CB 1 and 3.			Frankfort and Robert F. Wagner Sr. Place
36	Pedestrian and Cyclist Safety	The promenade on the Brooklyn Bridge is commonly crowded by cyclists and pedestrians using it to travel between Brooklyn and Manhattan as wells as tourists, exercisers, etc. More space on the bridge is needed to improve pedestrian and cyclist safety and encourage growth of these sustainable means of transportation.	DOT	Capital	Brooklyn Bridge
37	Install Public Bathroom at 1 Centre Street Plaza	Install Public Bathroom at 1 Centre Street Plaza	DOT	Capital	1 Centre Street Plaza
38	Reopen WTC Streets	Reopen WTC Streets	DOT	Capital	
39	Traffic calming measures for 2nd Place and Battery Place	Traffic calming measures for 2nd Place and Battery Place	DOT	Capital	2nd Place and Battery Place in Battery Park City
40	Affordable Housing in Battery Park City	Establish a program to fund affordable housing protections in Battery Park City, which exists as a unique state authority within the political boundary of Manhattan and Community District 1.	HPD	Capital	Battery Park City
41	Affordable Housing Construction	Build income restricted housing for a mix of family sizes. (studio through many-bedroom residential units)	HPD	Capital	Manhattan CD 1
42	Rebuild New Market Building for Public Use with Community Amenities	The City is scheduled to demolish the old New Market Building in the upcoming months. There is no plan on what to build there. This idea comes from the 2002 Downtown East River Waterfront Concept Plan sponsored by CB 1 and the Alliance for Downtown NY. Such uses could include, but are not limited to a community center with indoor and rooftop recreation space, public uses, community amenities, and possibly a restaurant,	EDC	Capital	New Market Building site at East River

		rental and repair facilities for bicycles, boats and other recreational equipment.			
43	Restore the South St. Seaport Museum historic Thompson Warehouse on Water St.	These historic mid-19th century buildings that house the Melville Gallery and other SSSM facilities urgently need to be upgraded to allow for safe and legal access, security and flood resiliency. The SSSM did get a \$4.8 million grant for this renovation from LMDC but that funding is insufficient. The project needs an additional \$3 million for capital work and \$300,000 for design and engineering.	EDC	Capital	South Street Seaport Historic District
44	Make infrastructure investments that will support growth in local business districts (New Market Building)	Funds for the demolition and reconstruction of pier/pilings underneath New Market Building site.	EDC	Capital	
45	Infrastructure investments for Governor's Island	Provide funds to continue transformation of Governors Island. As the Island completed its ambitious 40-acre park project last year, it is now focusing on a new plan to create a 24/7 community with even more public parks, nonprofit tenants, restaurants, and 5 million square feet of new commercial, office and education space. Funds are also needed for the Islands aging or absent infrastructure and for the maintenance of historic buildings.	EDC	Capital	Governors Island
46	Comprehensive, Integrated Long-Term Resiliency Infrastructure	Plan for and construct long-term comprehensive resiliency infrastructure from Stuyvesant High School-north. City needs to protect the West side of the Island and to be meaningful needs to connect with resiliency infrastructure north of Canal Street. This is especially timely as the federal government has not renewed funding for the NY & NJ Harbor & Tributaries Focus Area Feasibility Study (HATS) which was expected to address flood resiliency protection for this area.	EDC	Capital	West side of CD1 from the edge of the BPCA plan northwards
47	Innovative Flood	For short/medium flood resiliency	EDC	Capital	

	Protection Barriers	infrastructure, we encourage innovative barrier design that is economical, effective and that can be manufactured locally			
48	Ferry Route to Rikers Island from East River Ferry Docks	Extend the Citywide Ferry Service to include service to Rikers Island to reduce travel time for defense counsel, family, and friends of the incarcerated.	EDC	Capital	Rikers Island
49	Ferry Route to Governors Island	Year-round Citywide Ferry route to Governors Island from Lower Manhattan	EDC	Capital	
50	Harbor School Pool	Construct a pool for the aquatics program	EDC	Capital	
51	Open Second Harbor School building	Open second Harbor School building	EDC	Capital	
52	Enhance student safety and access via renovations of interior building.	Renovate or replace the elevators serving school facilities at 75 Broad Street.	SCA	Capital	75 Broad Street
53	Enhance student safety and access via renovations of interior building	Renovate or replace the elevators serving school facilities at 81 New Street.	SCA	Capital	81 New Street
54	(OEM) Interim Flood Protection Measures program on west side	Reinstate funding for and move forward with Interim flood Protection measures program for Tribeca along Hudson River Park/West Street (as has been done in the South Street Seaport area)	OEM	Capital	North-west corner of CD1
55	Reconstruction of JP Ward Street	JP Ward does not drain water properly and precipitation creates a consistent and sustained ponding condition in front of the ADA curb cuts across from the parking garage and prevents truly ADA compatible access to the new West Thames Street Bridge elevator and overpass.	DDC	Capital	JP Ward Street at West Street
56	Enhance NORC programs and health services	Develop program to help urban communities who live in buildings or residential campuses apply for NORC-SSP designation with the State of New York	DFTA	Expense	

57	Establish a NORC in Gateway Plaza	Designate the Gateway Plaza residential complex as a Naturally Occurring Retirement Community to allow for enhanced services and funding streams for the aging in that location.	DFTA	Expense	Gateway Plaza
58	Investigate air quality complaints at specific location	Increase personnel for 24/7 air/noise/idling inspections (enforcement teams) including for helicopters, trucks, buses and construction equipment.	DEP	Expense	All public and private ferry docking points within Community District 1
59	Early Wastewater Testing to Detect Pathogens	CB1 asks that the city budget include an allocation the sum of \$250,000 to employ 3 staff positions and purchase the equipment necessary to effectively assist in this critical effort of early detection of COVID-19 and future risk of pathogenic organisms in New York City's wastewater	DEP	Expense	
60	Provide more community board staff	Increase the overall Community Board budget to \$400,000 which would be the first increase in over 20 years. This does not count moving OTPS budgets over to PS and calling it an increase.	OMB	Expense	
61	Provide additional Parks Maintenance Staff in CB 1	The City has reduced the number of DPR staff and our parks are not being kept clean and properly maintained. Hire additional staff to replace those eliminated particularly for the East River Esplanade which will be attracting more visitors now that it is being improved and for City Hall Park and the soon to open Peck Slip Park.	DPR	Expense	
62	Support for Parks Volunteers	Support "Partnerships for Parks" to support neighborhood volunteers with maintenance of parks during this time of fiscal austerity. These groups help bridge the gap.	DPR	Expense	
63	Finn Square maintenance	Support to Friends of Finn Square to maintain Finn Square for maintenance operations.	DPR	Expense	Finn Square, Varick and W. Broadway
64	Repair Collect	Repair Collect Park Pond Fountain	DPR	Expense	Collect Pond

	Park Pond Fountain				Park
65	Extend library hours or expand and enhance library programs	Restore funding to FY08 levels to provide increased hours, diverse programming, strong collections and sufficient staff to support these functions. The services provided through the Library are needed by New Yorkers now more than ever and with increased funding can be open more hours, including evenings and weekends, when working families need them.	NYPL	Expense	
66	Other health care facilities requests	Provide funding to Gouverneur Healthcare.	HHC	Expense	227 Madison Street
67	Improve placard enforcement	Continue expansion of placard technology, placard approval protocols, and rule enforcement in CB1 with the goal of improving curb access, deliveries, and pedestrian visibility/safety	DOT	Expense	Community wide
68	Provide increased maintenance of green spaces adjacent to Hudson River Park	Provide funding to supplement maintenance and upkeep at Hudson River Park.	DOT	Expense	
69	Conduct traffic or parking studies	Conduct a Battery Park City North Neighborhood Traffic Study. This study should look at the impacts of increased commercial and placard parking (legitimate and illegitimate) of River Terrace from Chambers Street to Vesey Street as well as North End Avenue from the cul d sac to Chambers Street.	DOT	Expense	River Terrace from Chambers St to Vesey St and North End Avenue from cul-de-sac fo Chambers St
70	Address traffic congestion	Provide funding to study the impacts of Holland Tunnel-related traffic on Canal Street and Laight Street and ways to mitigate the negative environmental and quality of life impacts.	DOT	Expense	Canal and Laight Streets
71	Manhattan Detention Center Traffic Impacts and Mitigation	Provide funding to study the impacts of traffic impacts related to the demolition, construction, and operation of present and future facilities related to existing and planned locally operated incarceration	DOT	Expense	Site of existing and proposed Manhattan Detention Center in Manhattan CD

		facilities between Centre Street and Baxter Street. This study should take in the impacts of movement of detainees, visitation of detainees, and commuting practices of detention center staff. The study should also contemplate ways to minimize the burden of these impacts, especially in regards to illegal parking practices of city employees.			1
72	Improve traffic and pedestrian safety, including traffic calming (expense)	Pilot education/enforcement activities to reduce human powered and electrically propelled bicycle riding on sidewalks and in dense crowds of pedestrians.	DOT	Expense	
73	Enhanced pedestrian and traffic safety and movement	Canal Street has long-needed improvements in pedestrian safety, deliveries, and traffic flow. A traffic study is requested along with a plan for improving Canal Street for its users is requested and is timely since the implementation of two-way tolling on the Verrazano Bridge is planned for 2021.	DOT	Expense	Canal Street
74	Enhance bicycle network and infrastructure	Continued funding to complete the Tribeca to WTC bike path would provide a safe way for people to bicycle north-south from Canal Street to the World Trade Center while also linking to the Greenway by the Hudson River. This would make sustainable transportation safer in Manhattan Community District1	DOT	Expense	6th Ave/Church St, Varick St /West Broadway, , Murray St, Park Pl, Barclay St
75	Enhance Bicycle Network and Infrastructure	Continued funding to complete the Centre St / Lafayette St protected bike path so there is a safe way for people to bicycle north-south between City Hall and the courts as well as into MCD3. This would make sustainable transportation safer in Manhattan Community District1	DOT	Expense	Centre Street and Lafayette Street
76	Feasibility study of moving bike traffic from Hudson River Park to West Street	The increased reliance on cycling as a means of transportation to, from and around MCD1 has led to frequent overcrowding and conflict with pedestrians on the Hudson River Park Greenway. Since workers, students and visitors to our district state their intent to	DOT	Expense	(from Chambers Street to the north)

		use bikes as they return, the need for more safe pedestrian and cycling space will be needed even more. They NYC and NYS DOT's need to work together to study and implement this much needed safety measure.			
77	Traffic Study for Albany Street Crossing of West Street	Perform a safety study of the intersection of Albany Street and West Street, which should include whether crossing guards, audible signals, or other safety enhancements are necessary for this intersection.	DOT	Expense	Albany Street & West Street
78	Study Left turn from southbound 9A onto Albany Street	Study Left turn from southbound 9A onto Albany Street	DOT	Expense	West Side Highway and Albany Street
79	Study locations for cargo bike parking throughout the district	Study areas within the district that serve a wider body of users than a specific commercial enterprise.	DOT	Expense	
80	curbside regulation study	Audit of curbside parking regulations to maximize curb space for a variety of other uses other than agency parking.	DOT	Expense	
81	Reopen Park Row to Vehicular Traffic	Reopen Park Row to Vehicular Traffic	DOT	Expense	Park Row from Worth Street to Frankfort Street
82	Construction of Bus Stop in Front of P.S. 276	Construction of Bus Stop in Front of P.S. 276	DOT	Expense	In front of P.S. 276
83	Study of Development Rights Transfers in Historic South Street Seaport	DCP should review development rights transfer zoning at the South Street Seaport Historic District, including an update and search for alternative receiving sites outside of the historic district.	DCP	Expense	
84	Study land use and zoning to better match current use or future neighborhood	Allocate funds for staff to determine impact of contextual zoning district proposals and revise current zoning regulations for CB1 to better reflect delivery of City services and infrastructure investment to match growth of residents,	DCP	Expense	

	needs	workers, tourists and students.			
85	Study land use and zoning to better match current use or future neighborhood needs	Fund a study to create zoning requirements for cold waste storage rooms in newly constructed buildings as wells as enlargements and conversions.	DCP	Expense	
86	Other affordable housing programs requests	Establish a program with the aim of the preservation of affordable housing in Battery Park City.	HPD	Expense	
87	Special Sanitation District	Funding to study and create a special Sanitation district in Lower Manhattan, where the historic and narrow Colonial street grid presents unique challenges for DSNY pickups and leads to piles of residential trash on the sidewalks during peak pedestrian hours.	DSNY	Expense	
88	Other enforcement requests	Add personnel and resources to increase frequency of garbage pick-ups for all shifts and graffiti removal to match the residential population explosion in the district.	DSNY	Expense	
89	Expand Commercial Enforcement	Increase enforcement of regulations for commercial and residential waste.	DSNY	Expense	
90	Homeless Encampment Cleanup Staff	provide more personnel for coordinated homeless encampment cleanups with NYPD, DHS, and sometimes DPR.	DSNY	Expense	Community District 1
91	Composting	Ensure composting and recycling funds are reinstated to reduce and reuse NYC's waste.	DSNY	Expense	
92	Assign additional crossing guards	Fund additional school crossing guards in needed locations, especially near elementary schools. It is also critical to increase the pay rate for school crossing guards and to offer full-time positions in addition to part-time.	NYPD	Expense	
93	Other NYPD staff resources requests	Allocate funds for increased surveillance and law enforcement in non-permitted street encampments which are causing	NYPD	Expense	

		problems of safety, sanitation and economic distress to residents and retail merchants.			
94	Assign additional uniformed officers	Increase personnel of 1st Precinct for quality of life issues such as bus enforcement including double-decker and tour buses, street vendors, crime, traffic enforcement, noise related to disruptive bars and clubs and enforcement of traffic and parking regulations including placard parking, illegal parking and blocking curb cuts and bike lanes, black cars, limos, cyclists, motorcycles and electric bicycles. The NCO philosophy is widely seen as a very successful attempt to address these issues and more NCOs should be established for more numerous, and smaller sectors within the 1st Precinct. NYPD should include social workers in calls when necessary.	NYPD	Expense	1st Precinct Territory
95	Other NYPD staff resources requests	Increase hourly rate for crossing guards and provide full time positions	NYPD	Expense	
96	Expansion of Student Metrocards	Expand Student Metrocard program to cover full daily and weekend usage to allow for travel to school-related events, clubs and sports. Funding should increase to allow Metrocards for caregivers who bring children to said events.	DOE	Expense	
97	Improve school safety	Create a program to improve safety at all school lobbies in high density commercial buildings.	DOE	Expense	26 Broadway and 81 New Street
98	Reduce rat populations	Increase resources to address the proliferation of rats and other vermin in Lower Manhattan.	DOH...	Expense	
99	Other programs to address public health issues request	Increase funding for mental health and outreach to the homeless population in CB 1 through THRIVE.	DOH...	Expense	
100	Connect the children of 9/11 with VCF/WTC Health	Connect the children of 9/11 with VCF/WTC Health registration resources.	DOH...	Expense	

	registration resources.				
101	Expand DOHMH Race to Justice Program to all city agencies	Provide the necessary funding to hire and maintain sufficient trainers and program designers for the Race to Justice Program to propagate the teachings of this program across all city agencies and make all trainings online and with an at-your-own-pace option.	DOH...	Expense	
102	Fund Race to Justice Training for CBOs within CD 1	Provide the necessary funding to hire and maintain sufficient trainers and program designers for the Race to Justice Program to propagate the teachings of this program to community based organizations that work within Community District 1 and provide social support and education to groups such as LGBTQIA, youth, elderly, homeless, minority, etc.	DOH...	Expense	
103	Provide programs for homeless veteran	Increase funding for mental health and outreach to the population of homeless veterans in CB1.	DHS	Expense	
104	Other DHS staff resources requests	provide more personnel for coordinated homeless encampment cleanups with NYPD, DSNY, and sometimes DPR.	DHS	Expense	Community District 1
105	Additional Outreach for the homeless in Lower Manhattan	Provide additional contracts to expand the number of professional homeless engagement personnel.	DHS	Expense	
106	Include bathymetric surveys for waterfront projects	Bathymetric surveys allow us to measure the depth of a water body as well as map the underwater features of a water body. This information allows us to assess whether waterfront areas are suitable for maritime use or require remedial measures necessary to make it so.	EDC	Expense	
107	Assess state of all piers, docks and bulkheads	This will determine whether our piers, docks and bulkheads are safe and ready to accommodate public access and maritime use. Should assess state of maintenance, load capacity, presence and condition of fendering, cleats and bollards, guardrails, provisions for access, ladders and life-rings, and utilities.	EDC	Expense	

108	311 Location Assistance	Develop improved ways to identify specific locations in parks that are solely under the jurisdiction of the Battery Park City Authority for better targeting of service requests.	DOITT	Expense	Battery Park City Parks
109	911 Location Assistance	Develop improved ways to identify specific locations in parks that are solely under the jurisdiction of the Battery Park City Authority for improved Fire/EMS response.	FDNY	Expense	Battery Park City Authority Parks
110	Enhanced Fire/EMS Response	Expand funding for fire prevention and life safety initiatives. Develop improved ways to identify specific locations in parks that are solely under the jurisdiction of the Battery Park City Authority for improved Fire/EMS response.	FDNY	Expense	BPC
111	Expand the enforcement division of LPC	Increase the budget of the enforcement division to hire more inspectors and analysts to better levy violations for property owners that disregard landmarks law protections.	LPC	Expense	
112	Study the Little Syria Neighborhood	Study the Little Syria neighborhood of CD 1 for historic district protection.	LPC	Expense	CD 1, Little Syria
113	DOB Enforcement of sidewalk sheds	Increase DOB's capacity to inspect and issue summonses for violations of city law and regulations concerning the overuse of sidewalk sheds.	DOB	Expense	

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	11 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	42 In Favor	2 Opposed	1 Abstained	0 Recused

RE: The Proper Fair Share Analysis for a Permanent Shelter within Community District 1

WHEREAS: Manhattan Community Board 1 (CB 1) worked with the Department of Homeless Services (DHS) for many years to site a women’s shelter; and

WHEREAS: CB 1 met with DHS in the Fourth Quarter of 2019 to begin the process of siting a permanent DHS shelter for adult families and agreed to work together with DHS to do so; and

WHEREAS: CB 1 met with DHS and Project Renewal the Covid 19 Temporary Shelter Operator in July 2020 to review and improve operations for the Temporary Shelters and agreed to work together looking ahead; and

WHEREAS: There are multiple privately-operated shelters within Community District 1 (CD 1); and

WHEREAS: The de Blasio Administration has stated publicly that there are no shelters in CD 1, which does not recognize the privately-operated shelters; and

WHEREAS: The “Fair Share Criteria” instructs agencies to consider a facility’s compatibility with its surroundings and other nearby City facilities, potential negative impact on the neighborhood, and consistency with various planning documents – most importantly the Statement of Needs and borough presidents’ responses to it, but also 197-a plans, community board statements of need, and other documents. Agencies are also instructed to distinguish between facilities that only serve one neighborhood or community and facilities that have a broader geographic reach. For facilities meant to serve a neighborhood rather than regional need, agencies are instructed to consider the community need for the facility, including relative need compared to other communities, and accessibility to the population the

facility is meant to serve. Importantly, the Fair Share Criteria requires agencies to consider all facilities in a community – not just City facilities but also comparable state, federal, and private ones, now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 calls upon the Administration to allow DHS to work with us in continuing our work to find the most suitable site for an additional permanent shelter, which will maximize the transparency and communications between government and the community; and

BE IT

FURTHER

RESOLVED

THAT: Previous to announcing the proposed site of any permanent shelter, the City must share that it has satisfied the Fair Share Analysis according to all criteria and provide said analysis to the CB 1 office, so that it may corroborate the findings with current conditions.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	12 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	1 Opposed	1 Abstained	0 Recused

RE: The Reinstatement of Fiscal Oversight over COVID-19 Related Contracts

WHEREAS: In March 2020, during the first wave of the COVID-19 Pandemic in New York City, the mayor issued “Emergency Executive Order (E.E.O.) 1010, Section 2,” which suspended laws and regulations related to procurement; and

WHEREAS: According to the NYC Comptroller, “The City has already paid out over \$1 billion on the emergency contracts registered under the E.E.O. In April 2020, contracts for PPE comprised 19 percent of registered COVID-19 emergency contracts compared to June 2020 when PPE comprised only three percent of all contracts”; and

WHEREAS: It is necessary to maintain fiscal oversight to prevent the creation and prolongation of contracts that ostensibly serve a public purpose, but may do so by favoring political allies at an excessive cost to the taxpayer; and

WHEREAS: The Mayor himself has admitted to the precarious state of the City’s finances and all agencies, including the 59 community boards tightened their budgetary belts in an act of fiscal need and civic solidarity; and

WHEREAS: The lack of true checks and balances over potentially specious, unchecked spending makes a mockery of the budget cuts that are born by non-politically connected New Yorkers that receive few services despite the weakened economy along with the twin specters of housing insecurity and sickness; now

THEREFORE

BE IT

RESOLVED

THAT: Manhattan Community Board 1 joins the New York City Comptroller in calling on the Mayor to rescind E.E.O 101, Section 2 at once and allow the public some comfort that once of the largest budgets in the United States is given the proper fiscal oversight; and

BE IT

FURTHER

RESOLVED

THAT: Barring swift mayoral action, Manhattan Community Board 1 calls upon the Speaker of the City Council and our local Councilmember, Margaret Chin and Borough President, Gale A. Brewer to establish and drive whatever legislative and charter-based options that are available to force the mayor to rescind the order in question.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: EXECUTIVE

COMMITTEE VOTE:	13 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Capital and Expense Budget Requests for Fiscal Year 2022

THEREFORE

BE IT

RESOLVED

THAT: CB 1 recommends the funding of the following budget requests for FY 2022
(attached).

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

COMMITTEE VOTE:	6 In Favor	0 Opposed	6 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	40 In Favor	0 Opposed	1 Abstained	0 Recused

RE: Transfer of Seaport Development Rights Outside the South Street Seaport Historic District

WHEREAS: The South Street Seaport Historic District was designated in 1977 and was described as “consisting primarily of small-scale brick buildings which contrast dramatically with the soaring skyscrapers nearby” in the Landmarks Preservation Commission (LPC) designation report; and

WHEREAS: The National Trust for Historic Preservation has listed the South Street Seaport as one of the 11 Most Endangered Historic Places in 2015 due to the threat of inappropriate and out of scale development in a modest and deeply historic New York City neighborhood; and

WHEREAS: The prior owner of the 250 Water Street site tried multiple times to gain LPC approval for buildings ranging from 14 stories in height to 43 stories and all were rejected by the LPC using very similar language that “the proposed scale, size, mass and volume of the high rise building would dominate and overwhelm the neighboring buildings in this low scale district, would relate more closely to the buildings outside the district, thus visually confusing the clear boundary of the district;” and

WHEREAS: After years of these unsuccessful efforts to gain approval of a high rise building at 250 Water Street, Manhattan Community Board 1 (CB1) led a successful effort in 2003 to rezone the Seaport Historic District to C6-2A with a maximum height of 120 feet. This rezoning had the support of local elected officials, the Downtown Alliance, the South Street Seaport Museum, the Municipal Arts Society, Seaman’s Church Institute, the Department of City Planning, the Economic Development Corporation and local developers including Frank Sciame who restored 11 buildings on Front Street keeping them well below 120 feet in height; and

WHEREAS: The South Street Seaport Historic District has long had a mechanism in place to allow for the transfer of unused development rights from the historic Seaport District to designated “receiving” sites outside the district that has been used to maintain the low scale character of the historic area while giving property owners a chance to sell these unused development rights to other nearby sites; and

WHEREAS: The Howard Hughes Corporation (HHC), which owns 250 Water Street, is proposing to gain control of hundreds of thousands of these development rights now controlled by the City of New York and to transfer them to 250 Water St to enable them to build a building that could range from 55 to 90 stories in height

according to their Community Stakeholder presentations earlier this year, far taller than those already rejected in the past by LPC or allowed by City zoning provisions; and

WHEREAS: If HHC is allowed to transfer development rights to the site and build a high rise, it would negate the hard fought and correct action to downzone the Seaport Historic District and keep the area low scale and would set a dangerous precedent to allow other developers to move such development rights into this and other historic districts; and

WHEREAS: CB1 is on record opposing any development at 250 Water Street that exceeds the allowable 120-foot height limit per the zoning but would welcome affordable housing units in a building built in accordance with the zoning; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 strongly urges the Economic Development Corporation and the Department of City Planning to work with CB1 to create additional, new receiving sites for Seaport Development Rights at less developed sites previously suggested to City officials including but not limited to at 72 Nassau Street where the owner has expressed interest in purchasing such development rights; and

BE IT

FURTHER

RESOLVED

THAT: CB1 supports transferring the Seaport Development Rights to help support the financial needs of the South Street Seaport Museum, to fund other important community needs in the Seaport area, and to create additional affordable housing in our Lower Manhattan district but only to sites outside the Seaport Historic District; and

BE IT

FURTHER

RESOLVED

THAT: CB1 would support HHC if it wished to transfer any of the Seaport Development Rights that it controls to sites outside the Historic District; and

BE IT

FURTHER

RESOLVED

THAT: CB1 also strongly urges the Economic Development Corporation to only sell any Seaport Development Rights that it controls to sites outside the Seaport Historic District; and

BE IT

FURTHER

RESOLVED

THAT CB1 urges all our elected officials to join with the Board to work on this important effort that would allow for an appropriate building at 250 Water St as well as funding for important local needs.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

COMMITTEE VOTE:	7 In Favor	0 Opposed	1 Abstained	0 Rescued
PUBLIC VOTE:	0 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	43 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: Bogardus Plaza, statement of support for PDC-approved kiosk

WHEREAS: This application calls for the installation of a retail kiosk at the newly constructed Bogardus Triangle park; and

WHEREAS: The park itself has been painstakingly designed and vetted with the community's participation; and

WHEREAS: After years of delay, Bogardus Triangle's construction is almost complete; and

WHEREAS: At the last moment, a large 9'x12'x10' kiosk has been proposed for the east side of the Triangle, near West Broadway, between Reade and Chambers Street; and

WHEREAS: The kiosk is a generic prototype design intended to be serviceable throughout the city; and

WHEREAS: Despite years of attention to make the new Bogardus Triangle contextual with the rest of the Tribeca West Historic District, this kiosk completely lacks context, or even sympathy, and is designed to match city bus stops; and

WHEREAS: As designed, it is at physical counter-purposes to both the Triangle and the surrounding architecture of a crucial point in the historic district's boundary; and

WHEREAS: The Landmarks & Preservation Committee of Manhattan Community Board 1 fully supports the intent of Friends of Bogardus Triangle to use a kiosk to create a revenue stream for the park and encourages the stakeholders to come up with a better design; now

THEREFORE
BE IT
RESOLVED

THAT: Manhattan Community Board 1 recommends the Landmarks Preservation Commission reject this application as presented but encourage the applicant to create a more appropriate design.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	12 In Favor	0 Opposed	0 Abstained	0 Rescued
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Rescued
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Rescued

RE: 25 Broad Street, application for liquor license from Loughlin Group, LLC d/b/a TBD

WHEREAS: The applicant, Loughlin Group, LLC, is applying for an on-premise liquor license for TBD; and

WHEREAS: The establishment is a fine-dining restaurant; and

WHEREAS: The applicant has represented that there are no buildings used primarily 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 establishment is a 4,300 square foot restaurant with a public assembly capacity of 142, and a 1,552 square foot dining area with 23 tables and 98 seats, and a 910 square foot bar area with 10 tables and 34 seats, and a 1,300 square foot kitchen area, 1 L-shaped stand-up bar and no food counter; and

WHEREAS: The establishment is located on the 1st floor of a 21-story residential building, of which the applicant intends to license, and the basement will be used to store alcoholic beverages; and

WHEREAS: Patrons will not have access to any unlicensed outdoor areas of the building; and

WHEREAS: The hours of operation and food service hours will be from 11:30AM to 10PM Mondays through Fridays, and 5PM to 10PM on Saturdays, and bar service hours will be from 12PM to 10PM Monday through Friday, and 5PM to 10PM on Saturdays, and the restaurant will be closed on Sundays; and

WHEREAS: The applicant has represented that there will be recorded background music, no live music, no DJs, no non-musical entertainment, no dancing and 2 TV monitors; and

WHEREAS: The applicant does not intend to employ bicycle delivery personnel; and

WHEREAS: The applicant will have delivery of supplies, goods and services during the hours of operation; and

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

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of a liquor license to Loughlin Group, LLC d/b/a TBD at 25 Broad Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: LICENSING AND PERMITS

COMMITTEE VOTE:	11 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC VOTE:	1 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	41 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 95 South Street, application for alteration of liquor license to add dining space to the upper floor for HHC Bridgeview LLC d/b/a TBD

WHEREAS: The applicant, HHC Bridgeview LLC, is applying for an alteration of liquor license for TBD to add a portion of the 4th floor into the licensed premises which is currently comprised of portions of the 3rd and 4th floors as well as the rooftop; and

WHEREAS: The applicant intends to file an alteration for this establishment to increase business service due to COVID19 while allowing for proper social distancing from the proposed increased interior space; and

WHEREAS: The attorney represented that patron reservations are placed in advance from 90 minutes to 2 hours at a time, with staggered entry and exit, and the occupancy will be less than a quarter of what the current occupancy is; and

WHEREAS: The proposed premises are a highly unused area of the 4th floor, and is planned to be used as office space in the future; and

WHEREAS: The applicant intends to use the proposed space in their current method of operation upon SLA's approval of the alteration, and then remove the addition from their liquor license post-COVID19 when normal business functions resume; and

WHEREAS: The attorney agreed to request for signage to be used to clarify points of access for the public inside the establishment; and

WHEREAS: The attorney agreed to ensure with the applicant that the establishment is meeting air ventilation requirements per NYS Executive Order 202.61 for the safety and health of the restaurant's management, staff and customers; and

WHEREAS: CB1 requests that the applicant returns to the Licensing & Permits Committee when they intend to alter their method of operation once again and remove the additional interior space from their liquor license; and

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

THEREFORE

BE IT

RESOLVED

THAT: CB1 opposes the granting of an alteration of liquor license to HHC Bridgeview LLC d/b/a TBD at 95 South Street unless the applicant complies with the limitations and conditions set forth above under these difficult circumstances.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: OCTOBER 27, 2020

COMMITTEE OF ORIGIN: NEW BUSINESS

BOARD VOTE: 36 In Favor 1 Opposed 0 Abstained 0 Rescued

RE: Review of Proposed Guidelines for Liquor Licenses on Rooftops and Terraces in CB1

WHEREAS: CB1 has historically discouraged licensing of rooftops and terraces in residential areas, due to quality of life issues for nearby and adjacent residents arising from noise and music echoing between buildings and carrying a considerable distance from the point of origin; and

WHEREAS: Recently community residents have come before the committee on numerous occasions to express their concerns regarding *unlicensed* roofs and terraces associated with licensed businesses within the building or adjoining spaces, when amplified music, parties and other gatherings have continued late into the night and caused serious quality of life issues for the residential neighbors; and

WHEREAS: For several new applications residents now turn out in large numbers to ask that no usage of roof be allowed in any manner whatsoever; and

WHEREAS: However, in situations when an applicant chooses *not* to include a rooftop or terrace to their license application, the SLA and by extension CB 1 have no direct legal control over the use of that outdoor space, meaning parties, amplified music and other noise and possible unregulated liquor consumption could go on to late hours and still greatly disturb the quality of life of adjacent and nearby neighbors; and

WHEREAS: Residential densities have increased in every neighborhood in the district. The demographic profile has also skewed towards more young families who are more sensitive to noise as children and infants need more restful sleep to support healthy development; and

WHEREAS: Commercial leasing trends appear to be more multi-floor and entire building leases by large tenants, which is facilitated by a local commercial stock that is well-positioned to fulfill that demand; and

WHEREAS: As a result of this recent trend, CB1 is confronting an unusual number of liquor license applications for interior spaces that either want to add rooftop and/or terrace areas to the license, or alternatively leave them unlicensed, but with the ability to then use those spaces at all hours; and

WHEREAS: We have recently seen applications for establishments on upper floors, making it easy and enticing for patrons to take drinks up to any unlicensed roof or terraces; and

WHEREAS: We have recently adapted our approach to several applications taking into account the input of neighbors as to what might be acceptable, negotiating an agreement on both outdoor usage for non-licensed areas and indoor usage and hours such that neither party is quite happy but will try to live with it, and with the proviso that the agreement will be reviewed in one year's time; now

THEREFORE

BE IT

RESOLVED

THAT: Unless applicants agree to stipulations regarding unlicensed or licensed outdoor spaces, the Committee feels that our usual guidelines for hours *inside* the establishment should be reconsidered on a case-by-case basis such that if we feel the outdoor space will be a detriment to the community, particularly in those cases where the interior licensed spaces are adjacent to or within easy access to the unlicensed outdoor spaces, that we will then ask that the interior hours be commensurately reduced by the number of hours that is directly related to the likelihood of rooftop noise by patrons who become inebriated on lower floors to negatively impact the quality of life of residents in neighboring buildings; and

BE IT

FURTHER

RESOLVED

THAT: Guidelines posted on our website should now include a requirement that any establishment seeking to license an outdoor space or provide patrons access to unlicensed outdoor space shall post that information, in addition to or combined with our usual posting requirement, to all buildings on the block on either side of the street and to those that may border the outdoor space from behind the building; and

BE IT

FURTHER

RESOLVED

THAT: Our guidelines should advise applicants that if they have access to unlicensed rooftop or terrace space that is near neighbors, the Committee will likely ask to reduce the interior hours beyond our normal interior guidelines, and/or seek stipulations for use of that space.