

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: BATTERY PARK CITY

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	27 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 259 Vesey Street, application for restaurant liquor license for El Vez

WHEREAS: The applicant, El Vez, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 11:30 a.m. to 2:00 a.m. Monday through Friday and 10:30 a.m. to 2:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is approximately 10,000 square feet, including a dining area of 4,952 square feet with 66 tables and 218 seats, bar area of 931 square feet with 37 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 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 applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant liquor license to El Vez at 259 Vesey Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: DISASTER RELIEF SMALL BUSINESS TASK FORCE

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Insurance and financial help for small businesses affected by Superstorm Sandy

WHEREAS: Hundreds of small businesses in Community District 1 have been devastated by Superstorm Sandy, with major structural damage, demolished fixtures, ruined inventory, hazardous waste contamination, loss of electrical power, water, heat, and phone and data services; and

WHEREAS: District 1 retail merchants also face a catastrophic loss of income due to prolonged evacuation of their customer base during the holiday shopping season, which is critical to their economic survival; and

WHEREAS: Ancillary insurance coverage for flooding is unaffordable or unobtainable by many of the smallest businesses in Flood Zone A, which comprises a significant portion of District 1. Additionally, FEMA does not provide coverage for small businesses; and

WHEREAS: Complex and tedious insurance claim procedures have left small business owners in the dark regarding their current finances; and

WHEREAS: Governor Cuomo recently established an online, report-card system to help provide general information and provide a platform to hold insurance companies accountable; furthermore, Governor Cuomo has passed new regulation to expedite insurance procedures and claims; and

WHEREAS: Small retailers provide services essential to the commercial viability of Lower Manhattan and essential to sustaining a residential population that has doubled in the past decade. Without them, temporarily displaced residents and corporations may be reluctant to return, and may threaten the future of a vibrant, 24/7 community that has become the fastest growing residential district in NYC; and now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 urges the New York State Department of Financial Services to hold insurance companies accountable to their terms, policies and turnaround procedures; and

BE IT
FURTHER
RESOLVED

THAT: CB1 urges the New York State Attorney General to investigate claims filed in the aftermath of Superstorm Sandy and to hold insurance companies accountable to their terms and agreements; and

BE IT
FURTHER
RESOLVED

THAT: CB1 applauds the aforementioned actions taken by Governor Cuomo and urges these policies be aggressively pursued, carried out, and expanded; and

BE IT
FURTHER
RESOLVED

THAT: CB 1 urges local, state and federal representatives to pay particular attention to small businesses in Zone A and provide the appropriate grants, loans and additional resources to compensate for small business loses not covered by insurance coverage.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: DISASTER RELIEF SMALL BUSINESS TASK FORCE

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

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

RE: Supplementary financial assistance for small businesses

WHEREAS: Hundreds of small businesses in Community District 1 have been devastated by Superstorm Sandy, with major structural damage, demolished fixtures, ruined inventory, hazardous waste contamination, loss of electrical power, water, heat, and phone and data services; and

WHEREAS: District 1 retail merchants also face a catastrophic loss of income due to prolonged evacuation of their customer base during the holiday shopping season, which is critical to their economic survival; and

WHEREAS: Current grant programs and loans are inadequate to prevent a potentially catastrophic loss of small retail shops which are essential to Lower Manhattan residents and corporate businesses; and

WHEREAS: Creative, short-term solutions are urgently needed to prevent the imminent failure of many small retailers in critical distress; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 urges local, state and federal representatives, along with the Economic Development Corporation and the Department of Small Business Services, to consider innovative policies to bring financial relief to small businesses affected by Superstorm Sandy. Such policies could include, but are not limited to:

- Temporary assessment reduction in property tax to account for temporary depreciation of property value from Superstorm Sandy
- Postponement of local and state tax deadlines
- Penalty-free grace period for utility bills
- Payment extension program for utility bills
- Temporary sales tax exemption
- Free or subsidized moving and storage options

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: DISASTER RELIEF SMALL BUSINESS TASK FORCE

COMMITTEE VOTE: 6 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 32 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Restoration of Verizon telcom services to small businesses

WHEREAS: Verizon is the provider for landline phone and internet access for a large portion of CB1; and

WHEREAS: Superstorm Sandy destroyed large segments of the copper wire infrastructure in Lower Manhattan; and

WHEREAS: It is critical for both phone and data services to be available for small businesses, retailers, residents and corporate businesses; and

WHEREAS: Lower Manhattan has a large number of people who work from home because of the district's vibrant creative sector and its live-work culture; and

WHEREAS: Lost revenues from displaced residents and workers who patronize local businesses are critical to distressed retail merchants, especially during the holiday season; and

WHEREAS: The uncertainty about when phone and data services in buildings will be restored prevents residents and businesses from effectively planning for the future; and

WHEREAS: Among the obstacles to recovery is the slow restoration of phone and data service; Verizon's stated timetable of spring of 2013 is too long and CB1 agrees with the Mayor that this is unacceptable; and

WHEREAS: Verizon Communications Inc. "is replacing copper wire damaged by Hurricane Sandy with fiber-optic cable, a move that allows the company to sell more services to customers," according to a WSJ December 4, 2012 article; and

WHEREAS: It is now six weeks since Superstorm Sandy hit NYC (October 29, 2012); and now

THEREFORE
BE IT
RESOLVED
THAT:

CB1 urges Verizon to:

1. Expedite the restoration of phone and data services
2. Provide frequent updates to customers on the status and expected restoration of their phone and data services
3. Create a digital map of customers without phone or data service and with recent restorations similar to the mapping platform Con Ed used during and in the aftermath of the Sandy
4. Provide full accounting of buildings that have service and those that don't (e.g. is it a problem in the home, office or building)
5. Develop and provide temporary phone and data services in the interim, including both retail and corporate businesses that constitute a significant majority of the downtown daily population
6. Study the shortcomings of Verizon's emergency preparedness and provide a detailed plan for improved contingency procedures to respond to future emergency situations
7. Proactively rebate customers for loss of phone and data service caused by Superstorm Sandy outages, and

BE IT
FURTHER
RESOLVED
THAT:

CB1 calls on the Public Service Commission to investigate and report on the consequences of the extended outage of phone and data services, including the cost of lost wages, lost sales revenues, lost jobs, and now the possibility of increased fees; and

BE IT
FURTHER
RESOLVED
THAT:

CB1 urges the Public Service Commission to require that Verizon provide an option for basic phone and data services at no additional cost to customers who choose not to upgrade to more costly-enhanced services available when copper wiring is replaced by a fiber-optic infrastructure.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: EXECUTIVE

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

RE: Building and Zoning Regulations to Promote “Flood Zone-Safe Infrastructure”

WHEREAS: A majority of the residential and commercial buildings in Lower Manhattan have electrical equipment, boilers, elevator operations, phone and data services equipment, and other mechanical equipment stored in the basement. The location of this infrastructure makes these buildings vulnerable to damage caused by traditional or storm-surge-related flooding and sewage backup as seen by Superstorm Sandy (October 29, 2012); and

WHEREAS: Superstorm Sandy demonstrated that storm surge-flooding can have widespread and long-lasting damage, particularly, but not limited to, Zone A. Specifically, more than a month after Superstorm Sandy, some residential and commercial buildings in Lower Manhattan remain without electricity, heat and/or hot water, elevators, phone, and data services, and some businesses remain shuttered; and

WHEREAS: Sections of Lower Manhattan within and beyond Zone A are at risk of flooding during a storm surge; and

WHEREAS: Building codes and zoning regulations do not compensate developers for building mechanical infrastructure with flood safe techniques and on flood safe floors with comparable bonuses and exemptions from their floor area and other calculations similar to the green zone floor area bonus afforded to environmentally sound buildings; such a policy indirectly encourages developers to place mechanical infrastructure within the flood-prone basements of their respective buildings; and now

THEREFORE

BE IT

RESOLVED

THAT: CB1 urges the City to create zoning regulations that allow developers, whether in the process of building or retrofitting, to install infrastructure in “flood zone-safe” locations without incurring a floor area penalty that would decrease the amount of rentable space in the building and to update the building code to incorporate “flood zone-safe” construction technologies. Relevant stakeholders including insurance companies should be included; and

BE IT

FURTHER

RESOLVED

THAT:

CB1 urges the Federal, State, and City governments to designate a Special Business Development Sandy Impact Zone and provide financial incentives such as grants, tax credits, and/or long-term, low-interest loans to encourage retrofitting of buildings within this zone.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 27 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 136 Washington Street, application for restaurant liquor license for Morton's The Steakhouse

WHEREAS: The applicant, Morton's The Steakhouse, is applying for a restaurant liquor license for 136 Washington Street; and

WHEREAS: The proposed hours of operation of this establishment are Monday through Thursday 11:30 a.m. to 11 p.m. and Friday and Saturday 11:30 a.m. to 11 p.m. for food and bar service; and

WHEREAS: The total area of the restaurant is approximately 11,000 square feet, with 3,126 square feet and 36 tables and 160 seats in the dining area, 1,157 square feet with 18 tables and 84 seats in the bar area and 3,202 square feet in the kitchen area; 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; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant beer license to Morton's The Steakhouse for 136 Washington Street *unless* the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 27 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Shorty's, application for restaurant liquor license for 62 Pearl Street

WHEREAS: The applicant, Shorty's, is applying for a restaurant liquor license for 62 Pearl Street; and

WHEREAS: The proposed hours of operation of this establishment are 11 a.m. to 2 a.m. Sunday through Thursday and 11 a.m. to 3 a.m. on Friday and Saturday for food and bar service; and

WHEREAS: The total area of the restaurant is approximately 2,825 square feet, with 8 tables and 20 seats in the dining area, 415 square feet with 11 seats in the bar area and 1,193 square feet in the kitchen area; 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 at the request of the Financial District Committee members provided the following contact person who is expected to be available any time the restaurant is in operation: Evan Stein at 917-770-9505; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant beer license to Shorty's for a restaurant liquor license for 62 Pearl Street unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 27 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Liam Street Venture, d/b/a Bavaria, application for restaurant liquor license for 19 South William Street

WHEREAS: The applicant, Liam Street Venture, d/b/a Bavaria, is applying for a restaurant liquor license for 19 South William Street; and

WHEREAS: The proposed hours of operation of this establishment are 11 a.m. to 4 a.m. seven days a week for food and bar service; and

WHEREAS: The total area of the restaurant is approximately 3,500 square feet, with 2,800 square feet and 38 tables and 115 seats in the dining area, 700 square feet with 32 seats in the bar area and 300 square feet in the kitchen area; 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; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant beer license to Liam Street Venture, d/b/a Bavaria, for 19 South William Street unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 27 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Whitehall Ferry Terminal, 4 South Street, Space No. 202, application for restaurant beer license for Panini Grill South Ferry LLC

WHEREAS: The applicant, Panini Grill South Ferry LLC, is applying for a restaurant beer license for Whitehall Ferry Terminal, 4 South Street, Space No. 202; and

WHEREAS: The hours of operation of this establishment are 24 hours seven days a week, with bar service during legal hours; and

WHEREAS: The total area of the restaurant is approximately 244 square feet, with 4 tables and 16 seats; and

WHEREAS: There will be no 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 not three or more establishments with on-premises liquor licenses within 500' of this establishment; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant beer license to Panini Grill South Ferry LLC, for Whitehall Ferry Terminal, 4 South Street, Space No. 202 unless the applicant complies with the limitations and conditions set for above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 27 In Favor 0 Opposed 0 Abstained 0 Recused

RE: 70 Pine Street - N130114ZCM
Application for minor modification of the rooftop open space recreation requirements of Section 15-12 of the Zoning Resolution

WHEREAS: 70 Pine Street LLC has applied to the Department of City Planning requesting the Chairperson of the City Planning Commission's certification to allow modification of the open space equivalent requirement of the New York City Zoning Resolution to facilitate the conversion of 70 Pine Street to a mixed use commercial and residential building, and

WHEREAS: The New York City zoning resolution requires that 50% of the gross roof area of the building must be accessible to all building occupants for recreational use, and based upon the configuration of the building terraces rooftop recreational space cannot be provided, and

WHEREAS: The building will provide alternative interior recreation space as part of a membership club, and

WHEREAS: Financial District residents raised concerns about noise emanating from rooftop space in other buildings and the applicant has agreed to close any outdoor space provided in the building at midnight, now

THEREFORE
BE IT
RESOLVED

THAT: Community Board One recommends that the Chairperson of the City Planning Commission certify approval of a minor modification of the rooftop recreation space requirement set forth in Section 15-12 of the New York City Zoning Resolution to facilitate conversion of 70 Pine Street to mixed use commercial and residential use.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: FINANCIAL DISTRICT

COMMITTEE VOTE: 10 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 27 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Street permit application for Annual Vintage Police Car Show

WHEREAS: The applicant has applied for a street activity permit for Saturday, June 8, 2013, at Old Slip between Water and South Street from 9:00 AM to 6:00 PM

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 does not oppose the application submitted by the New York City Police Museum for a street activity permit for Saturday, June 8, 2013 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: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: HOUSING

COMMITTEE VOTE: 4 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 27 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Safe re-occupancy of residential buildings in Lower Manhattan in the Aftermath of Superstorm Sandy

WHEREAS: Although many Lower Manhattan residents never lost basic services – and many others have had basic services restored – there still are some residents that are still not allowed to return to their homes after Superstorm Sandy (October 29, 2012); and

WHEREAS: Lower Manhattan has a large number of people who work from home because of the District’s vibrant creative sector and its live-work culture; and

WHEREAS: These displaced residents patronize local businesses and these businesses are important during this holiday season; and

WHEREAS: The uncertainty about when buildings will be habitable prevents residents from effectively planning for the future; and

WHEREAS: It is vital to repair the housing stock as quickly and safely as possible since there is a temporary housing and hotel shortage; and

WHEREAS: The City is focusing on the Lower Manhattan recovery to help landlords with getting buildings, both residential and commercial, back online. To facilitate this, the City is working with the Lower Manhattan Construction Command Center (LMCCC). On Friday, November 30, 2012, a meeting was held expedite recovery, eliminate red tape and resolve problems; and now

THEREFORE
BE IT
RESOLVED

THAT: CB1 is encouraged by the City’s latest efforts to expedite the safe re-occupancy of residential and commercial buildings post-Sandy; and

BE IT
FURTHER
RESOLVED

THAT: CB1 asks FEMA to consider streamlining its process for apartments by considering whether every apartment in a large residential complex needs to be inspected if the building is considered uninhabitable by the City – this could assist in a faster response for assistance.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE: 7 In Favor 0 Opposed 0 Abstained 0 Recused
BOARD VOTE: 30 In Favor 1 Opposed 0 Abstained 0 Recused

RE: 372 Broadway/6 Cortlandt Alley application for penthouse addition, façade restoration and storefront modifications

WHEREAS: The application is for this deep – 150’ long alley building that has fallen into great disrepair, and

WHEREAS: The applicant is seeking to fully restore the marble façade on Broadway and brick façade on Cortlandt Alley, and

WHEREAS: The new windows will be wooden one-over-one with clear glass, and

WHEREAS: The three story penthouse addition massing is sensitive to being minimally visible and is 5-6,000 feet below the FAR, and

WHEREAS: The penthouse addition will increase the Broadway building height from 68’ to 109’ but is minimally visible in part by the sensitive design and the 21 story adjoining building, and

WHEREAS: The penthouse addition will increase the Cortlandt Alley building height from 68’ to 99’ but will not be visible, and

WHEREAS: The penthouse is constructed of anodized aluminum and clear glass – of high quality, and

WHEREAS: The skylight along the boundary with the adjacent building on Broadway and Cortlandt Alley is visible and troubled one Committee member, and

WHEREAS: The storefront on Broadway is of modern design constructed of anodized aluminum and a large raised clear glass central panel, with apartment and store entrances, and

WHEREAS: The store signage would be along the transom and be tastefully back light, and

WHEREAS: The Cortland Alley apartment entrance uses the existing stone and cast iron elements is tastefully designed, and

WHEREAS: The Committee liked the design, quality of materials, sensitive massing and commended the applicant for a thorough presentation, and

WHEREAS: The Committee noted the roof addition mock up would not be constructed for another week – and accordingly noted it would need to make a qualified approval, subject to a site visit of the mock up, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends the Landmark Preservation Commission approve the application, subject to a site visit confirming the roof addition mock up is minimally visible.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: LANDMARKS

COMMITTEE VOTE:	6 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 40 Peck Slip, application for rooftop addition, façade restoration and window replacement

WHEREAS: The application is to add two new floors to this five story building, and

WHEREAS: The addition will increase the building height from 41' to 73', and

WHEREAS: The applicant was not familiar with the LPC site line visibility rules, and

WHEREAS: LPC is not hearing the application until January 21 – after the Committee's next meeting on January 10, and

WHEREAS: The Committee suggested that the applicant study the LPC site line visibility rules amend the application to reflect these and present to the Committee on January 10 – which the applicant agreed to do, now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 recommends the Landmark Preservation Commission not approve the application.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: PLANNING

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

RE: Manhattan Core Public Parking

WHEREAS: The Department of City Planning (DCP) is proposing to revise the zoning regulations governing off-street parking in the Manhattan Core, which is comprised of Manhattan Community Districts 1-8, south of 96th Street on the East Side and below 110th Street on the West Side; and

WHEREAS: The Manhattan Core currently has some of the most progressive parking regulations in the country with no minimum parking requirement, and with limitations on the amount of permitted parking; and

WHEREAS: The Manhattan Core Public Parking Study (2011) undertaken by DCP identified recent trends in off-street parking as well as a number of deficiencies in the 30-year old existing parking regulations; and

WHEREAS: DCP is now proposing changes to existing off-street parking regulations with the stated objective of ensuring that the right amount of parking spaces is being provided to support Manhattan Core businesses, residents and visitors while also addressing the city's sustainability objectives to encourage public transit and reduce energy use and greenhouse gas emissions. The proposal addresses the following primary subjects: Automated Parking Facilities; Loading Docks;

Rental Vehicle Parking; Commercial Vehicle Parking; Permit Accessory Parking to Operate as Public Parking; Special Permits, as described in more detail below:

Automated Parking Facilities. The proposal defines guidelines for automated parking facilities including wrapping requirements and floor area exemptions. These provisions would encourage the development of automated facilities, which are a more efficient use of space and have environmental benefits over conventional attended garages. The Commissioner of the Department of Buildings would be given authority to determine capacity and the number of reservoir spaces needed based on the operational characteristics of the facility. This flexibility is needed as each automated parking facility is custom-designed for the site and technology for this type of facility is evolving. The proposal

would also increase the floor area waiver, now permitted for garages up to a height of 23', to 40' for automated parking facilities by Chair certification, provided that: (a) there is floor area above the garage (there has to be another use and not just a stand-alone garage); (b) the first story must be wrapped by another use to a depth of 30'; and (c) the façade up to 40' is consistent with the rest of the building's façade.

Loading Docks. The proposal would increase the minimum loading dock depth to 37' x 12' from 33' x 12' to address the issue of trucks blocking sidewalks in front of loading areas. Additionally, internal areas used for dumpsters may be excluded from floor area (up to 25' x 12'). The proposal would grant the Commissioner of the Department of Buildings a waiver through a certification for sites with below grade or infrastructure constraints and expand the ability to exempt loading requirements on zoning lots that have two street frontages, when one frontage does not permit curb cuts. The waiver would be allowed if the second street frontage, where curb cuts are permitted, has an unusually narrow street width (as in Lower Manhattan), or is encumbered by residential buildings, landmark buildings, or large commercial buildings that preclude access to a required loading dock.

Rental Vehicle Parking. The Manhattan Core is a prime location for car rental vehicles (and car share), which contribute to the low rate of car ownership, encourage transit use and reduce the need for off-street parking. The proposal would allow more flexibility for car rental vehicles to park in public parking facilities by increasing the permitted number to 40 percent in C2, C4, C5, C6, C8 and M districts. The current 100 space limit on rental car vehicles in standalone facilities in the Manhattan Core would be modified to allow for additional storage (150 in C2 districts, 225 in C4, C5, C6 and C8 districts, 300 in M districts). Rental car vehicles and car share vehicles would also be permitted to count towards the 50 percent of commercial vehicles in C5, C6, C8 and all M districts (see below). Reservoir spaces would be required in standalone rental car facilities.

Commercial Vehicle Parking. Many small commercial vans and vehicles (a maximum of 20 feet) have to leave the Manhattan Core to park overnight due to current restrictions on parking location. The proposal will provide additional opportunities for these vehicles to park in the Manhattan Core by increasing the number of spaces they may occupy overnight in public parking facilities: up to 50 percent in C5, C6, C8 and all M districts. This will reduce vehicle miles traveled and decrease congestion. Permitted car rental vehicles would be counted within this cap.

Permit Accessory Parking to Operate as Public Parking. The Manhattan Core study found that most new accessory parking facilities in residential buildings have received licenses from the Department of Consumer Affairs to operate as public garages. This proposal would allow all new accessory parking

facilities and those with DCA licenses to operate as public facilities within the maximum amounts allowed today. DCA-licensed accessory garages existing as of January 1, 2012 may file their DCA license with the Department of Buildings to indicate that public use is permitted.

Special Permits. Currently, there is a lack of guidance to inform CPC's determination about the appropriate amount of parking for a proposed development seeking accessory spaces above the permitted as-of-right ratios. Additionally, there are no findings on the appropriateness of the amount of parking for a proposed public parking facility application. New findings for the parking Special Permits would provide a rational framework for evaluating whether the number of spaces proposed is appropriate. The findings would set a standard of reasonableness for the number of spaces, based on recent residential development in the surrounding area and recent changes in the supply of public parking used by residents in the area. The proposed Special Permits would have a uniform set of conditions and findings for all applications and would also establish four new Special Permits to exceed as-of-right parking ratios and maximum capacities allowed as part of a development. The proposed Special Permit findings are described in the attached summary; and

WHEREAS: Community Board 1 supports the general principles underlying the proposed Manhattan Core Parking zoning changes, but has concerns regarding three aspects of the proposed changes: first, CB1 believes that permitting up to 40 percent of a public parking garage to be devoted to rental car parking could negatively impact the availability of parking in such a garage for local residents; second, CB1 believes that the local community should have the opportunity to comment on any floor area waiver to be granted by CPC Chair certification with respect to an automated parking facility under the new regulations; and third, CB1 does not agree with the proposal to allow new accessory parking facilities and those with DCA licenses to operate as public facilities within the maximum amounts allowed today and objects to the proposal to allow DCA-licensed accessory garages existing as of January 1, 2012 to file their DCA licenses with the Department of Buildings to indicate that public use is permitted, now

THEREFORE
BE IT
RESOLVED
THAT:

Community Board 1 supports the proposed Manhattan Core Parking zoning changes with the following modifications: (1) that the percentage of rental car parking in a public garage be set at 25%, rather than 40%; (2) that floor area waiver that would be subject to CPC Chair certification with respect to an automated parking facility also be subject to a notice to the Community Board and Council Member in whose districts the facility is located, sufficiently in advance of the deadline for Chair certification such that the Community Board and Council Member would have opportunity to comment, and (3) that new accessory parking facilities and those with DCA licenses not be allowed to

operate as public facilities within the maximum amounts allowed today and, specifically, that DCA-licensed accessory garages existing as of January 1, 2012 should not be permitted to file their DCA licenses with the Department of Buildings to indicate that public use is permitted.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: SEAPORT/CIVIC CENTER

COMMITTEE VOTE:	8 In Favor	1 Opposed	1 Abstained	0 Recused
PUBLIC MEMBERS:	1 In Favor	1 Opposed	0 Abstained	0 Recused
BOARD VOTE:	27 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 212 Front Street, application for restaurant liquor license for Vbar Seaport

WHEREAS: The applicant, Vbar Seaport, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 9:00 a.m. to 12:00 a.m. Sunday through Wednesday and 9:00 a.m. to 2:00 a.m. Thursday through Saturday; and

WHEREAS: The total area of the restaurant is approximately 1,600 square feet, including a dining area of 700 square feet with 24 tables and 49 seats, bar area of 200 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 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 applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant liquor license to Vbar Seaport at 212 Front Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	1 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 66 Leonard Street, application for restaurant liquor license for TBD

WHEREAS: The applicant, Global Point NY, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 7:00 a.m. to 12:00 a.m. Sunday through Thursday and 7:00 a.m. to 2:00 a.m. Friday and Saturday; and

WHEREAS: The total area of the restaurant is approximately 7,000 square feet, including a dining area of 3,000 square feet with 135 seats and a bar area of 1,000 square feet with 20 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 primarily as schools, churches, synagogues or other places of worship within 200 feet of this establishment; and

WHEREAS: The applicant has indicated that the side street entrance is for the café section of the restaurant that will close at 11:00 p.m. Sunday through Thursday and 12:00 a.m. Friday and Saturday. Additionally, the side street entrance will be designated as the handicap entrance for the entire restaurant; 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 restaurant liquor license to Global Point NY at 66 Leonard Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 157 Duane Street, application for restaurant liquor license for Kio

WHEREAS: The applicant, Global Point NY, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 11:30 a.m. to 1:00 a.m.; and

WHEREAS: The total area of the restaurant is approximately 1,600 square feet, including a dining area of 1,000 square feet with 18 tables and 56 seats and a bar area of 300 square feet with 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 stipulated to close all windows and doors by 11:00 pm; 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 applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 *opposes* the granting of a restaurant liquor license to Kio at 157 Duane Street *unless* the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 35 White Street, application for restaurant liquor license for TBD

WHEREAS: The applicant, Plantea LLC, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 12:00 p.m. to 12:30 a.m. Monday through Friday, 10:00 a.m. to 12:30 a.m. Saturday and 10:00 a.m. to 11:30 p.m. Sunday; and

WHEREAS: The total area of the restaurant is approximately 1,800 square feet, including a dining area of 1,300 square feet with 14 tables and 50 seats and a bar area of 300 square feet with 10 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 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 applicant has stipulated that live music will not be amplified and will consist of no more than two instrumentalists and three people total and will not be played after 10:00 p.m.; 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 restaurant liquor license to Plantea LLC at 35 White Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	3 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 458 Greenwich Street, application for restaurant liquor license for Filoxenia

WHEREAS: The applicant, Filoxenia, is applying for a restaurant liquor license; and

WHEREAS: The hours of operation of this establishment are 12:00 p.m. to 12:00 a.m.; and

WHEREAS: The total area of the restaurant is approximately under survey square feet, including a dining area of 600 square feet with 20 tables and 50 seats and a bar area of 300 square feet with 5 tables and 10 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 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 applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 opposes the granting of a restaurant liquor license to Filoxenia at 458 Greenwich Street unless the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	35 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application for Washington Market School Spring Fling

WHEREAS: The applicant has applied for a full street closure on Duane Street between W. Broadway and Church Street for Saturday May 4, 2013 from 11:00 a.m. to 5:00 p.m.; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed extension of a street activity permit submitted by Washington Market School Spring Fling for a street activity permit Saturday May 4, 2013 from 11:00 a.m. to 5:00 p.m., 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. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application for Bastille Day 2013

WHEREAS: The applicant has applied for a full street closure on W. Broadway between White Street and Walker Street for Sunday July 11, 2013 from 11:00 a.m. to 9:00 p.m.;
now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed extension of a street activity permit submitted by Bastille Day 2013 for a street activity permit Sunday July 11, 2013 from 11:00 a.m. to 9:00 p.m., 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. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	7 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Street permit application for Path Greenmarket Tuesday

WHEREAS: The applicant has applied for a sidewalk and curb lane closure on W. Broadway between Park Place and Barclay Street from January 8, 2013 to December 31, 2013 for 8:00 a.m. to 7:00 p.m.; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1 does not oppose the proposed extension of a street activity permit submitted by Path Greenmarket Tuesday for a sidewalk and curb lane closure for every Tuesday from January 8, 2013 to December 31, 2013 for 8:00 a.m. to 7:00 p.m., 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. Pedestrian and vehicular traffic in and out of all garages downtown remain open at all times.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	6 In Favor	1 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	31 In Favor	3 Opposed	0 Abstained	0 Recused

RE: 337 Greenwich Street, application for renewal of sidewalk café license for
Locande Verde

WHEREAS: The applicant, Locande Verde, has applied for renewal of an unenclosed sidewalk
café license for 19 tables and 38 seats; and

WHEREAS: There is no change to the method of operations; now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 approves the renewal of the sidewalk café license for Locande Verde at 337
Greenwich Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: TRIBECA

COMMITTEE VOTE:	5 In Favor	0 Opposed	1 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	34 In Favor	0 Opposed	0 Abstained	0 Recused

RE: 13 Laight Street, application for a sidewalk café license for Aamanns - Copenhagen

WHEREAS: The applicant, Aamanns - Copenhagen, has applied for of an unenclosed sidewalk café license for 8 tables and 19 seats; and

WHEREAS: The sidewalk café conforms to the blueprint submitted to CB1; and

WHEREAS: There is no change to the method of operations; now

THEREFORE

BE IT

RESOLVED

THAT: CB#1 approves the sidewalk café license for Aamanns - Copenhagen at 13 Laight Street.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: WATERFRONT

COMMITTEE VOTE:	3 In Favor	0 Opposed	0 Abstained	0 Recused
PUBLIC MEMBERS:	2 In Favor	0 Opposed	0 Abstained	0 Recused
BOARD VOTE:	26 In Favor	0 Opposed	0 Abstained	0 Recused

RE: Hudson River Park Neighborhood Improvement District

WHEREAS: Hudson River Park is neither a State nor a City Park and does not receive any public funding for its regular maintenance and operations; and

WHEREAS: Regular maintenance and landscaping of the Route 9A median, bikeway and sidewalks is currently unfunded, yet serves as the gateway between the Park and all the neighborhoods along the Hudson River Park waterfront; and

WHEREAS: Hudson River Park is a valuable and unique open space asset that improves the quality of life for local residents businesses; and

WHEREAS: The creation of an NID for Hudson River Park should facilitate additional park police along the water front during the night; and

WHEREAS: New York City currently has sixty-seven (67) Business Improvement Districts authorized through the statutory process outlined by the Department of Small Business Services; and

WHEREAS: Friends of Hudson River Park seeks to authorize a Neighborhood Improvement District under the Department of Small Business Services' statutory process; and

WHEREAS: The Neighborhood Improvement District concept was presented at the October 15, 2012 joint Waterfront and Tribeca Committee Meeting; and

WHEREAS: Hudson River Park needs additional financial support to pay for ongoing operations as a result of projected annual revenues not being enough to cover annual operating expenses; and

WHEREAS: Friends of Hudson River Park would like to submit an application to the Department of Small Business Services for the creation of the Hudson River Park Neighborhood Improvement District; now

THEREFORE

BE IT

RESOLVED

THAT: Community Board #1 applauds Friends of Hudson River Park's efforts to ensure the future of Hudson River Park and supports the implementation of the Hudson River Park Neighborhood Improvement District as it was presented to the Community Board.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: DECEMBER 19, 2012

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

COMMITTEE VOTE: 9 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 27 In Favor 0 Opposed 0 Abstained 0 Recused

RE: Overcrowding in CD1 and immediate need to incubate a new elementary school

WHEREAS: The Department of Education (DOE) will begin preparation for the 2014 Capital Plan in 2013 establishing need and locating potential school sites; and

WHEREAS: Lower Manhattan is the fastest growing neighborhood in NYC and has drawn families to the rebuilding of Lower Manhattan due to the reputation of our now increasingly overcrowded and overburdened schools; and

WHEREAS: All of our elementary schools, PS234, PS89, PS276, PS397, except PS 347, which is in the initial Kindergarten stage of incubation at Tweed Courthouse, are at or over maximum capacity and state mandated class size limits; and

WHEREAS: PS276 in particular faces the inability to house its fifth grade altogether due to being mandated to take in five sections of kindergarten in the fall of 2012 and 2011 when it has capacity for only three; and

WHEREAS: Mayor Bloomberg, head of the DOE has stated his commitment to education and to Downtown Manhattan on many occasions; and

WHEREAS: Capping Kindergarten enrollment at our new and existing schools downtown at the sections the schools are designed for is essential to avoid further overcrowding which impedes proper education; and

WHEREAS: “Borrowing” classrooms from a new school’s upper grades does not constitute proper planning and threatens the school’s programs, and inevitably, its ability even to admit all grades; and

WHEREAS: Schools outside of geographic CB#1 previously identified by DOE to accommodate CB#1 children are already overcrowded; and

WHEREAS: It is in the best interest of our children and families to provide school seats within a child’s own neighborhood; now

THEREFORE

BE IT

RESOLVED

THAT: The DOE and the School Construction Authority immediately site and incubate a new elementary school to be available for occupancy in September, 2013, in order to fulfill the Mayor’s pledge to our children, our families, our community and CB#1.