

## FULL BOARD MINUTES

**DATE:** July 22, 2004

**TIME:** 6:30 P.M.

**PLACE:** NYU Silver Building, 32 Waverly Place, Room 703

**BOARD MEMBERS PRESENT:** Steve Ashkinazy, Tobi Bergman, Galal Chater, Keith Crandell, Maria P. Derr, Doris Diether, Harriet Fields, Elizabeth Gilmore, Edward Gold, Lawrence Goldberg, Jo Hamilton, Arthur Harris, Anne Hearn, Brad Hoylman, Aubrey Lees, Edward Ma, Don MacPherson, Dr. John Maggio, Rosemary McGrath, Philip Mouquinho, Rick Panson, Ronald Pasquale, Judy Paul, David Reck, Mark Rosenwasser, Rocio Sanz, Shirley Secunda, James Smith, Chair, Community Board #2, Manhattan (CB#2, Man.) Shirley H. Smith, Sean Sweeney, Martin Tessler, Wilbur Weder, Michael Xu.

**BOARD MEMBERS EXCUSED:** Helene Burgess, Lisa La Frieda, T. Marc Newell, Robert Riccobono, Robert Rinaolo, Ruth Sherlip, Melissa Sklarz, Betty Williams, Carol Yankay.

**BOARD MEMBERS ABSENT:** Don Lee, Chad Marlow, Arthur Z. Schwartz

**BOARD STAFF PRESENT:** Arthur Strickler, District Manager

**GUESTS:** Daryl Cochrane, Congressman Jerrold Nadler's office; Danielle Cabaldi-Micca, Brian Sogol, Phil Yeager, Danielle Podluckey, Eleanor Bastian, Senator Tom Duane's office; Deborah Lester, Assembly Speaker Sheldon Silver's office; Gregory Brender; Assembly Member Deborah Glick's office; Dirk McCall, Council Member Alan Gerson's office; Council Member Margarita Lopez' office; Kate Seeley-Kirk, Council Member Christine Quinn's office; M.V. Sarzin, Louise Symonds, Edy Selman, Betty Rinckwitz, Lois Rakoff, Mary Johnson, Susan Goren, Jerry Sitner, Gabrielle ?, Ivy Jeanne Brown, Mario Yugobi, Barbara Tawb, Howard Negrin, Leonard Quart, Barbara Quart, Miki Grubel, Joe McNearney, Ping-yi Lee, Elaine Hudson, Randy Bernfeld, Ben Zgodny.

### MEETING SUMMARY

Meeting Date July 22, 2004

Board Members Present – 34

Board Members Excused– 9

Board Members Absent - 3

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## **II. PUBLIC SESSION**

### **Non-Agenda Items**

#### **BAMRA**

Lois Rakoff and Mario Yugobi introduced themselves as the new co-chairs of Bleecker Area Merchants & Residents Association.

#### **Falun Gong**

Ben Zgodny gave an update on the community situation.

### **Business Items**

#### **Little Rest. Twelve, Inc. d/b/a Buddha Bar, 25 Little W. 12<sup>th</sup> St**

Ivy Jeanne Brown spoke against the proposed liquor license. Randy F. Bernfeld, representing the applicant, spoke in favor of the liquor license.

### **Parks, Recreation And Open Space**

#### **NY is Book Country Event**

Elaine Hudson spoke strongly against the proposed event at Washington Square Park. Miki Grubel, Barbara Quart, Edy Selman, Susan Goren, Mary Johnson, Miriam Sarzin, and Jerry Sitner, also spoke against the book fair.

Howard Negrin spoke regarding the event.

## **III. ADOPTION OF AGENDA**

## **IV. ELECTED OFFICIALS PRESENT AND REPORTING**

Daryl Cochrane, of Congressman Jerrold Nadler's office

Danielle Cabaldi-Micca, Brian Sogol, Phil Yeager, Danielle Podluckey, Eleanor Bastian, Senator Tom Duane's office

Deborah Lester, of Assembly Speaker Sheldon Silver's office

Gregory Brender, of Assembly Member Deborah Glick's office

Dirk McCall, of Council Member Alan Gerson's office.

Council Member Margarita Lopez' office,

Kate Seeley-Kirk, of Council Member Christine Quinn's office

## **V. ADOPTION OF MINUTES**

Adoption of May minutes and distribution of June minutes.

## **VI. EXECUTIVE SESSION**

1. **Chair's Report** Jim Smith reported
2. **District Manager's Report** Arthur Strickler reported.

## **STANDING COMMITTEE REPORTS**

### **BUSINESS**

**1. Little Rest Twelve Inc., d/b/a Buddha Bar, 25 Little West 12<sup>th</sup> Street a/k/a 416 West 13<sup>th</sup> Street, NYC.**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an On Premise license at this 13,000 square foot location that has not been previously licensed; and

**WHEREAS**, the applicant stated that this will be a 280 seat restaurant with a total capacity of 400 persons; and

**WHEREAS**, the applicant stated that the hours of operation will be from 6 PM to 2 AM seven days and, that music will be played by a DJ. There will not be any dancing permitted and no Cabaret license will be applied for as Cabaret use is prohibited in the lease; and

**WHEREAS**, the applicant stated that he was an employee of the Buddha Bar in Paris and he now is a licensee of the Buddha Bar name and that 5 million dollars of financing will be provided by an English bank; and

**WHEREAS**, 8 members of the community appeared in opposition to this application stating that there are over 33 other similarly licensed premises within 500 feet of this location; and

**WHEREAS**, the community members also appealed to the Committee to deny this application based on the fact that this is a very large space with large capacity. The Meat Market area has grown rapidly and too many liquor licenses have been issued in a short period of time without regard to the impact on the surrounding community and problems with traffic, noise, smokers etc. have become intolerable; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of an On Premise license for **Little Rest Twelve Inc., d/b/a Buddha Bar, 25 Little West 12<sup>th</sup> Street a/k/a 416 West 13<sup>th</sup> Street, NYC; and**

**BE IT FURTHER RESOLVED** that, should the State Liquor Authority decide to grant this license that they clearly state to CB#2, Man. in a written decision why they approve this application to be in the public interested as required by the 500-ft. rule, which is part of the Alcoholic Beverage Control Law.

Vote: Unanimous, with 23 Board members in favor, and 11 in opposition.

## **2. CGM-GH LLC. & Hotel Gansevoort Group LLC, d/b/a Gansevoort Hotel, 18 Ninth Avenue, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this is an alteration application to add two additional bars to the rooftop space and also to license an outdoor area on the ground level within the building line that is not already licensed; and

**WHEREAS**, the applicant stated that the rooftop is open to the general public and that the closing times are 3 or 4 AM or whenever business subsides; and

**WHEREAS**, the applicant stated that the additional bars on the roof are necessary to handle the volume of customers that utilize this area and that the area on the ground level will provide more seating in addition to the 200 exterior seats that have previously been applied for and approved; and

**WHEREAS**, seven members of the community appeared in opposition to this application; they stated that this hotel has been a most obnoxious neighbor with the rooftop area being the most offensive to the community. The operators hold regular rooftop parties and events where loud music is directed outward towards the community in addition to the everyday loud rooftop bar scene. They also stated that requests to lower the music or to redirect the speakers have been met with smug indifference; and

**WHEREAS**, the Committee referred to it's prior resolution dated October 28, 2003 (**Copy attached**) and found that the original application called for the majority of the rooftop area to be used for catering functions only in the hospitality suite. The rooftop was not to be open to the general public except for the pool and the area immediately surrounding the pool where light food would be served. The applicant also agreed as a condition of gaining the Committee's approval to cease all service and music on the rooftop at Midnight except for a small area in front of the pool bar that faces Ninth Avenue that would close at 2 AM; and

**WHEREAS**, the Committee also referred to the meeting notes regarding the ground floor area now being applied for in this application. At the October 2003 Committee meeting, the applicant applied for a 370 seat indoor/outdoor restaurant with 170 interior seats and 200 exterior seats within the building line. The Committee questioned the applicant as to whether or not they would apply for additional seats either on the sidewalk or within the building line. The applicant stated that they would not apply for additional seating. In addition, the also agreed to close all exterior areas at Midnight during the week and at 1 AM on weekends; and

**WHEREAS**, the previously approved ground floor restaurant has not even opened as yet and we are being asked to provide a recommendation of approval to expand the licensed area; and

**WHEREAS**, the applicant claimed to have no recollection or knowledge whatsoever of the agreements that were made in October 2003 as a condition of receiving a recommendation of approval; and

**WHEREAS**, the applicant offered to take steps to correct the music problems by erecting a glass wall around the rooftop and also to either change the speakers or redirect them inward. No offers were made as to restricting the public use of the roof as previously agreed or to abide by the abbreviated hours that were also previously agreed; and

**WHEREAS**, this applicant has reneged on all previously agreed conditions by opening the rooftop to the general public and disregarding the abbreviated hours that were also agreed upon. In addition, this applicant has proven to be a bad neighbor by playing loud music from the rooftop and only now are they offering to take steps to correct the problem as a condition of this expansion application. In addition, the area applied for on the ground floor is in contravention to the statements made at the October 2003 Committee meeting. Unless and until the already approved ground floor space is opened and the music problems and use and hours of the rooftop are corrected and the applicant is judged a good neighbor by the community, no expansion should be granted; and

**THEREFORE, BE IT RESOLVED** that CB#2 Man. strongly objects to the approval of an alteration to the existing On Premise license for **CGM-GH LLC. & Hotel Gansevoort Group LLC, d/b/a Gansevoort Hotel, 18 Ninth Avenue, NYC.**

Vote: Unanimous, with 34 Board members in favor.

### **3. Reins International USA Inc. d/b/a Gyu Kaku, 34 Cooper Square, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is to license a 90 seat Japanese restaurant at this location; and

**WHEREAS**, the applicant stated that they will remain open from 11 AM until 2AM, Seven days; and

**WHEREAS**, this premise will be operated similarly to the applicant's Hong Kong, Hawaii and Los Angeles locations; and

**WHEREAS**, no one from the public appeared in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for **Reins International USA, Inc. d/b/a Gyu Kaku, 34 Cooper Square, NYC.**

Vote: Passed, with 33 Board members in favor, and 1 in opposition.

### **4. 49 Grove LLC d/b/a 49 Grove, 49 Grove Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for a 96 seat 2,400 square foot restaurant and bar at this premise formerly known as Halo and Play; and

**WHEREAS**, the applicant stated that the hours of operation will be until 2 AM weekdays and 4 AM on weekends.

**WHEREAS**, the applicant stated that music will be played by a DJ sometimes and background at other times; and

**WHEREAS**, no one from the community spoke in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for **49 Grove LLC d/b/a 49 Grove, 49 Grove Street, NYC.**

Vote: Passed, with 33 Board members in favor, and 1 in abstention.

### **5. JL Restaurant Group, Inc., 9 East 13<sup>th</sup> Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for a 2800 square foot restaurant, bar and lounge on two floors; and

**WHEREAS**, the applicants stated that music will be background only; and

**WHEREAS**, there hours of operation will be until Midnight on weekdays and until 2 AM on weekends; and

**WHEREAS**, no one from the community appeared in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an on premise license for **JL Restaurant Group, Inc., 9 East 13<sup>th</sup> Street, NYC.**

Vote: Unanimous, with 34 Board members in favor.

**6. Obivia LLC d/b/a Obivia, 203 Lafayette Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an On Premise license at this 1,800 square foot 74 person capacity restaurant; and

**WHEREAS**, the applicant stated that the hours of operation will be until 12:30 AM weekdays and until 2 AM weekends; and

**WHEREAS**, the applicant stated that music will be background only; and

**WHEREAS**, no one from the community appeared in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application for an on premise license for **Obivia LLC d/b/a Obivia, 203 Lafayette Street, NYC.**

Vote: Unanimous, with 34 Board members in favor.

**7. NYC Pizza of 32 Spring Street, Inc. d/b/a Lombardi's, 32 Spring Street**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an upgrade from Beer and Wine to a full On Premise license and to add an additional 42 seats and a 10 seat bar making this a 2,700 square foot 120 person capacity restaurant; and

**WHEREAS**, the applicant stated that there would be no change to the method of operation; and

**WHEREAS**, no one from the community appeared in opposition to this application; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of an On Premise license for **NYC Pizza of 32 Spring Street, Inc. d/b/a Lombardi's, 32 Spring Street.**

Vote: Unanimous, with 34 Board members in favor.

**8. Apollo Fox Restaurant Corp. d/b/a Charles Restaurant, 133-135 West 13<sup>th</sup> Street, NYC**

**WHEREAS**, the applicants appeared before the committee; and

**WHEREAS**, this application is for an On Premise license at this 1800 square foot 120 person capacity Continental/French restaurant and bar at this location; and

**WHEREAS**, the applicant stated that the hours of operation will be from Noon to 1 or 2 AM, seven days; and

**WHEREAS**, the music will be a live trio sometimes and background at others; and

**WHEREAS**, no one from the community appeared in opposition to this application except that one letter was received from someone living above this premise complaining about the prior tenants; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. has no objection to the issuance of an On Premise license for **Apollo Fox Restaurant Corp. d/b/a Charles Restaurant, 133-135 West 13<sup>th</sup> Street, NYC.**

Vote: Unanimous, with 34 Board members in favor.

**9. Fumdi's Restaurant Corp. d/b/a Biene Maja, 39 Grove Street, NYC**

**WHEREAS**, the applicant appeared before the committee; and

**WHEREAS**, this application is for an On Premise license for this 2,000 square foot 70 person capacity German restaurant at this location formerly operated as the Grove Theater; and

**WHEREAS**, the hours of operation will be from 11AM to 2 AM or 3 AM seven days; and

**WHEREAS**, the music will be background only; and

**WHEREAS**, no one from the community appeared in opposition to this application; and

**THEREFORE, BE IT RESOLVED** the CB#2, Man. has no objection to the issuance of an On Premise license for **Fumdi's Restaurant Corp. d/b/a Biene Maja, 39 Grove Street, NYC**.

Vote: Unanimous, with 34 Board members in favor.

**LANDMARKS AND PUBLIC AESTHETICS**

**1<sup>ST</sup> LANDMARKS MEETING**

**LPC Item 26: 503-511 Broadway** - SoHo-Cast Iron Historic District. Three store buildings built in 1878-79 designed by J. B. Snook. Application is to construct a rooftop addition. Zoned M1-5B

**WHEREAS**, the Landmarks Preservation Commission's publication *The Certificate of Appropriateness Public Hearing: Information for Applicants* states that "applicants are strongly encouraged to contact the CB#2, Man. to arrange for review of the proposal before the public hearing"; and

**WHEREAS**, the applicant did not contact the CB#2, Man. or appear before the Landmarks Committee to present this application; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application in the absence of this important step in the review process.

Vote: Unanimous, with 34 Board members in favor.

**LPC Item: 25 - 60 Bank Street (W. 4<sup>th</sup>/Bleecker)** - Greenwich Village Historic District. An Italianate style rowhouse built in 1853-54. Application is to legalize the installation of an areaway fence without Landmark Preservation Commission permits.

**WHEREAS**, although the modern-style fence is not an unattractive design, we would prefer to see something more appropriate in style to a building of this period; and

**WHEREAS**, we would prefer to see the fence set on a base, which this one is not; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 34 Board members in favor.

**LPC Item: 26 - 161-165 West 12th Street** - Greenwich Village Historic District. Three Greek Revival style rowhouses built in 1841 and 1844, and remodeled in the early 20th century. Application is to enlarge the rear extension. Zoned R6.

**WHEREAS**, the proportion and height of the extension are well considered and it is sensitively done; and

**WHEREAS**, there is minimal impact; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 34 Board members in favor.

**LPC Item: 408-414 West 13<sup>th</sup> Street (Gansevoort Historic District)**. Application is to combine the buildings, modify the storefront infill, and construct rooftop additions.

**WHEREAS**, we thank the applicant for the courtesy of presenting the revised plans to the Board; and

**WHEREAS**, we appreciate the brickwork on the sidewall and the re-thinking of the glazed brick idea, the trend away from the tiered structure, and maintaining the canopy on the ground floor; but

**WHEREAS**, it should not match the brickwork and fenestration of the building next door; and

**WHEREAS**, although it may be appropriate to add some bulk, this much bulk distracts from the building and the district; and

**WHEREAS**, the sense of Gansevoort is a neighborhood of many two-story buildings of this style, and a two story building this should remain; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 34 Board members in favor.

## **2<sup>ND</sup> LANDMARKS MEETING**

**1. LPC Item: 5 - 433-439 Broadway, a/k/a 44-46 Howard Street - SoHo-Cast Iron HD.** The site of a former bank building. Application is to legalize paving the empty lot, and installing metal enclosures without Landmarks Preservation Commission permits. Zoned M1-5B

**WHEREAS**, this applicant has a history in the community of ignoring the landmarks law in his other properties; and

**WHEREAS**, the applicant here again flouts the landmarks law by paving a beautiful tree-filled lot and installing an unsightly flea-market using materials and design that are totally inappropriate to this historic district; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. strongly recommends denial of this application.

Vote: Unanimous, with 34 Board members in favor.

**2. LPC Item: 6 - 594 Broadway - SoHo-Cast Iron Historic District.** A store building designed by Buchman & Deisler and built in 1898. Application is to replace two storefronts.

**WHEREAS**, the style, materials, palette, and configuration contribute to the historic district and to the building; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends approval of this application.

Vote: Unanimous, with 34 Board members in favor.

**3. LPC Item: 7 - 492 Broome Street - SoHo-Cast Iron Historic District.** A store and loft building designed by Alfred Zucker and built in 1891-92. Application is to legalize the installation and recladding of awnings and the installation of a flagpole without Landmarks Preservation Commission permits.

**WHEREAS**, the applicant failed to appear before the CB#2, Man.; and

**WHEREAS**, the banner is oversized and the awning is cluttered with writing; now

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends denial of this application.

Vote: Unanimous, with 34 Board members in favor.

## **SIDEWALKS, PUBLIC FACILITIES AND ACCESS**

**1. NEW application to NYC Dept. of Consumer Affairs for revocable consent to construct and operate a newsstand at the Northeast corner of 5<sup>th</sup> Avenue between 13<sup>th</sup> and 14<sup>th</sup> Streets, DCA#1167724.**

**WHEREAS**, the area was posted and the applicant previously appeared before the committee at the June, 2004 meeting; but did not present an accurate site plan; and

**WHEREAS**, this matter was laid over to give the applicant an opportunity to submit the aforementioned required documentation; and

**WHEREAS**, the applicant did not appear before the committee, on July 12, 2004; and

**WHEREAS**, there are three letters from the community, in opposition, one of which is from the New School, whose graduate facility is located on Fifth Avenue between 13<sup>th</sup> and 14<sup>th</sup> Street, where the proposed newsstand is to be constructed,

**THEREFORE BE IT RESOLVED** that CB#2, Man. **STRONGLY** recommends **DENIAL** of a TWO YEAR revocable consent to construct and operate a newsstand at the Northeast corner of 5<sup>th</sup> Avenue between 13<sup>th</sup> and 14<sup>th</sup> Streets, DCA#1167724.

Vote: Unanimous, with 34 Board members in favor.

**1. NEW Application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Mirchi South, Inc., 29-7<sup>th</sup> Avenue South, with 15 tables and 30 seats, DCA# 1170643**

**WHEREAS**, the area was posted and the applicant appeared before the committee; and

**WHEREAS**, this restaurant is located between Morton and Bedford Streets; and

**WHEREAS**, this establishment proposes a sidewalk café with the same configuration as that which has been approved at this location since 2000; and,

**WHEREAS**, there is no opposition from the community and no complaints on file; and

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an unenclosed sidewalk café by Mirchi South, Inc., 29-7<sup>th</sup> Avenue South, with 15 tables and 30 seats, DCA#1170643.

Vote: Unanimous, with 34 Board members in favor.

**2. NEW Application to NYCDCA for revocable consent to operate an enclosed sidewalk café by Mixx Lounge, 84 7<sup>th</sup> Avenue South, with 6 tables and 21 seats, DCA# 11772061.**

**WHEREAS**, the area was posted and the applicant appeared before the committee; and

**WHEREAS**, this restaurant is located between Bleecker and Grove Streets; and

**WHEREAS**, there has been an enclosed café at this premises since 1998; and

**WHEREAS**, the applicant has waiter service with a menus, including but not limited to five dinner entrees; and

**WHEREAS**, the applicant represents that his application conforms exactly to the original 1999 architect's plan on file, and further submitted a photocopy of the 1999 plans with his application; and

**WHEREAS**, the applicant represents that he will not deviate from the 1999 plans without first applying to this Board; and

**WHEREAS**, there is sufficient passage for pedestrian safety and public access; and

**WHEREAS**, there is no opposition from the community and no complaints on file;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends **APPROVAL** of a TWO YEAR revocable consent to operate an enclosed sidewalk café by Mixx Lounge, 84 7<sup>th</sup> Avenue South, with 6 tables and 21 seats, DCA#11772061.

Vote: Unanimous, with 34 Board members in favor.

**3. RENEWAL application to NYCDCA for revocable consent to operate an unenclosed sidewalk café by Francesca Rest., Group Inc. d/b/a Focacceria, 87 Macdougall Street., with 4 tables and 10 seats, DCA#0956272**

**WHEREAS**, the area was posted and the applicant's manager appeared before the committee; and

**WHEREAS**, there is no opposition from the community and no complaints on file at the board office; and



**WHEREAS**, is sufficient passage for pedestrian safety and public access; and

**WHEREAS**, there has been a sidewalk café at this location for more than five years;

**THEREFORE, BE IT RESOLVED** that CB#2, Man. recommends APPROVAL of a TWO YEAR, revocable consent to operate an unenclosed sidewalk café to be by Francesca Rest., Group, Inc. d/b/a Focacceria, 87 Macdougall Street., with 4 tables and 10 seats, DCA#0956272.

Vote: Unanimous, with 34 Board members in favor.

## **TRAFFIC AND TRANSPORTATION**

### **1. Proposed Parking Regulation Change at 94 Thompson St.**

**WHEREAS**, the proposed parking regulation change is required to make the parking regulations consistent on the remainder of the block; and

**WHEREAS**, the proposed parking regulation change will free more parking for local residents and have no deleterious effect on local businesses;

**THEREFORE BE IT RESOLVED** that CB#2, Man., supports the following parking regulation change: At 94 Thompson St. (East Side between Prince and Spring), change the regulation from “No Parking, 8 am-5 pm, Except Sunday” to “Street cleaning, 11am – 12:30 pm, Tuesday & Friday.”

Vote: Unanimous, with 34 Board members in favor.

### **2. Proposed Parking Regulation Change at 175 Sullivan Street**

**WHEREAS**, the proposed parking regulation change is required to make the parking regulations consistent on the remainder of the block; and

**WHEREAS**, the proposed parking regulation change will free more parking for local residents and have no deleterious effect on local businesses;

**THEREFORE BE IT RESOLVED** that CB#2, Man. supports the following parking regulation change: At 175 Sullivan St. (East Side between Houston and Bleecker), change the regulation from “No Parking Anytime” to “No Parking, 8 am – 6 pm, Tuesday-Thursday-Saturday.”

Vote: Unanimous, with 34 Board members in favor.

### **3. Proposed Parking Regulation Change West Side of Sullivan St. between Broome/6th Ave. and Spring**

**WHEREAS**, the proposed parking regulation change is required to make the parking regulations consistent on the remainder of the block; and

**WHEREAS**, the proposed parking regulation change will free more parking for local residents and have no deleterious effect on local businesses;

**THEREFORE BE IT RESOLVED** that CB#2, Man., supports the following parking regulation change: On the West Side of Sullivan St., between Broome/6th Ave. and Spring, change the regulation from “No Parking 8 am-5 pm, Except Sunday”. to “Street cleaning, 11 am – 12:30 pm, Monday & Thursday.”

Vote: Unanimous, with 34 Board members in favor.

## **ZONING AND HOUSING**

### **1. Mapped but Unbuilt Streets on the Waterfront ULURP No. N 040481 ZRY**

**WHEREAS**, CB#2, Man. is a strong supporter of the redevelopment of the New York City Waterfront for public uses, and

**WHEREAS**, The current wording of the Waterfront Zoning Regulations could allow some lots to avoid compliance with the regulations, even though the lots are physically on the waterfront, because of Mapped but unbuilt streets, And

**WHEREAS**, This proposed text change would promote the goals of maintaining and reestablishing physical and visual public access to and along the waterfront,

**THEREFORE BE IT RESOLVED**, That CB#2, Man. supports this proposed regulation will require that a street be "built and improved" for the purposes of the Waterfront Zoning Regulations.

Vote: Unanimous, with 34 Board members in favor.

**2. 286 Hudson Street, Block 579, Lot 3, east side of Hudson Street between Dominick and Spring, BSA No. 144-04-BZ CEQR No.: 04-BSA-154M Board of Standards and Appeals variance application pursuant to Section 72-21 of the Zoning to allow residential uses (use group 2) at the second through ninth floors of a proposed nine story building in a M1-6 zoning district.**

**WHEREAS**, This project is wholly consistent with the adjacent C6-2A zoning district and at the time that the recently enacted Hudson Square rezoning was reviewed, CB#2, Man. recommended that the southern district be expanded to include this site, And

**WHEREAS**, This application represents a down zoning from FAR 10 to FAR 6.02, And

**WHEREAS**, The previous buildings on this site were residential with ground floor retail, And

**WHEREAS**, The applicant has agreed to limit the ground floor space to Use Group 6 uses which would not allow Night Clubs or Catering Establishments, And;

**WHEREAS**, The area was posted community members spoke in favor, and there was no community opposition, And

**WHEREAS**, CB#2, Man. recognizes that the lot is a very small interior lot that does present a valid hardship, And

**WHEREAS**, A building of this small size will have little impact on the surrounding area, And

**WHEREAS**, This variance request is minor in nature and is a minimum request,

**THEREFORE BE IT RESOLVED**, That CB#2, Man. supports this Board of Standards and Appeals variance application for 286 Hudson Street, Block 579, Lot 3, BSA No. 144-04-BZ CEQR No.: 04-BSA-154M to allow residential uses (use group 2) at the second through ninth floors of a proposed nine story building in a M1-6 zoning district providing that the ground floor uses be restricted to Use Group 6 and that the applicant plant street trees, And

**BE IT FURTHER RESOLVED**, That CB#2, Man. calls on the Department Of City Planning to reconsider expanding the southern area of the Hudson Square rezoning as recommended by the Board.

Vote: Passed, with 33 Board members in favor, and 1 recusal (R. Pasquale).

#### **NEW BUSINESS**

Respectfully submitted,

Mark Rosenwasser, Assistant Secretary  
Community Board #2, Manhattan