

RESOLUTION

Date: February 4, 2014

Committee of Origin: Land Use

Re: 2523-2525 Broadway, New York Sports Club (West 93rd -94th Streets.)

Full Board Vote: 33 In Favor 0 Against 0 Abstentions 0 Present

Committee: 5-0-1-0. Non-Committee Board Members: 4-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application #287-01-BZ to the Board of Standards and Appeals by TSI West 94, LLC to allow and continue operation of a physical culture establishment/ health club at the subject premises.



RESOLUTION

Date: February 4, 2014

Committee of Origin: Land Use

Re: West 106th Street Rezoning (Columbus-Amsterdam Avenues.) Full

Board Vote: 31 In Favor 2 Against 2 Abstentions 1 Present

Committee: 6-0-0-0. Non-Committee Board Members: 8-1-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application #C130208ZMM to the Department of City Planning for a zoning map amendment to rezone lots within an R7-2 district to an R8A along West 106th Street and an R8B district along West 105th Street.

In addition to the above resolution it was agreed that CB7 will prepare a companion clarifying letter to state the unusual circumstances about this site.

February 24, 2014

Honorable Carl Weisbrod
Chair
New York City Planning Commission
22 Reade Street, 6th Floor West New York, NY 10007-1216

Re: Application #C130208ZMM to the Department of City Planning by PWV Owner LLC for a zoning map amendment to rezone lots within an R7-2 district to an R8A along West 106th Street and an R8B district along West 105th Street.

Dear Chair Weisbrod:

CB7's Land Use Committee recently drafted a resolution to approve the West 106th Street Rezoning (Columbus-Amsterdam Avenues) that had previously been excluded from a much larger re-zoning effort in 2007 on the Upper West Side north of 96th Street to accommodate the Jewish Home & Hospital, now known as Jewish Home Lifecare (JHL).

At the Land Use Meeting held on January 15, 2014 where the ULURP Public Hearing was heard as part of the above application, a considerable number of community members gave an opinion and welcomed with relief that the re-zoning for this particular site will now conform to adjacent 2007 re-zoned areas. JHL was also cited in testimony because of its intention to rebuild their facility within a much smaller lot on West 97th street between Columbus and Amsterdam Avenues. This letter is to amplify community concerns and clarifications regarding any specific project that might be built on the newly re-zoned site, as well as any future residential healthcare facility to be built on West 97th Street between Columbus and Amsterdam Avenues by JHL, the current occupant of the West 105th-106th Street site.

All of the community members that spoke in support of the rezoning application stated explicitly that a vote in favor of adopting the amendment pertains only to the zoning lots in question and does not pertain to any particular project, which may or may not be built on this site or any other site. Speakers representing both neighborhoods -- Duke Ellington Boulevard

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Neighborhood Association (DEBNA) /West 106th Street and Park West Village (PWV) / West 97th Street -- submitted testimony in person or in writing, stated to some degree that the vote in favor of adopting the zoning amendment does not preclude its present occupant, JHL from either remaining at its present location or re-building its facility on West 106th Street, if it chooses to do so. In fact, spokespersons for the 106th Street neighborhood organizations, DEBNA and the Manhattan Valley Preservation Coalition, said they would welcome JHL's remaining on their present West 106th Street campus site and would work with JHL if it chooses to rebuild on that site.

Another significant issue was raised by community members that, in their view, a vote in favor of adopting the re-zoning amendment was not intended to and does not preclude the New York State Department of Health from issuing a "No build / No action" determination in a pending State Environmental Quality Review Assessment (SEQRA) pertaining to a certificate of need application by JHL to build a residential health care facility on West 97th Street.

We hope and expect that the New York State Department of Health will rigorously assess the potential impact of the proposed JHL site on 97th street, including but not limited to impact on open space, traffic congestion, the elimination of an attractive garden now used by JHL residents at 106th street, and other matters. We look forward to addressing these issues at the appropriate time.

Respectfully submitted,



Elizabeth Caputo
Chair

Cc: Hon. Gale Brewer, Manhattan Borough President;
Councilmember Mark Levine;
Assembly Member O'Donnell; and
Senator Bill Perkins

RESOLUTION

Date: February 4, 2014

Committee of Origin: Land Use

Re: 157 Columbus Avenue (West 67th Street.)

Full Board Vote: 31 In Favor 0 Against 1 Abstention 0 Present

Committee: 5-0-1-0. Non-Committee Board Members: 4-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** application #228-13BZ to the NYC Board of Standards and Appeals by Herrick Feinstein LLP, on behalf of 45 West 67th Street Development Corporation/Cross Fit NYC, for a permit to operate a physical culture establishment at 157 Columbus Avenue. The reasons for this disapproval are threefold:

- Inadequate and incomplete information regarding the impact of this particular type of gym and the exercises performed in this basement;
- A lack of detailed appropriate evaluation and analysis of acoustical concerns relating to hammering, percussive and transmitted vibration and noise that must consider both short and long-term impact on the building structure;
- Mitigation measures needed to reduce airborne noise for this activity; and the numbers of persons engaging in this activity at any one time including but not limited to any protective flooring and equipment isolation pads or spacers that may be recommended to protect the building.



RESOLUTION

Date: February 4, 2014

Committee of Origin: Transportation

Re: NYC Department of Transportation's Safety Improvement Proposal for Broadway and West 96th Street.

Full Board Vote: 31 In Favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan commends the NYC Department of Transportation for their plan for increased pedestrian safety at 96th Street and Broadway, and believe it will save lives. We hope it is implemented as soon as possible, and

BE IT FURTHER RESOLVED THAT Community Board 7 believes the following should also be part of the implementation plan for 96th Street and Broadway:

1. When the light turns yellow on either side of Broadway (for the east/west traffic), the light on the other side of Broadway should turn red, thus discouraging any thought of making the second light, or having vehicles "trapped" between lights, and blocking the new median-to-median crossing.
2. Signs should be placed at 94th Street and Amsterdam Avenue which direct vehicles to the East Side, indicating a left (north) turn on Amsterdam Avenue, with another "East Side" sign at 96th and Amsterdam, directing vehicles right (east) towards the transverse.
3. Signs should be placed in locations where VEHICLES ARE ENTERING NYC STREETS FOR THE FIRST TIME - i.e. - exits from the Henry Hudson Parkway at 95th Street, and 79th Street, indicating that it is NYC Law that there is no right turn on red, as well as the speed limit in New York City.
4. Daylighting of 3-4 spaces west on 96th Street from the Southwest corner. As the plan already calls for some daylighting on the Northwest corner, north on Broadway, this will complement that, and insure maximum visibility of pedestrians at both corners.
5. In addition, we call on DOT to investigate a no u-turn rule for northbound vehicles on Broadway at 96th Street, who may turn left (west) in the new plan, and decide to turn south on Broadway.



RESOLUTION

Date: February 4, 2014

Committee of Origin: Transportation

Re: Safety improvements in the West 96th Street corridor. Full

Board Vote: 28 In Favor 0 Against 0 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Members: 3-0-0-0.

The West 95th -97th Street corridor has been identified as an area with many safety hazards to pedestrians & motorists, which are frequently in conflict with each other.

The Nelson/Nygaard firm has studied the corridor and made recommendations to lessen and/or remove many of these conflicts,

THEREFORE, BE IT RESOLVED THAT Community Board /Manhattan 7 recommends that the NYC Department of Transportation examine and adopt many of these recommendations, specifically:

1. Change the timing of the lights at Broadway & 96th Street so vehicles just making the light at Broadway will be unable to continue all the way across Broadway.
2. Change the timing of the lights on 97th Street, Amsterdam Avenue to Riverside Drive, so that vehicles cannot make all lights without stopping.
3. Change the timing of the lights at 96th and West End Avenue, so that vehicles turning left (south) from 97th

Street onto West End Avenue cannot make the light at 96th Street and West End Avenue (towards the HHP.) 4. Change the timing of the lights on West End Avenue, for streets between 106th and 96th, so that vehicles cannot make all lights without stopping. Currently while traveling south along West End Avenue., a vehicle can proceed through the entire corridor if one travels fast enough to just make the light at about 98th Street. Currently encourages highest speed southbound through the 99th - 98th - 97th Street area of West End Ave.

5. Eliminate the left-turn lane on northbound West End Avenue at 97th Street.
6. Provide a longer LPI for pedestrians to cross West End Avenue at 97th Street.
7. Install a no left-turn from eastbound 96th Street into northbound West End Avenue during school hours.

BE IT FURTHER RESOLVED THAT CB7 requests the N.Y.P.D. provide greater enforcement of failure to yield, red light, and speeding violations, and

BE IT FURTHER RESOLVED THAT CB7 requests our State Legislators to immediately press for a) more speed cameras for New York City, or b) more "home rule" so NYC can install as many speed cameras as it deems suitable for public safety.

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RESOLUTION

Date: February 4, 2014

Committee of Origin: Transportation

Re: GreenMarket on West 97th Street, Columbus-Amsterdam Avenues.

Full Board Vote: 26 In Favor 0 Against 0 Abstentions 0 Present

Committee: 9-0-0-0. Non-Committee Board Members: 3-0-0-0.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application # 131714 to the Mayor's Street Activity Permit Office by Greenmarket/GrowNYC for the continuing operation of the 97th Street Greenmarket in 2014, and if necessary the extension of the 2013 # 79561 permit, with the understanding that GM/GNYC will submit a new plan if construction of the Jewish Home Life facility begins in 2014.



RESOLUTION

Date: February 4, 2014

Committee of Origin: Housing

Re: Inappropriate and Harmful Downsizing in Section 8 Housing

Full Board Vote: 21 In Favor 3 Against 5 Abstentions 0 Present

Committee: 6-0-0-0. Non-Committee Board Members: 3-0-0-0.

A new policy from the Department of Housing Preservation and Development (HPD), in response to the federal sequester, is seeking to downsize some tenants with Section 8 Vouchers. These tenants, often in former Mitchell-Lama buildings, are commonly seniors on fixed incomes, have health issues, and/or have been residing in the same apartment for decades.

A home is one of the few foundational aspects of a person's life, especially a home that has been lived in for many years. A tenant being downsized is going to go through a stressful experience and deserves to be treated with kindness, compassion, and respect.

Tenants that are being downsized are permitted to stay in their developments and will only be downsized if an empty unit of appropriate space is available.

The public hearing for this policy change was not advertised properly and almost no elected officials or impacted constituents were aware of the hearing and given an opportunity to comment.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan calls for a moratorium from HPD on downsizing until Mayor de Blasio has a chance to review the implications of the current policy; and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan urges Mayor De Blasio and HPD to amend the policy to end the practice of downsizing households composed of one parent and one child into a one bedroom apartment. Similarly the downsizing of single individuals from 1-bedroom apartments into studios should be ended; and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan urges Mayor De Blasio and HPD to ensure that there is a flexible and responsive system that will allow tenants with special needs or health issues to retain larger units should the additional space be required for medical equipment or home health attendants; and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan urges HPD to provide sufficient notice, support and compassion in situations where downsizing is appropriate. This must include easily understood vocabulary and documentation, the inclusion of HPD's downsizing policy in all communications, the notification of relevant tenant and resident associations, and financial support to assist in the move.



RESOLUTION

Date: February 4, 2014

Committee of Origin: Business & Consumer Issues

Re: Unenclosed Café Renewal Applications.

Full Board Vote: 29 In Favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the following unenclosed sidewalk café renewal applications:

- **61 Columbus Avenue (West 62nd Street)** Renewal application DCA#1190070 to the Department of Consumer Affairs by West 62 Operating, LLC d/b/a Rosa Mexicana at Lincoln Center, for a two-year consent to operate an unenclosed sidewalk café with 26 tables and 50 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 1-0-0-0.
- **2020 Broadway (West 69th Street.)** Renewal application DCA# 1308014 to the Department of Consumer Affairs by Tapas Food and Wine, Inc., d/b/a BarCibo Enoteca, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 22 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 1-0-0-0.
- **267 Columbus Avenue (West 72nd – 73rd Streets.)** Renewal application DCA# 1072082 to the Department of Consumer Affairs by Classic Food, Inc., d/b/a Sido, for a two-year consent to operate an unenclosed sidewalk café with 3 tables and 6 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 1-0-0-0.
- **283 Amsterdam Avenue (West 73rd Street.)** Renewal application DCA# 1321660 to the Department of Consumer Affairs by Nabucco, LLC, d/b/a Salumeria Rossi, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 24 seats.
Committee: 8-0-0-1. Non-Committee Board Members: 1-0-0-0.
- **441 Amsterdam Avenue (West 81st Street.)** Renewal application DCA# 1283635 to the Department of Consumer Affairs by JPS Ventures, Inc., d/b/a St. James Gate, for a two-year consent to operate an unenclosed sidewalk café with 3 tables and 8 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 1-0-0-0.
- **442 Amsterdam Avenue (West 81st Street.)** Renewal application DCA# 0953744 to the Department of Consumer Affairs by 442 Amsterdam Rest., Corp., d/b/a The Gin Mill, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 14 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 1-0-0-0.
- **475 Columbus Avenue (West 83rd Street.)** Renewal application DCA# 1382144 to the Department of Consumer Affairs by Il Rifugio, Inc., d/b/a Tarallucci E Vino, for a two-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 1-0-0-0.

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- **517 Columbus Avenue** (West 85th Street.) Renewal application DCA# 0812902 to the Department of Consumer Affairs by Re Spec Corp., d/b/a Jackson Hole, for a two-year consent to operate an unenclosed sidewalk café with 25 tables and 48 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 1-0-0-0.
 - **2340 Broadway** (West 85th Street.) renewal application DCA# 1000314 to the Department of Consumer Affairs by Broadway Desserts, LTD., d/b/a French R Roast, for a two-year consent to operate an unenclosed sidewalk café with 21 tables and 48 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 1-0-0-0.
 - **584 Amsterdam Avenue** (West 87th - 88th Streets.) Renewal application DCA# 1247422 to the Department of Consumer Affairs by T.B. 584 Amsterdam Corp, d/b/a Bodrum, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 24 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 1-0-0-0.
 - **584 Columbus Avenue** (West 88th – 89th Street.) Renewal application DCA# 0851262 to the Department of Consumer Affairs by New Bella Luna Inc., d/b/a The Bella Luna, for a two-year consent to operate an unenclosed sidewalk café with 13 tables and 25 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 1-0-0-0.
 - **2450 Broadway** (West 90th – 91st Streets.) Renewal application DCA# 0940252 to the Department of Consumer Affairs by Carmine’s Broadway Feast, Inc., d/b/a Carmine’s, for a two-year consent to operate an unenclosed sidewalk café with 7 tables and 22 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 2-0-0-0.
 - **2726 Broadway** (West 104th-105th Streets.) Renewal application DCA# 1247774 to the Department of Consumer Affairs by McConner Street Holding, LLC, d/b/a McDonald’s, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 24 seats.
Committee: 9-0-0-0. Non-Committee Board Members: 2-0-0-0.

RESOLUTION

Date: February 4, 2014

Committee of Origin: Business & Consumer Issues

Re: 316 Columbus Avenue (West 75th Street.)

Full Board Vote: 29 In Favor 0 Against 0 Abstentions 0 Present

Committee: 9-0-0-0. Non-Committee Board Members: 1-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves without prejudice** renewal application DCA# 1395732 to the Department of Consumer Affairs by Pappardella Rest Corp., d/b/a Pappardella, for a two-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.



RESOLUTION

Date: February 4, 2014

Committee of Origin: Business & Consumer Issues

Re: 2315 Broadway (West 84th Street.)

Full Board Vote: 29 In Favor 0 Against 0 Abstentions 0 Present

Committee: 9-0-0-0. Non-Committee Board Members: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves without prejudice** renewal application DCA# 1341402 to the Department of Consumer Affairs by Donizetti LLC, d/b/a Five Napkin Burger, for a two-year consent to operate an unenclosed sidewalk café with 12 tables and 34 seats.



RESOLUTION

Date: February 4, 2014

Committee of Origin: Business & Consumer Issues

Re: 2737 Broadway (West 105th Street.)

Full Board Vote: 29 In Favor 0 Against 0 Abstentions 0 Present

Committee: 9-0-0-0. Non-Committee Board Members: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves without prejudice** renewal application DCA# 1109932 to the Department of Consumer Affairs by The Westside of Broadway Rest Group, Inc., d/b/a Toast, for a two-year consent to operate an unenclosed sidewalk café with 15 tables and 30 seats.

RESOLUTION

Date: February 4, 2014

Committee of Origin: Business & Consumer Issues

Re: 364 West 110th Street (Columbus-Manhattan Avenues.)

Full Board Vote: 29 In Favor 0 Against 0 Abstentions 0 Present

Committee: 9-0-0-0. Non-Committee Board Members: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves without prejudice** renewal application DCA# 1039389 to the Department of Consumer Affairs by Spoonbread, Inc., d/b/a Spoonbread Too - Miss Mamie's, for a two-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.