

COMMUNITY BOARD 7/MANHATTAN MAY 2001 RESOLUTIONS

RESOLUTION

Date: May 1, 2001

Committee of Origin: Transportation

Re: West End C/L Service Corp., 73 West 83rd Street

Full Board Vote: 35 In Favor 0 Against 1 Abstention 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the renewal application to NY Taxi and Limousine Commission by West End Car & Limousine Service Corp. at 73 West 83rd Street for a For Hire Base station license.

Committee: 6-0-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Landmarks

Re: 461 Columbus Avenue.

Full Board Vote: 36 In Favor 0 Against 1 Abstention 0 Present

WHEREAS, the building is not a distinguished one in the historic district; and

WHEREAS, the proposed project will improve the appearance of the building; and

WHEREAS, the applicant will match the color of the frames to the color of the existing window frames;

BE IT RESOLVED THAT Community Board 7/Manhattan approves application #012782 to the Landmarks Preservation Commission to enlarge three windows on the side of the building.

Committee: 3-0-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Landmarks

Re: 106 West 76th Street.

Full Board Vote: 36 In Favor 0 Against 0 Abstentions 0 Present

WHEREAS, the rear yard addition will be 17 feet shorter than the present addition, although higher; and

WHEREAS, the addition does not interrupt the rear yard space; and

WHEREAS, the roof-top addition is visible from the corner of 78th Street; and

WHEREAS, the amount of space being added to the building changes the visual perception of the building;

BE IT RESOLVED THAT Community Board 7/Manhattan approves the rear yard addition, but disapproves the rooftop addition under application #015220 to the Landmarks Preservation Commission.

Committee: 2-1-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Landmarks

Re: Citywide Preservation Platform.

Full Board Vote: In Favor Against Abstentions Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the adoption of a Preservation Platform in conjunction with the citywide preservation organizations to be presented to all the candidates running for Mayor, Public Advocate, Comptroller, Borough President and City Council.

Committee: 3-0-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Land Use

Re: Harry's Burrito, 241 Columbus Avenue.

Full Board Vote: 36 In Favor 2 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the renewal application DCA# 0895637 to the Department of Consumer Affairs by Burrito Junction, Inc., d/b/a Harry's Burrito Junction at 241 Columbus Avenue (West 71st Street), for a five-year consent to operate an unenclosed sidewalk café with 12 tables and 46 seats.

Committee: 6-0-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Land Use

Re: Columbus Café, 556 Columbus Avenue.

Full Board Vote: 36 In Favor 1 Against 1 Abstentions 0 Present

WHEREAS, the applicant has agreed to provide waiter service in the sidewalk café, as required by New York City regulations; and

WHEREAS, the applicant has agreed to use only non-disposable dishware and silverware in the sidewalk café;

BE IT RESOLVED THAT Community Board 7/Manhattan approves the new application DCA# 1068439 to the Department of Consumer Affairs by Seraj Food, Inc. d/b/a Columbus Café at 556 Columbus Avenue (West 86th – 87th Streets) for a one-year consent to operate an unenclosed sidewalk cafe with 14 tables and 28 seats.

Committee: 6-0-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Land Use

Re: Nick & Toni's Café, 100 West 67th Street.

Full Board Vote: 22 In Favor 10 Against 7 Abstentions 0 Present

**WHEREAS, the restaurant is located on a side street with a narrow sidewalk;
and**

WHEREAS, the sidewalk cafe hinders pedestrian traffic and access to the residential building in which it is located;

BE IT RESOLVED THAT Community Board 7/Manhattan disapproves the renewal application DCA# 955751 to the Department of Consumer Affairs by The Honest Food Corp., d/b/a Nick & Toni's Café at 100 West 67th Street, for a four-year consent to operate an unenclosed sidewalk café with 9 tables and 18 seats.

Committee: 5-1-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Land Use

Re: Café Con Leche, 424 Amsterdam Avenue.

Full Board Vote: 33 In Favor 2 Against 1 Abstentions 0 Present

WHEREAS, the applicant agreed to change the configuration of the proposed sidewalk café and to reduce its depth to 9 feet, and submitted to Community Board 7/Manhattan plans revised to document this change and stamped by the NYC Department of Consumer Affairs;

BE IT RESOLVED THAT Community Board 7/Manhattan approves the new application DCA# 1075283 to the Department of Consumer Affairs by Café Con Leche, Inc., d/b/a Café Con Leche at 424 Amsterdam Avenue (West 80th - 81st Streets), for a one-year consent to operate an unenclosed sidewalk café with 6 tables and 18 seats.

Committee: 5-1-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Land Use

Re: Café La Fenice, 2014 Broadway.

Full Board Vote: 39 In Favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the renewal application DCA# 960823 to the Department of Consumer Affairs by HDN Corp., d/b/a Café La Fenice at 2014 Broadway (West 68th -69th Streets), for a five-year consent to operate an unenclosed sidewalk café with 14 tables and 28 seats.

Committee: 5-1-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Land Use

Re: EJ's Luncheonette, 447 Amsterdam Avenue.

Full Board Vote: 32 In Favor 4 Against 2 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the renewal application DCA# 0990613 to the Department of Consumer Affairs by New Store Restaurant, d/b/a EJ's Luncheonette at 447 Amsterdam Avenue (West 81st – 82nd Streets), for a five-year consent to operate an unenclosed sidewalk café with 7 tables and 15 seats.

Committee: 5-1-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Land Use

Re: DOROT Inc., 171 West 85th Street.

Full Board Vote: 36 In Favor 0 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the application #25-01-BZ to the Board of Standards & Appeals by David Vandor for a variance pursuant to Section 72-21 of the Zoning Resolution to permit the continuation and increase of non-compliance with bulk regulations at 171 West 85th Street, so that DOROT, Inc., an existing social-services provider, can expand elevator service within its existing six-story building.

Committee: 7-0-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Land Use

Re: 161 West 61st Street, Alfred Garage.

Full Board Vote: 33 In Favor 1 Against 1 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan approves the application #010200ZSM to the Department of City Planning by Carol Management Corporation for Alfred Garage for the grant of a special permit pursuant to Sections 82-60, 13-562, and 74-54 of the Zoning Resolution to allow a below-grade, attended public parking garage with a maximum capacity of 140 spaces at the northeasterly corner of Amsterdam Avenue and West 61st Street, in the cellar and sub-cellar of an existing building located at 161 West 61st Street.

Committee: 5-0-0-0.

RESOLUTION

Date: May 1, 2001

Committee of Origin: Land Use

Re: Adult Establishment Text Changes.

Full Board Vote: 25 In Favor 7 Against 7 Abstentions 0 Present

WHEREAS, in 1995 the Department of City Planning (DCP) and the New York City Council approved text changes to the Zoning Resolution (ULURP #N950384 ZRY) to regulate adult establishments; and

WHEREAS, that zoning amendment required the closing of adult establishments throughout most of the city, and relegated them to manufacturing zones, including, but not limited to, the proposed Hudson River waterfront area; and

WHEREAS, the currently proposed zoning amendment (ULURP #N010508 ZRY) expands the definitions of 'adult establishment' and attempts to increase enforceability of the regulations adopted in 1995; and

WHEREAS, Community Board 7/Manhattan acknowledges that some residents of this district, along with other communities throughout the city,

have legitimate concerns about the spread and concentration of adult establishments, as well as issues relating to signage regulations; and

WHEREAS, Community Board 7/Manhattan finds that the City has failed to present adequate verifiable data to support its assertions of alleged negative secondary effects caused by adult establishments, which are in fact legal businesses; and

WHEREAS, Community Board 7/Manhattan found the original 1995 zoning text amendment and finds the currently proposed zoning text amendment to be deliberate attempts to regulate the content of certain forms of speech; and

WHEREAS, Community Board 7/Manhattan Manhattan found the original 1995 zoning text amendment and finds the currently proposed zoning text amendment to be unwarranted intrusions on rights guaranteed to all under the Constitution of the United States of America and the Constitution of the State of New York; and

WHEREAS, Community Board 7/Manhattan accordingly found the original 1995 zoning text amendment and finds the currently proposed zoning text amendment to be flawed in both concept and design, containing provisions which the Board believes to be unenforceable both practically and legally;

WHEREAS, Community Board 7/Manhattan finds that the very existence of the current proposal vindicates its earlier position that the regulations are unenforceable both practically and legally;

BE IT RESOLVED THAT Community Board 7/Manhattan opposes the proposed zoning text amendment (ULURP #N010508 ZRY); and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan calls upon the Mayor, the Director of City Planning, and the Department of City Planning, to withdraw the proposed zoning text amendment; and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan calls upon the City Planning Commission to reject the proposed text amendment if it is not withdrawn.

Committee: 5-0-0-0.