

October 2003 Resolutions

Land Use Committee

Co-Chairs: Richard Asche and Hope Cohen

Joint with Transportation Committee

1. Re: 699/717 West End Avenue (West 94th Street.)

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application #813-63-BZ to the Board of Standards and Appeals by Howard Zipser/Stadtmauer Baikin, LLP, to permit the extension of a certificate of occupancy, which expired on January 22, 2002, permitting within an R8 and R10A zoning district the use of 30 parking spaces within an existing garage for transient use.

Joint Committees: 5-1-0-1. Public Members: 1-0-1-0.

2. Re: 103, 137, and 151 West 108th Street (Columbus-Amsterdam Avenue.)

WHEREAS, the Department of Housing Preservation and Development (HPD) has decided to dispose of three parcels of property, at 103, 137 and 151 West 108th Street that now and for the past several decades have provided garage services for cars and that were previously designated to be taken for housing in the now-expired urban renewal plan, and has requested the advice of Community Board 7/Manhattan regarding the community's preferences in their disposition; and

WHEREAS, Community Board 7/Manhattan has held public hearings on the question which were attended by more than 600 residents, and at which (collectively) three proposed using the sites for housing combined with a garage, and at least 75 testified that the garage is important to the fabric of the neighborhood and should have priority as a future use for the space, and more than 500 supported that as their choice in a straw poll; and

WHEREAS, Community Board 7/Manhattan remains committed to the development of affordable housing in Manhattan Valley, and considered the possibility that these sites be sold for use as low and moderate income housing, and further considered the possibility of constructing both housing and garages in the place of the existing buildings; and

WHEREAS, it appears that, given current zoning and locations of the garages on the block, construction of housing for a significant number of low or moderate income families would be impracticable and economically unfeasible, and any combined housing-garage use could only accommodate about 10 percent of the current parkers; and

WHEREAS, Community Board 7/Manhattan also recognizes that parking facilities are needed in the community for both quality of life and economic reasons, that a number of parking garages in the area have been lost to development in the decade, and that the three garages now operating on the city property, with a total of 720 spaces, serve the needs of several hundred community residents (most of whom turned out at public meetings considering the matter); that many of the residents required cars for their jobs, or to meet family obligations, and that the garages also provided a public service by housing buses serving the needs of various Senior Residences in the area and, without charge, the Central Park volunteer emergency medical service ambulance, that for security reasons must be garaged; and

WHEREAS, Community Board 7/Manhattan is also cognizant that these garages have served the needs of the community for many decades, that their

operators are residents of the community, and that they provide 24 hour service and employ a significant number of workers who reside in our community; and

WHEREAS, the two separate operators of the three garages have stated their desire to continue to operate these facilities as a garages so that they will continue to serve the needs of the community; but, also,

WHEREAS, Community Board 7/Manhattan is aware that past and current practices that were part of the operation of these garages may have produced environmental problems, and may have violated zoning and other ordinances regarding the operation of repair facilities not permitted under the zoning; and

WHEREAS, Community Board 7/Manhattan is committed to increasing affordable housing opportunities for residents of our area, and desires to see HPD creatively link the continued operation of these garages with the creation of new affordable housing on city property, or through city programs, elsewhere in our community board 7;

BE IT RESOLVED THAT Community Board 7/Manhattan requests that HPD negotiate a sale of the three 108th Street garages to their respective, current operators, with the following provisions:

1. that the title for each property covenant that the property must be operated as a garage by this operator its successors for a period of at least 30 years, and that this covenant shall run with the land;
2. that HPD set a fair market value as the selling price for the property based on an appraisal of the land and buildings WITH A COVENANT RESTRICTING USE TO A GARAGE, with provisions that permit the enforcement of the covenant by the community board or its successor;
3. that the purchasers will repair and restore the facades of their buildings, as a demonstration of their respect to the community, to the extent practical;
4. that the purchasers will promise and commit that they will not engage in any use of the space, or permit any activity on their site or its environs by their tenants, that does not comport with the zoning (i.e. no commercial repairs of cars) They also commit that will adhere to all environmental issues concerning waste oil and gasoline products that have been used, or will be used on their site, including the storage and disposal of these products, will assess possible contamination damage, and devise a plan to correct, contain and otherwise nullify the contamination that may have occurred; and

BE IT FURTHER RESOLVED THAT, in the event that one or both of the current operators and HPD are unable to come to an agreement concerning purchase of the property/ies, Community Board 7/Manhattan requests that HPD hold an auction for the property/ies with the title(s) limiting permitted uses to uses as a garage and with an upset price of fair market value, as determined by the appraiser; and if no garage operators bids at the upset price, the auction be opened to the highest bidder for use of the site for low and moderate income housing, or a garage use; and

BE IT FURTHER RESOLVED THAT Community Board 7/Manhattan is committed to increasing the availability of affordable housing for lower and middle income families, and that we encourage HPD 1) to find alternative sites within our district for such housing and 2) that HPD link the income to the city from the sale of these sites as garages, or from their continuing operation as garages, to the provision of such housing within the boundaries of Community Board 7.

Joint Committee Vote: 8-1-1-1. Public Members: 2-0-0-0.

Land Use Committee

3. Re: 11-15 West 108th Street (Central Park West-Manhattan Avenue.)

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application by the Department of Housing Preservation and Development to the City Council to sell 11-15 West 108th Street to the West 108th Street Housing Development Fund Corporation and tenants under HPD's Tenant Interim Lease Program.

Committee: 8-0-0-1. Board Member: 1-0-0-0. Public Members: 2-0-0-0.

Transportation Committee

Resolutions Re:

4. Re: 221 Columbus Avenue (West 70th Street.)

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 0922086 to the Department of Consumer Affairs by Basta Restaurant Corp., d/b/a Aegean Greek at 221 Columbus Avenue, for a two-year consent to operate an enclosed sidewalk café with 15 tables and 34 seats.

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

5. Re: 2787 Broadway (107th-108th Street.)

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 1147364 to the Department of Consumer Affairs by Hillview Specialty Foods, Inc., d/b/a 107th West Restaurant & Bar at 2787 Broadway, for a two-year consent to operate an enclosed sidewalk café with 13 tables and 26 seats.

Committee: 5-1-0-0.

6. Re: 392 Columbus Avenue (West 79th Street.)

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application DCA# 1021550 to the Department of Consumer Affairs by 100 West 79th Street NYC, Corp., d/b/a North West at 392 Columbus Avenue, for a two-year consent to operate an unenclosed sidewalk café with 19 tables and 40 seats.

Committee: 5-1-0-0.

7. Re: 289 Columbus Avenue (West 74th Street.)

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the request by Pioneer Supermarket, 289 Columbus Avenue, to the NYC Department of Transportation for a "No Standing, except trucks loading and unloading, 10:00 AM to 7:00 PM" zone.

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

8. Re: Newsstand on the northeast corner of Broadway and West 66th Street.

WHEREAS, the proposed newsstand is in a bus stop;

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** application #1145872 to the Department of Consumer Affairs by Kaiser Akram to construct and operate a newsstand on the northeast corner of Broadway and West 66th Street.

Committee: 7-0-0-0.

9. Re: Newsstand on the northeast corner of Amsterdam Avenue and West 72nd Street.

WHEREAS, the proposed newsstand is in a bus stop;

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** application #1145870 to the Department of Consumer Affairs by Tauseef Haque to

construct and operate a newsstand on the northeast corner of Amsterdam Avenue and West 72nd Street.

Committee: 7-0-0-0.

10. Re: 2642 Broadway (West 100th Street.)

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the renewal application #B01743 to NYC Taxi and Limousine Commission by Two Way Black Cars & Radio Group at 2642 Broadway for a For Hire Base Station license.

Committee: 6-0-1-0.

11. Re: Request for secondary naming of West End Avenue and West 88th Street.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the request for secondary naming of West End Avenue and West 88th Street to honor Arturo "Chico" O'Farrill, Latin-jazz composer and bandleader.

Committee: 3-3-0-0.

Landmarks Committee

Co-Chairs: Lenore Norman and Patricia Stevens

Joint with Parks and Transportation Committees

12. Re: Pedestrian street lights on Central Park South between Grand Army Plaza and Columbus Circle.

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application by the Central Park Conservancy to the Landmarks Preservation Commission for the design and placement of the pedestrian street lights on Central Park South between Grand Army Plaza and Columbus Circle.

Joint Committees: 4-0-0-0.

Landmarks Committee

Joint with Transportation Committee

13. Re: Pedestrian lighting arms on Columbus Avenue from West 67th to West 82nd Street.

WHEREAS, the lights are appropriate and will enhance Columbus Avenue;

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application by the Columbus Avenue BID to the Landmarks Preservation Commission to install pedestrian lighting arms on the lampposts on Columbus Avenue from West 67th Street to 82nd Street.

Joint Committees: 2-0-0-0.

Landmarks Committee

14. Re: 33 Central Park West (West 64th-65th Street.)

WHEREAS, the banners will not harm the brick façade and are of an appropriate color; and

WHEREAS, the school has agreed to remove the banners by June 2004;

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the Ethical Culture School's proposal to install two banners to mark the School's 105th Anniversary.

Committee: 3-0-0-0.

15. Re: 101 West 70th Street (Amsterdam-Columbus Avenue.)

WHEREAS, the addition is minimally visible to the public and, where visible, is appropriate;

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application #041228 to the Landmarks Preservation Commission to construct a rooftop addition and install a fire escape on the rear façade.

Committee: 2-1-0-0.

16. Re: 155 West 78th Street (Columbus-Amsterdam Avenue.)

WHEREAS, the air conditioning units in the upper half of the windows have a negative impact on the façade of the building;

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** application #041374 to the Landmarks Preservation Commission to legalize the installation of air conditioning units and metal panels without Landmarks Preservation Commission permits.

Committee: 2-1-0-0.

17. Re: 175 West 76th Street (Amsterdam-Columbus Avenue). Application #031735 to the Landmarks Preservation Commission to install a chimney flue on the north façade.