

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: EXECUTIVE

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 11 In Favor | 0 Opposed | 0 Abstained | 0 Rescued |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Rescued |

RE: Comprehensive Resiliency Project Coordination to Preserve Open Space and Quality of Life

WHEREAS: Manhattan Community District 1 (CD1) is poised to enter a prolonged period of massive construction related to resilience construction projects. These projects, part of the Lower Manhattan Coastal Resiliency (LMCR) effort, include: Brooklyn Bridge-Montgomery Coastal Resilience, Seaport Coastal Resilience, The Battery Coastal Resilience, and Battery Park City Resilience Projects (South, North & West); and

WHEREAS: CD1 has a limited amount of open space relative to a residential population that has grown enormously since 2000, as well as a large amount of workers, students and visitors that come and go from the district daily. This makes it absolutely crucial for resiliency construction efforts to be coordinated and staged in a way that minimizes quality of life disruptions, and staggers the closure of vital public resources and open spaces; and

WHEREAS: Lower Manhattan experienced a similar phenomenon in the rebuilding period following the 9/11 attacks, with dozens of construction projects occurring simultaneously. The Lower Manhattan Construction Command Center (LMCCC) was formed in order to speed the rebuilding of Lower Manhattan, reduce costs, and promote safety and fairness; and

WHEREAS: LMCCC played a vital role working with numerous agencies at the Federal (FTA, OSHA and EPA), New York State (MTA, PANYNJ, BPCA, NYSDOT, DASNY, DOL, and HRPT) and New York City (OEM, NYPD, LMDC, DDC, DOT, DEP, CME, and DOB) levels, authorities, utilities, project sponsors and private sector developers to provide independent oversight of ongoing construction projects in Lower Manhattan, and a consistent forum in which the parties could communicate with each others and with the community, including CB1; and

WHEREAS: LMCCC also created the Construction Permit Enforcement Taskforce (CPET) to interface with New York City agencies (DOT, NYPD, DOB, DEP, DOS) that issue and enforce permits for the use of public space for construction and construction related activities to mitigate traffic, maintain mobility and ensure proper enforcement and coordination between agencies; and

WHEREAS: LMCCC also oversaw environmental performance commitments of numerous projects and related efforts to minimize noise, dust and vibration impacts; and

WHEREAS: The work of LMCCC was critical in the protection of the quality of life of people living and working in Lower Manhattan who are fatigued by construction and environmental impacts; and

WHEREAS: LMCCC was fiercely supported by CB1 since its inception, and it is heralded as a tremendously successful vehicle for coordination, communication and outreach; now

THEREFORE

BE IT

RESOLVED

THAT: CB1 urges our State and City elected officials to work together to establish an entity comparable to the LMCCC to coordinate the construction projects associated with LMCR.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 10 In Favor | 1 Opposed | 0 Abstained | 0 Rescued |
| BOARD VOTE: | 37 In Favor | 1 Opposed | 6 Abstained | 0 Rescued |

RE: 200 Water Street, first renewal of City Planning Commission Authorization allowing a horizontal enlargement within arcade space (infill) and redesign of two Privately Owned Public Spaces (POPS)

WHEREAS: 200 Water SPE L.L.C. (the “applicant”) has submitted an application to the Department of City Planning (DCP) for renewal of an Authorization (ULURP Application No. N 170284 ZAM) from the New York City Planning Commission (CPC). The Authorization allows a horizontal enlargement within arcade space at 200 Water Street in conjunction with the redesign of two publicly accessible open areas, which are Privately Owned Public Spaces (POPS) on the site; and

WHEREAS: The applicant has represented that the project is being delayed due to a contracting issue with a tenant, and it is unknown when that issue will be resolved so that the project can move forward; and

WHEREAS: Since approval of the original application in 2017, seating and art installations within the plaza on Fulton Street and Water Street have been removed, leaving the plaza largely empty. Members of the CB1 Land Use, Zoning Economic Development Committee expressed that the plaza is currently desolate and forlorn. There is concern about how long the plaza will remain in such a condition; and

WHEREAS: The applicant has notified the committee that a temporary installation with seating will be placed within the plaza on Fulton Street and Water Street as early as April 2022, and that it will remain for one year; and

WHEREAS: There have been no changes to the plan since the original 2017 application reviewed by CB1. CB1 adopted a resolution in September 2017 in emphatic opposition to the original application, outlining eight specific reasons for opposing; and

WHEREAS: There is a critical need for public open space within Community District 1, which has been highlighted by the Covid pandemic. Large swaths of open space around the perimeter of Lower Manhattan will also be closed for extended periods during the construction of resiliency infrastructure, making inland open spaces more important than ever; now

THEREFORE
BE IT
RESOLVED

THAT: As the application has not changed, and the reasons for the Board's opposition have not changed, CB1 heartily reiterates its opposition to the Authorization allowing an arcade infill and plaza redesign, as detailed in the September 2017 resolution (attached). Specifically, there is continuing disappointment over the proposed redesign of the 200 Water Street POPS. The design has been described as "bland" and "uninviting," and does not reflect the importance of the site as a gateway to the Historic South Street Seaport, nor the history of the Fulton Street and Water Street plaza as a whimsical and celebrated public space; and

BE IT
FURTHER
RESOLVED

THAT: CB1 repeats that it has serious concerns about the Water Street zoning as a whole, particularly in terms of public benefit and equity.

COMMUNITY BOARD #1 –MANHATTAN
RESOLUTION

DATE: SEPTEMBER 26, 2017

COMMITTEES OF ORIGIN: LAND USE, ZONING & ECONOMIC DEVELOPMENT
WATERFRONT, PARKS & RESILIENCY

LAND USE

COMMITTEE VOTE: 9 In Favor 1 Opposed 0 Abstained 0 Recused
PUBLIC VOTE: 0 In Favor 0 Opposed 0 Abstained 0 Recused

WATERFRONT

COMMITTEE VOTE: 12 In Favor 0 Opposed 0 Abstained 0 Recused
PUBLIC VOTE: 1 In Favor 0 Opposed 0 Abstained 0 Recused

BOARD VOTE: 42 In Favor 2 Opposed 1 Abstained 0 Recused

RE: 200 Water Street, application to the City Planning Commission for arcade infill,
plaza modifications and open air cafe
N170284ZAM
N170285ZCM

WHEREAS: Rockrose Development has filed an application for an authorization from the New York City Planning Commission (CPC) pursuant to Section 91-841 of the Zoning Resolution to allow a horizontal enlargement within arcade space at 200 Water Street in conjunction with modifications to two plazas; and

WHEREAS: The site has approximately 33,450 square feet of lot area and occupies nearly the entire block bounded by Water Street, John Street, Pearl Street and Fulton Street. The site includes a 576 unit residential building; the plazas, which comprise 4,010 square feet of the site's area; and the 3,222 square foot arcade; and

WHEREAS: The proposed project would enclose a portion of the arcade (including the double-height space), resulting in approximately 2,922 square feet of ground floor retail infill and approximately 1,778 square feet of new second floor residential space. At the street line of Water Street, a triangular portion of the arcade would remain open as a corner arcade with a minimum clear path of 10 feet to facilitate pedestrian circulation. The arcade enclosure would contain at least two ground floor retail establishments, one of which being an enlarged and reconfigured version of the existing Duane Reade; and

WHEREAS: The new walls of the arcade enclosure would be fully glazed with transparent material, except for building columns and other structural elements between areas of glazing. Permanent installations for temporary flood control measures would be provided at all entryways into the arcade enclosure; and

- WHEREAS: The proposed project would replace the existing seating and the sculptural elements within the Fulton Street plaza with planters, fixed and moveable seating, a drinking fountain, tree, a sculpture, new stone paving, trash receptacles, public space signage and lighting; and
- WHEREAS: The proposed plaza would modify the plaza at John Street and Pearl Street by providing plantings, trees, moveable and fixed seating, new stone paving, a trash receptacle, public space signage and lighting. No changes to the elevation, size or orientation of this plaza are proposed. No changes to the building walls facing this plaza are proposed; and
- WHEREAS: The applicant is also seeking a certification from the Chair of CPC pursuant to Section 37-73 of the Zoning resolution of the City of New York to allow an open air café to be located within the modified Fulton Street plaza at 200 Water Street; and
- WHEREAS: The certification would allow the applicant to provide an open air café within the Fulton Street plaza, adjacent to a retail establishment within the proposed arcade enclosure. The open air café would consist of eight moveable tables and 24 moveable chairs. The applicant estimates that the café would take up approximately 5% of the entire plaza; and
- WHEREAS: During last year's review of the Water Street Zoning Text Amendment, 200 Water Street was identified as a unique property in the catchment area. CB1's March 2016 resolution states that the "benefit to the property owner clearly outweighs the community benefit from plaza upgrades" and requests that the applicant should provide benefits in addition to the plaza upgrade; and
- WHEREAS: As the first application resulting from the 2016 zoning text amendment to allow the infill of arcades along Water Street, this application must be taken under careful consideration as it will set a precedent for applications that follow; and
- WHEREAS: The building at 200 Water Street was constructed with floor area (FAR) bonuses granted in exchange for providing public space through the arcade and the plazas. In the case of arcade infill, the building would retain the original bonused floor area while converting a portion of the public space into additional rentable floor area for commercial and residential use; and
- WHEREAS: There is a critical need for additional open space in downtown Manhattan, particularly on the east side in the Financial District/Seaport area which has a rapidly growing residential population; and
- WHEREAS: The privately owned public space (POPS) at 200 Water Street was one of New York's most original and beloved POPS which graced the cover of the prestigious Progressive Architecture magazine in 1972 shortly after the tower was built. This celebrated, beloved and unique part of the downtown's urban street life was

described by experts as “a work of art” and “a cultural icon of the City”, but was regrettably not well maintained over the years; and

WHEREAS: In 1996 when 200 Water Street was converted to residential use, the applicant was sued by the designers of the privately owned public space who secured a settlement agreement that required Rockrose to retain much of the arcade and plaza design for a 15 year term ending in 2011 (Brandston v St. John St. Realty). Since that time, the scaffold, canvas banners, illuminated pond, fountain and lighting that once defined the public space have been removed or deteriorated; and

WHEREAS: CB1 concurs with the following comments from the Municipal Art Society of New York on 200 Water Street, “The Melvyn Kaufman-built public spaces at 200 Water Street were lauded for their unique public art installations and noted for the unusually playful vibrancy these pieces brought to the area. Yet today, much of the public art has been altered or removed. And the plazas and arcade have been allowed to deteriorate to the point that, instead of preserving these valuable community assets, Rockrose stands to benefit from the loss of public space”; and

WHEREAS: “At the July 18th Community Board 1 meeting, Rockrose claimed the rental income from the dwelling units alone would be approximately \$600,000 annually. Add to that the anticipated profit from the future restaurant and open-air café and it’s clear that this is not a fair trade-off. Therefore, for improved transparency and an equitable private-public exchange, we maintain that developers seeking to fill in POPS should be required to provide a full financial analysis of the costs and benefits associated with the bonus floor area and the future revenue they will receive through retail rents and increased building value”; now

THEREFORE
BE IT
RESOLVED

THAT: CB1 opposes application N170284ZAM for an authorization from the CPC to allow a horizontal enlargement within the arcade space at 200 Water Street for the following reasons:

- 1) The public space at 200 Water Street was, for so many years, a celebrated and lively community space with well-regarded public art and amenities. CB1 believes the proposed plaza designs are generic, mundane and lack aesthetic vision for this iconic space.
- 2) There is no adequate compensating amenity to justify enclosing 4,743 square feet of the double height arcade, constructed in return for additional building FAR, and converting it to private use by infilling the arcade.
- 3) The intersection of Water Street and Fulton Street is already one of the liveliest corners in Lower Manhattan and does not need activation as outlined as the primary intent of the Water Street zoning text amendment. As a gateway to the South Street Seaport and the Water Street corridor with a playground across the street and many nearby residences, stores and schools, the space is already highly trafficked which will only increase with

the opening of Pier 17, the continued redevelopment of the South Street Seaport and the addition of the Seaport Station on the 2nd Avenue subway line.

- 4) The infill of the arcade will impede the visual connection to Water, Pearl and Fulton Streets.
- 5) With increased traffic to the area as the South Street Seaport and Water Street corridor continue to develop, CB1 has serious concerns about circulation with the public space being reduced through the proposed arcade infill.
- 6) The proposed infill of the second level of the arcade with three market rate apartments contradicts the City's mission to increase affordable housing in the neighborhood and provides no public benefit.
- 7) The zoning aims to infill arcades on Water Street that are determined by the Department of City Planning (DCP) to be underutilized, obsolete and no longer useful but in fact, this application proposes to infill an arcade located on Fulton Street that is commonly used.
- 8) Lower Manhattan is dense and highly concentrated with a dearth of public space. The community is highly sensitive to the loss of public space; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes application N170285ZCM for a certification from the CPC to allow an open air café located within the reconstructed Fulton Street plaza for the following reasons:

- 1) The proposed arcade infill would eliminate nearly 3,000 square feet of ground floor public space. CB1 opposes this certification application which proposes to reserve additional plaza space for the open air café, further restricting use of the space by the public
- 2) CB1 is concerned about how the open air café may further restrict circulation in addition to the elimination of public space through the proposed arcade infill
- 3) CB 1 is also concerned that an open air café with undetermined hours could generate loud noise during the evening that would negatively impact the St. Margaret's House senior residence located across the street; and

BE IT
FURTHER
RESOLVED

THAT: CB1 has serious concerns about the Water Street zoning as a whole, particularly in terms of public benefit and equity. The Department of City Planning has agreed to meet with CB1 to discuss the Water St zoning text amendment and we will follow up with a resolution detailing our position on the zoning as a whole.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: LANDMARKS & PRESENTATION

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 8 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| PUBLIC VOTE: | 1 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Recused |

RE: 62-64 Reade Street, application for a 2-level rooftop addition on two nineteenth century 5-story loft and store style buildings

WHEREAS: The overall massing and height of the addition is minimally visible at a long distance from east on Broadway over other buildings and does not detract from the 19th century facades, and

WHEREAS: An extension of the petite 64 Reade Street fire escape to be used as a second means of egress for the sixth floor looks dangerously impossible to maneuver for a required means of egress and should be reconsidered, and

WHEREAS: The applicant agreed to add icicle fall protection attachments to the sloped roofs, and

WHEREAS: The window meeting rails at the proposed second and sixth floor windows, as presented, do not match the original atypical orientations in the J. Giles lithograph and should be corrected, and

WHEREAS: All the rear façade's windows are proposed to be replaced with one-over-one sashes. The design should be changed to six-over-six, and

WHEREAS: At the rear of both buildings all original metal fire shutters should be reinstated as painted back metal pinned back shutters at the completion of the project, and

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1, Manhattan recommends approval of the roof addition only if the metal shutters on the rear of the building are restored.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: LANDMARKS & PRESENTATION

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 7 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| PUBLIC VOTE: | 1 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Recused |

RE: 140 West Broadway, an application for sidewalk repairs and replacements based on the existing conditions report as presented by A-squared.

WHEREAS: The applicant proposed to retain and reinstate all original granite sidewalk flags on West Broadway, and

WHEREAS: The applicant proposed to install all new granite sidewalk and curbs continuous with the reinstated granite on West Broadway, and

WHEREAS: New concrete sidewalk flags will only be installed at areas of existing concrete pavement, and

WHEREAS: The remaining work at the loading dock building entrance and corner ramp are harmonious with the surrounding work and appropriate, and

THEREFORE
BE IT
RESOLVED

THAT: Community Board #1, Manhattan reluctantly recommends that the Landmarks Preservation Commission approve this work.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: LANDMARKS & PRESERVATION

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 7 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| PUBLIC VOTE: | 1 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Recused |

RE: Opposition to Budget Cuts for the Landmarks Preservation Commission

WHEREAS: As the buildings of New York City age, more are becoming eligible for protection by the Landmarks Preservation Commission (LPC) and the resources that the city budgets to manage these resources stays the same or diminishes when there is any negative pressure on the overall city budget; and

WHEREAS: The Mayor's Preliminary Budget contemplates a reduction for all mayoral agencies; now

THEREFORE

BE IT

RESOLVED

THAT: CB 1 calls for the City Council to reverse this proposed budget cut and restore the 2019 baseline funding of the LPC.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

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|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 8 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| PUBLIC VOTE: | 2 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Recused |

RE: Goveneuer Lane and South Street Pier 11, application for liquor license for Sea Streak, LLC d/b/a **Courageous Vessel**

WHEREAS: The applicant, Sea Streak, LLC, is applying for an on-premise liquor license; and

WHEREAS: The hours of operation, food service and bar service will be 10 AM – 10 PM seven days a week; and

WHEREAS: The hours of delivery for goods and services are 10 AM – 10 PM; and

WHEREAS: The total area of the restaurant is 7,400 square feet with a maximum allowed occupancy of 606 people; and

WHEREAS: There will be no outside promoters or security personnel; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license until a year after beginning operation; and

WHEREAS: There will be no recorded, live, DJ or any type of music but will have eight TV screen with no sound; and

WHEREAS: The application has stated there are not place of worships within 200 feet of this establishment but there are three or more establishments with an on-premises liquor license, and

WHEREAS: The applicant has and notarized a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for Sea Streak, LLC d/b/a **Courageous Vessel** located at Goveneuer Lane and South Street Pier 11, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 8 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| PUBLIC VOTE: | 2 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Recused |

RE: Goveneuer Lane and South Street Pier 11, application for liquor license for Sea Streak, LLC d/b/a **Commodore Vessel**

WHEREAS: The applicant, Sea Streak, LLC, is applying for an on-premise liquor license; and

WHEREAS: The hours of operation, food service and bar service will be 10 AM – 10 PM seven days a week; and

WHEREAS: The hours of delivery for goods and services are 10 AM – 10 PM; and

WHEREAS: The total area of the restaurant is 7,400 square feet with a maximum allowed occupancy of 606 people; and

WHEREAS: There will be no outside promoters or security personnel; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license until a year after beginning operation; and

WHEREAS: There will be no recorded, live, DJ or any type of music but will have eight TV screen with no sound; and

WHEREAS: The application has stated there are not place of worships within 200 feet of this establishment but there are three or more establishments with an on-premises liquor license, and

WHEREAS: The applicant has and notarized a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for Sea Streak, LLC d/b/a **Commodore Vessel** located at Goveneuer Lane and South Street Pier 11, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 8 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| PUBLIC VOTE: | 2 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Recused |

RE: 111 Reade Street, application for liquor license for Sage Choi entity to be formed d/b/a Winston's

WHEREAS: The applicant, Sage Choi, is applying for an on-premise liquor license; and

WHEREAS: The hours of operation, food service and bar service will be 11AM until 1 AM Monday through Saturday and 11 AM until 10 PM on Sunday; and

WHEREAS: The hours of delivery for goods and services are 10 AM but not before 8 AM; and

WHEREAS: The total area of the restaurant is 1,600 square feet with a maximum allowed occupancy of 48 people; and

WHEREAS: There will be no outside promoters, independent DJ but will have security personnel; and

WHEREAS: The applicant does not intend to apply for a sidewalk café license; and

WHEREAS: The applicant states they will not have a full kitchen since their menu consist of appetizers and cocktails; and

WHEREAS: There will be only jazz recorded music; and

WHEREAS: Windows will remain closed at all times; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment neither three or more liquor license establishments; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE

BE IT

RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for Sage Choi d/b/a Winston's located at 111 Reade Street **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 10 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| PUBLIC VOTE: | 1 In Favor | 0 Opposed | 1 Abstained | 0 Recused |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Recused |

RE: 412 Greenwich Street, application for alteration of liquor license addition of outdoor seating under the Open Restaurant Program for Kuma Eats LLC d/b/a L'abellie

WHEREAS: The applicant, Kuma Eats, is applying for an on-premise liquor license; and

WHEREAS: The hours of operation, food service and bar service will be 8 AM – 11 PM Sunday through Thursday and 8 AM until midnight Friday through Saturday; and

WHEREAS: The hours of delivery for goods and services are 8 AM to 5 PM, Monday through Friday; and

WHEREAS: The total area of the restaurant is 2,043 square feet with a maximum allowed occupancy of 56 people; and

WHEREAS: There will be no outside promoters, independent DJ or security personnel; and

WHEREAS: The applicant does not intend to apply for a permanent sidewalk café license; and

WHEREAS: There will be record music only; and

WHEREAS: Doors on Laight Street won't be open; and

WHEREAS: Sidewalk café will only be used on the Greenwich Street side and through open restaurant program; and

WHEREAS: Windows will be closed at 10 PM 7 days a week; and

WHEREAS: The applicant has represented that there are no buildings used exclusively as schools, churches, synagogues or other places of worship within 200 feet of this establishment but there are three or more liquor license establishments; and

WHEREAS: The applicant has signed and notarized a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: The applicant came before us in August of 2021; was approved by the board. With there being no change on the method of operation the committee has no issue in granting this alternation; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license for Kuma Eats LLC d/b/a L'abellie located at 412 Greenwich Street **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: LICENSING & PERMITS

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 8 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| PUBLIC VOTE: | 2 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Recused |

RE: 181 Duane Street, application for liquor license and temporary retail permit for RKNN LLC d/b/a Argo

WHEREAS: The applicant, RKNN LLC, is applying for an on-premise liquor license and temporary retail permit; and

WHEREAS: The hours of operation, food service and bar service will be 11 AM – 11 PM seven days a week; and

WHEREAS: The hours of delivery for goods and services are 8 AM – 4 PM; and

WHEREAS: The total area of the restaurant is 1,600 square feet with a maximum allowed occupancy of 59 people; and

WHEREAS: There will be no outside promoters or security personnel; and

WHEREAS: There will be only recorded music; and

WHEREAS: The applicant will not apply for sidewalk café license until at least a year after beginning operation; and

WHEREAS: The application has stated there are not place of worships within 200 feet of this establishment but there are three or more establishments with an on-premises liquor license, and

WHEREAS: The applicant has and notarized a stipulations sheet; now

THEREFORE
BE IT
RESOLVED

THAT: The Committee does not have any issue with this establishment; and

BE IT
FURTHER
RESOLVED

THAT: CB1 opposes the granting of their on-premise liquor license and temporary retail permit for RKNN, LLC d/b/a Argo located at 181 Duane Street, **unless** the applicant complies with the limitations and conditions set forth above.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: QUALITY OF LIFE & DELIVERY SERVICES

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 11 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| PUBLIC VOTE: | 2 In Favor | 0 Opposed | 0 Abstained | 0 Recused |
| BOARD VOTE: | 0 In Favor | 0 Opposed | 0 Abstained | 0 Recused |

TABLED

RE: Call to rebuild the cobblestone streets of Tribeca

WHEREAS: In 2009, the City of New York honored a request from Manhattan Community Board 1 (CB 1) to rebuild the following streets:

- Greenwich Street from Canal Street to Hubert Street
- Hubert Street from Greenwich Street to Hudson Street
- N. Moore Street from Greenwich Street to Hudson Street
- Harrison Street from Greenwich Street to West Street
- Jay Street from Greenwich Street to Hudson Street; and
- Leonard Street from Hudson to Varick Street
- Varick Street from Canal Street to Laight Street; and

WHEREAS: It almost immediately became apparent that the cobblestone work on these streets was poor as they almost immediately began to deteriorate in unacceptable ways including loose blocks, disintegrating mortar, and emerging depressions; and

WHEREAS: While charming, cobblestone streets underperform asphalt roadways in many other objective measures such as road maintenance costs; and

WHEREAS: The top priority of the Federal Highway Administration’s (FHWA) Road Safety Audits (RSA) considers all potential road users and accounts for the capabilities and limitations to minimize unintended consequences;¹ and

WHEREAS: CB 1 has repeated its call for safety interventions and reconstruction of the above named streets through its budget priorities and resolutions for a decade from 2012 to the present; now

¹ <https://highways.dot.gov/public-roads/septoct-2009/road-safety-audits-pedestrian-facilities>, accessed March 2022

THEREFORE
BE IT
RESOLVED

THAT: The Cobblestone Streets of Tribeca need to be rebuilt as their current state is objectively dangerous whereby simple pedestrian use has already led to multiple examples of severe injury and one case leading to the death of a local resident from the simple act of walking on the cobbled roadway in its present state; and

BE IT
FURTHER
RESOLVED

THAT: Cobblestone streets are exclusionary as commonly designed, do not readily permit the safe use of canes, walkers, mobility scooters, wheelchairs, strollers, bicycles without the threat of tripping, equipment failure and excessive wear and tear; and

BE IT
FURTHER
RESOLVED

THAT: Such difficulties are inconsistent with the principles of universal access and inclusion that grow from earlier victories with the Americans with Disabilities Act of 1990 (ADA) and subsequent advances in federal, state and local law; and

BE IT
FURTHER
RESOLVED

THAT: Sunken sections of cobblestone roadway may indicate that there are problematic subsurface condition and merit the inspection and replacement of critical water and sewer infrastructure to not only prevent the eventual degradation of a resurfaced street, but also to protect other subsurface utilities such as electricity, gas, steam, copper, and internet; and

BE IT
FURTHER
RESOLVED

THAT: If there are no existing historic protections for the cobblestone treatment of these streets, then they should be replaced with asphalt, making these streets accessible to all.

COMMUNITY BOARD 1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: WATERFRONT, PARKS & CULTURAL

| | | | | |
|-----------------|-------------|-----------|-------------|-----------|
| COMMITTEE VOTE: | 11 In Favor | 0 Opposed | 0 Abstained | 0 Rescued |
| BOARD VOTE: | 43 In Favor | 0 Opposed | 0 Abstained | 0 Rescued |

RE: Mayoral Preliminary Budget NYC Department of Parks & Recreation \$60 Million Budget Cut

WHEREAS: Mayor Eric Adams recently put forward his First Preliminary Budget proposal, which the City Council is currently reviewing; and

WHEREAS: Adams had previously committed to increasing the budget for the Department of Parks and Recreation (Parks Department) to 1% of the total city operating budget, which would mean nearly \$1 billion annually. But as he presented his First Preliminary Budget, Adams failed to follow through on that pledge by proposing a \$60 million cut to the Parks Department budget. This equals .5% of the overall budget (in comparison, 10% is allocated for the construction of new jails); and

WHEREAS: New York City parks have suffered decades of reduced funding and operating on a skeleton staff, never having fully recovered after the 70s and 80s recession. The Covid-19 pandemic has demonstrated how important parks are and called attention to a historic lack of funding for the Parks Department. There was a Parks Department budget cut two fiscal years ago with the onset of Covid, and within a matter of weeks the condition of parks across the city degraded significantly just as usage was skyrocketing; and

WHEREAS: There has been a hiring freeze at the Parks Department over the last two years. 250 positions were eliminated just from the most recent cut. That cut has been temporarily masked by federally funded positions that have been working in our parks over the last fiscal year. Nearly 3,200 employees currently working in parks are federally funded, and those positions will expire at the end of June. Additionally, about 250 City Council funded positions are set to expire at the end of June. This totals 3,450 parks positions that will no longer exist on July 1, leaving the City's parks in certain risk of immediately degrading in conditions and in safety; and

WHEREAS: Lower Manhattan is experiencing an open space crisis. The majority of open park space is along the perimeter and will be closed during the construction of critical resiliency infrastructure projects. The investment of inland parks is critical for maintaining basic quality of life for residents; now

THEREFORE
BE IT
RESOLVED

THAT: Community Board 1 urges Mayor Eric Adams to fulfill his previous commitment of 1% of the total city operating budget to be allocated to the Parks Department. This funding is essential not only to maintain the conditions and safety (via both Parks Enforcement Patrol and Urban Park Rangers) of the parks, but also for protecting natural areas and combating climate change.

COMMUNITY BOARD #1 – MANHATTAN
RESOLUTION

DATE: MARCH 22, 2022

COMMITTEE OF ORIGIN: YOUTH & EDUCATION

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

RE: Mayor Adams Proposed cuts to Education

WHEREAS: Mayor Adams announced that he proposes for the city to reduce funding to schools by \$375 million in the next fiscal year, and

WHEREAS: Enrollment projections have been very inaccurate over the pandemic due to uncertainty, job displacement and families moving out of the city, making it difficult for principals to estimate how many students will show up for school in September, and

WHEREAS: Mayor DiBlasio agreed to hold the schools harmless and fully fund schools who had a shortfall in enrollment due uneven projections due to the pandemic, which continued through the 2021-22 school year, and

WHEREAS: Even though the city will allocate \$160 million if the remaining stimulus funding in the first year, there would still be a net loss of \$215 million in the 2022-23 school year, with a larger scaling loss to follow in subsequent years when the stimulus funding lapses, and

WHEREAS: Mayor Adams responded to criticism for this proposal stating “We believe that we are going to get enrollment counts up”, without any data to back that up, and

WHEREAS: Schools already hurting from lower enrollment and with subsequent layoffs would be put into a very precarious position; one in which they could have to cut services like reading intervention and afterschool programs; which are more crucial now than ever in helping kids mitigate learning loss experienced over the pandemic, and

WHEREAS: In addition to the \$375 million reduction in school budgets, the city also aims to save \$57 million in the next fiscal year by reducing costs for central and administrative salary, as well as per session payments, professional development**, and

WHEREAS: The proposed budget adds \$281 million for charter schools, and \$134 million for pupil transportation, while permanently cutting 3600 vacant positions, many of

which would be necessary if enrollment were to increase as Mayor Adams predicts, overcrowding classrooms right as teachers begin to try and address pandemic-related learning loss, and

WHEREAS: The budget calls for permanently cutting 3500 school safety agents at the same time the city is seeing a 41% increase in crime in 2022, now

THEREFORE

BE IT

RESOLVED

THAT: CB1 calls upon the City Council to reject the Mayor's Budget Proposal.

*NY1, March 20 '22

** Chalkbeat, Feb 18, 2022