

November 2004 Resolutions

Strategy & Budget Committee

Helen Rosenthal, Chairperson

1. Re: CB7's priorities for Fiscal Year 2006 NYC Capital Budget.

Full Board Vote: 27 In favor 2 Against 0 Abstentions 0 Present

2. Re: CB7's priorities for Fiscal Year 2006 NYC Expense Budget.

Full Board Vote: 34 In favor 0 Against 0 Abstentions 0 Present

Transportation Committee

Andrew Albert, Chairperson

3. Re: Request by the West 104th Street Block Association to replace the four cobra head light poles on West 104th Street, West End Avenue-Riverside Drive, with three F-poles.

Full Board Vote: 32 In favor 0 Against 3 Abstentions 0 Present

WHEREAS, the 104th Street Block Association has published notice in their newsletter that the 4 existing cobra head light poles will be replaced by 3 F-Pole lights; and

WHEREAS, Steven Zirinsky, a member of the Board of the West 104th Street Block Association, has told the committee that no objections have been received;

BE IT RESOLVED THAT Community Board 7/Manhattan **supports** the 104th Street Block Association's plans to install 3 F-Pole lights on 104th Street between West End Ave and Riverside Drive.

Committee: 2-0-1-0. Pubic Member: 1-0-0-0.

4. Re: Application to the Mayor's Office of Street Activity Permits by the Lincoln Square Business Improvement District for curb line and street closures on November 29, 2004 for the Winter's Eve at Lincoln Center.

Full Board Vote: 32 In favor 0 Against 0 Abstentions 0 Present

WHEREAS, the Lincoln Square Business Improvement District has held Winter's Eve celebrations for several years; and

WHEREAS, it has become a much attended and eagerly anticipated event in the Lincoln Center area;

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the Lincoln Square Business Improvement District's application for selected street and curbside closings for the Winter's Eve celebrations, Monday, November 29, 2004.

Committee: 3-0-0-1. Public Members: 1-0-0-1.

5. Re: 2791 Broadway (West 107th-108th Street).

Full Board Vote: 29 In favor 1 Against 3 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** renewal application DCA#0735569/ULURP#N040360ECM to the Department of Consumer Affairs by India Food International, Inc., d/b/a Indian Café, 2791 Broadway, for a two-year consent to operate an enclosed sidewalk café with 15 tables and 52 seats.

Committee: 4-0-0-0. Public Member: 1-0-0-0.

Parks & Preservation Committee

Lenore Norman, Chairperson

6. Re: Department of Parks and Recreation's request for proposals for the Riverside Park South café at West 70th Street.

Full Board Vote: 26 In favor 2 Against 0 Abstentions 1 Present

WHEREAS, plans for the newly-created public park at Riverside South have always included a food concession ("café") and comfort station at West 70th Street; and

WHEREAS, with the completion of the initial phases of Riverside Park South, and the connection of a pedestrian/bicycle path along the entire Hudson River in Manhattan for recreational uses, there is substantial demand for take-out food service and a comfort station at the West 70th Street site; and

WHEREAS, Community Board 7 (CB7) believes that the café should offer a menu and experience that relates to and enhances the pier and park setting of its location; and

WHEREAS, the Restrictive Declaration governing the design and uses of the Riverside Park South requires the Department of Parks & Recreation (DPR) to consult with CB7 about such matters; and

WHEREAS, in 2001 DPR presented proposed terms of a Request for Proposals (RFP) for the concession at the site to CB7, which terms included (1) a café service building and comfort station building, each of limited defined size, to be located east of the pier at West 70th Street, (2) a commitment that the café would be for take-out only, (3) a requirement that the concessionaire provide and maintain approximately 24 tables, to be placed in a defined area now known as the "upper terrace"; and

WHEREAS, by Resolution dated March 6, 2001, CB7 approved DPR's proposal, subject to the agreement and representations of DPR that the RFP and any resulting license would provide that the café would not have waiter service, that persons who had not made a purchase at the café would be allowed to use the tables, that the number of tables would be limited to 24; that the term of the concession would be five years; and that the concession would operate approximately May through October; and

WHEREAS, subsequently DPR awarded a concession at the site to a concessionaire who never commenced operation and whose license was terminated for non-performance; and

WHEREAS, DPR has been consulting with CB7 about a revised RFP for the site, and has been taking into account and attempting to accommodate CB7's concerns about the concession; and

WHEREAS, DPR has advised CB7 that a term of 15 years is necessary in order to attract qualified and responsible bidders to make the very substantial capital investment required for this concession; and

WHEREAS, DPR now proposes to issue a revised RFP that will afford the concessionaire the option to offer waiter service for dinner and/or dessert in the upper terrace; that will increase the number of tables from the number approved in CB7's March 6, 2001 Resolution and will also allow tables to be placed in the area that is now referred to as the lower terrace; and that will permit the concessionaire to operate two satellite carts in Riverside Park South; and

WHEREAS, CB7 believes that the primary need for a food concession at the site is for take-out service of a variety of food and drink options at reasonable prices; and

WHEREAS, CB7 believes that any waiter service operation at the concession should be incidental to its primary role of providing take-out service; and

WHEREAS, the area around and including the proposed concession is frequently crowded with recreational users, and is also immediately adjacent to the location of a variety of free public events, and therefore CB7 is concerned that tables and chairs associated with the concession not block space that is needed for other public uses; and

WHEREAS, after meeting with representatives of CB7 in the summer of 2004, DPR provided a draft RFP identified as Solicitation #M71 (70)-SB 09/04 ("September,

2004 draft RFP”), that generally responded to concerns expressed by CB7 representatives at that meeting; and

WHEREAS, while CB7 appreciates DPR’s efforts to accommodate its concerns, the Board believes that the September, 2004 draft RFP needs to be strengthened in certain ways to maximize the likelihood that the concession at the site will comport with CB7’s understanding of its constituents’ needs and priorities; and

WHEREAS, the September, 2004 draft RFP included a number of provisions not previously discussed with CB7 that are of concern to the Board; and

WHEREAS, DPR indicated at the October 14, 2004 meeting of CB7’s Parks & Preservation Committee its amenability to further refining the language in the September, 2004 draft RFP to facilitate and protect the primary purpose of the concession of providing take-out food and drink service to recreational park users, and otherwise to accommodate CB7’s concerns about the concession,

BE IT RESOLVED THAT Community Board 7/Manhattan:

(1) Expresses its approval of DPR’s attempt to encourage bidders that will offer take-out food service that is appropriate to and enhances the pier and park location, including hand-dipped ice cream and other fresh food prepared on the premises; and

(2) Expresses its approval of DPR’s attempt to encourage bidders that will operate the café and comfort station year round; and

(3) Expresses its approval of a proposed term of 15 years; and

(4) Approves the concept of including language in the RFP, and the subsequent license, affording the concessionaire the option of providing waiter service at dinner, on the upper terrace only, to a total of no more than 25 tables, and strongly recommends that DPR include language in the RFP, and any resulting license, requiring the following:

(a) The concessionaire must offer its full, normal take-out menu at all hours that the concession is open, and the take-out menu must be posted at all times.

(b) During the hours that waiter service is offered on the upper terrace, 20 tables must be available on the lower terrace for take-out patrons and other park users, and those tables must have signs on them stating that no purchase is necessary to use them. At no time shall there be more than 25 tables on the upper terrace, or more than 20 tables on the lower terrace.

(c) All table areas shall be no-smoking areas.

(d) The concessionaire shall be required to post signs stating that the consumption of alcoholic beverages is limited to the table area(s).

(5) Believes that the proposed site visit for potential bidders is not sufficient to ensure appropriate delineation of the concession locations, and requests that the RFP be modified to include a map:

(a) Defining the location and size of the food service building and the comfort station;

(b) Defining the location of the holding tank(s) for sewage; and

(c) Defining the upper and lower terrace areas.

(6) Disapproves of any inside seating area in the café, and requests that reference to such potential area be removed from the RFP.

(7) Strongly requests that the RFP, and the subsequent license, make clear that the concessionaire has the obligation to open and close, and to clean and service, the comfort station during normal comfort station hours during the season when the concession is open for business, regardless of weather or other conditions affecting the sale of food and drink items on any particular day, because it believes that park users have the right to expect that the comfort station will be open all normal hours, and that DPR is not able reliably to perform such functions on an unscheduled spot basis.

(8) Recognizes that it is unlikely, in light of the substantial capital investment required by the RFP, that a chosen concessionaire will be in operation in 2005, and therefore requests, and relies on DPR's representations, that any temporary concessionaire allowed to operate at the site in 2005 or any subsequent interim year be limited to an operation consistent with the terms of this Resolution.

Committee: 5-0-0-0. Board Member: 1-0-0-0. Public Member: 1-0-0-0.

7. Re: 339 West 71st Street (West End Avenue-Riverside Drive).

Full Board Vote: 32 In favor 1 Against 3 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application #048059 to the Landmarks Preservation Commission for a rooftop addition.

Committee: 4-0-0-0. Public Member: 1-0-0-0.

8. Re: 27 West 72nd Street (Central Park West-Amsterdam Avenue.)

Full Board Vote: 31 In favor 1 Against 3 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** application #052537 to the Landmarks Preservation Commission to replace the front doors and install a garage door.

Committee: 4-0-0-0. Public Member: 1-0-0-0.

9. Re: Application #035430 for 433 Amsterdam Avenue, d/b/a Haru (West 80th-81st Street.)

Full Board Vote: 32 In favor 1 Against 0 Abstentions 0 Present

BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** the application to install a bracket sign and **approves** the application to install lights and to legalize the installation of an illuminated sign without Landmarks Preservation Commission permits.

Committee: 4-0-0-0. Public Member: 1-0-0-0.