

**RESOLUTION**

**Date: December 3, 2019**

**Committee of Origin: Business & Consumer Issues**

**Re: 2745 Broadway (West 105<sup>th</sup> Street)**

**Full Board Vote: 41 In Favor 0 Against 0 Abstentions 0 Present**

**Committee: 11-0-0-0.**

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** new application to the SLA for a two-year liquor license by Glenda Sansone – Entity to be formed.

## RESOLUTION

**Date: December 3, 2019**

**Committee of Origin: Business & Consumer Issues**

**Re: Renewal Unenclosed Sidewalk Cafés:**

**Full Board Vote: 41 In Favor 0 Against 0 Abstentions 0 Present**

*Committee: 11-0-0-0.*

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** the following Renewal Unenclosed Sidewalk Café Applications:

- **229 Columbus Avenue** (West 70<sup>th</sup> – 71<sup>st</sup> Streets.) Renewal application #1186113-DCA to the Department of Consumer Affairs by Flej, Inc., d/b/a Pomodoro for a four-year consent to operate an unenclosed sidewalk café with 8 tables and 16 seats.
- **573 Columbus Avenue** (West 88<sup>th</sup> Street.) Renewal application #2054416-DCA to the Department of Consumer Affairs by Bodega 88, LLC, d/b/a Bodega 88, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 12 seats.

**RESOLUTION**

**Date: December 3, 2019**

**Committee of Origin: Transportation**

**Re: 46 West 74<sup>th</sup> Street, ICL (Columbus Avenue.)**

**Full Board Vote: 28 In Favor 0 Against 4 Abstentions 0 Present**

*Committee: 7-0-1-0. Non-Committee Board Members: 3-0-0-0.*

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** request by The Institute for Community Living for a “No Parking” zone of two car lengths in front of 46 West 74<sup>th</sup> Street.

**RESOLUTION**

**Date: December 3, 2019**

**Committee of Origin: Transportation**

**Re: West 97<sup>th</sup> Street and West End Avenue.**

**Full Board Vote: 30 In Favor 0 Against 1 Abstention 0 Present**

**Committee: 9-0-0-0. Non-Committee Board Members: 4-0-0-0.**

BE IT RESOLVED THAT Community Board 7/ Manhattan asks the NYC Department of Transportation to add physical barriers, granite preferred, at West 97<sup>th</sup> Street and West End Avenue, Cooper Stock Way, to ensure that motor vehicles are not able to park there.

**RESOLUTION**

**Date: December 3, 2019**

**Committee of Origin: Transportation**

**Re: Plan to improve dangerous Intersections.**

**Full Board Vote: 30 In Favor 0 Against 0 Abstentions 0 Present**

*Committee: 9-0-0-0. Non-Committee Board Members: 4-0-0-0.*

BE IT RESOLVED THAT Community Board 7/ Manhattan with NYC Department of Transportation and the 20<sup>th</sup> and 24<sup>th</sup> Precincts will identify the 10 most dangerous intersections in CD7 and work together to find solutions to make them safe.

## RESOLUTION

**Date: December 3, 2019**

**Committee of Origin: Transportation**

**Re: "No Standing" zones:**

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

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

**Full Board Vote C: 15 In Favor 12 Against 5 Abstentions 0 Present**

BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the following "No Standing" zones:

- a. Central Park West between West 62<sup>nd</sup> and 63<sup>rd</sup> Streets
- b. West 62<sup>nd</sup> Street, Central Park West – Broadway;  
*Committee: 9-0-0-0. Non-Committee Board Members: 3-0-0-0.*

BE IT FURTHER RESOLVED THAT Community Board 7/ Manhattan **disapproves** the following "No Standing" zone:

- c. West 63<sup>rd</sup> Street, Central Park West - Broadway.  
*Committee: 10-0-0-0. Non-Committee Board Members: 1-2-0-0.*

## RESOLUTION

**Date: December 3, 2019**

**Committee of Origin: Preservation**

**Re: 5 West 63<sup>rd</sup> Street (Central Park West) – The West Side YMCA. Application to the Landmarks Preservation Commission to legalize the installation of a sound-baffling screen around HVAC mechanical equipment.**

**Full Board Vote: 26 In Favor 0 Against 0 Abstentions 1 Present**

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

The following facts were taken into consideration:

- The premises was constructed ca. 1928-30 by architects Baum and Dwight James.
- Included in the Upper West Side/Central Park West Historic District.
- The building is a 14-story Neo-Romanesque health club and dormitory structure composed of brick with rich terra cotta and limestone details.
- The façade includes a setback at the 7th floor, behind a lower cornice of bricks arranged in a repeating pattern of small arches capped by terra cotta coping.
- The façade below the central part of the lower cornice includes three bays each composed of three monumental lancet windows beneath a Romanesque arch, with each lancet window separated by columns and with an oculus window within each arch.
- The application concerns the installation of a sound-baffling screen surrounding HVAC mechanical equipment on the terrace behind the lower cornice on the West 64<sup>th</sup> Street facade.
- The screen is composed of synthetic, sound-absorbing materials of a neutral tan color.
- The screen is visible from various points along West 64<sup>th</sup> Street and on Central Park West.
- This application to legalize the existing condition was tabled at the Preservation Committee meeting in August 2019 to allow the applicant to revise it to reduce its visibility.
- The current proposal is to trim the screen on an angle at the front to eliminate visibility from the street level.
- The applicant agreed to repaint the remaining portion of the screen the color of the brick façade to reduce the contrast evident above the street level.

Subject to the conditions and recommendations set forth below, the installation of the screen is reasonably appropriate to the character of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan, subject to the agreement of the applicant to trim the front of the screen to eliminate its visibility, and to paint the remaining screen a color that does not contrast with the bricks on the façade, **approves** the application as reasonably appropriate to the character of the Historic District.

## RESOLUTION

**Date: December 3, 2019**

**Committee of Origin: Preservation**

**Re: 344 W. 89<sup>th</sup> St. (Riverside Drive – West End Avenue). Application to install a one-story addition on an existing 3 story half-width rear yard L extension.**

**Full Board Vote: 26 In Favor 0 Against 1 Abstentions 0 Present**

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

The following facts were taken into consideration:

- The building is a four-story plus basement townhouse on the South side of West 89<sup>th</sup> St. next to the Yeshiva on the corner of West 89<sup>th</sup> and Riverside Drive. The Yeshiva is one of a very few remaining individual mansions on Riverside Drive, and presents unusual sightlines.
- The building is included in the Riverside – West End Historic District.
- The building was built ca. 1895-96 by architects Thom & Wilson.
- The existing rear façade includes a half-width “L” extension that extends into the donut from the ground, parlor and second floors.
- The L extension is clad in common red brick, and has 1:1 double-hung punched windows with a stone lintel above in a single column in the center of the extension and a door with flanking windows at the ground floor, with a flat ribbon metal railing above the parapet at the edge of the terrace created by the extension roof.
- The proposal is to add a single story to the existing L extension. The proposal is to include a 1:1 double-hung window with stone lintel to match the existing windows below, and an existing window on the fourth floor rear façade will be converted to a door to provide access to a new roof garden created on top of the new addition. The railing on top of the newly created addition will be black steel with flat horizontal rails.
- The new portion of the addition will be built with reclaimed brick to match the existing rear façade in line with the windows below.
- The fourth floor of the rear façade above the L extension will remain intact.
- The proposed addition to the existing rear yard extension will not be visible from the public way.

The size, scope, materials, fenestration and configuration of the proposed modest addition to the L extension are sensitive to the condition of the donut, and are appropriate to the character of the Historic District.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the application as reasonably appropriate to the character of the Historic District.





## RESOLUTION

**Date: December 17, 2019**

**Committee of Origin: Land Use Committee, Page Cowley and Seema Reddy, Co-Chairpersons**

**Joint with Housing Committee, Louisa Craddock and Melissa Rosenberg, Co-Chairpersons**

**Re: 266-270 West 96<sup>th</sup> Street (Broadway-West End Avenue.) Application #C200140PPM to the Department of City Planning by NYC Department of Housing Preservation & Development for the disposition of one city-owned property (Block 1243, Lot 57, the former MTA site) to allow the construction of a 23-story mixed use, mixed income building, as well as community facilities.**

**Full Board Vote: 36 In Favor 0 Against 3 Abstentions 1 Present**

**Committee Vote (Land Use and Housing): 11-0-0-1. Non-Committee Board Members: 4-0-0-0.**

### Summary of Application:

The City of New York through the Department of Housing Preservation & Development has filed ULURP application No. #C200140PPM to enable the disposition of City-owned property at 266 West 96<sup>th</sup> Street. Block 1243. Lot 57. The property would be acquired by Fetner Properties, a private developer. The City-owned site consists of a long unused IRT subway substation. Adjacent to and west of the substation are two lots previously occupied by the Salvation Army and the NAACP Roy Wilkins Center, Inc.; Fetner currently controls these two sites.

Fetner proposes to build a single residential building on the three lots. The proposed building would rise 235 feet excluding a bulkhead with a setback from the building line at 155 feet. The building would contain 171 rental housing units ranging from “compact” studios to three-bedroom apartments. Sixty-eight (68) of the units (39.8%) would be permanently allocated for affordable housing. Ten percent (10%) of the affordable units (approximately seven units) would be set aside for rental to homeless individuals or families. The ground floor would contain community facility space and would rehouse the Salvation Army, along with other tenants. The second floor and cellar would contain tenant amenities, including a fitness center for tenant use. The developer has committed to provide affordable-rate tenants access without additional charge.

The proposed building would retain the lower stone portion of the façade of the existing IRT substation building at the ground floor and replicate that effect across the full width of the new building, and would incorporate two cartouches attached to the brick portion of the original façade. The bulk of the façade above the lower floors would be common red brick with various stone accents.

The proposed development conforms in all respects to applicable zoning for the combined sites (R10A – Contextual Zoning with the “Inclusionary Housing” program).

The project site is on the south side of West 96<sup>th</sup> Street between Broadway and West End Avenue. The corridor along West 95<sup>th</sup>, 96<sup>th</sup> and 97<sup>th</sup> Streets between Central Park West and the Henry Hudson Parkway has consistently been identified as among the most dangerous thoroughfares in CB7’s District. It is also less than one block away from a public elementary and middle school at the corner of West 96 Street and West End Avenue.

Because the subject property was used as a subway substation, it was examined preliminarily for soil and air contaminants which were found to be present. The developer has entered the New York State Brownfield Cleanup Program which provides for the submission of a protocol to assure the safe cleanup of any contaminants. Prior to the issuance of a building permit, the site would be required to be certified as successfully remediated by the New York State Department of Environmental Conservation, and the hazardous materials removed from the site; would be required to be disposed of in a manner consistent with the State mandates. The developer’s filings under the

Brownfield Program, including its remediation work plans, will be publicly available with postings at the Community Board 7's District Office and the NYPL St. Agnes branch library, as well as online.

The allocation of apartments as between affordable and market rate is set forth on Schedule A attached to this resolution. The allocation of apartments within the affordable housing portion is set forth in Schedule B. Of note is that 29 of the 68 affordable units are to be reserved for individuals or families whose income is up to 130% of area median income (AMI) for the New York City region. A family of four earning 130% of AMI currently could earn up to \$138,710 annually.

The proposed building features several compact studios ranging in size from 265 to 380 square feet. The developer proposes to furnish these compact units with built-ins designed to maximize space in the units. Approximately 12 larger studios would be rented unfurnished.

At this time, 39.8% of the planned compact and larger studios and of the one- and two-bedroom apartments will be reserved for affordable-rate tenants.

Resolution approving application:

Subject to the Conditions and Strong Recommendations set forth below, Community Board 7 Manhattan ("CB7") APPROVES the proposed disposition of 266 West 96<sup>th</sup> Street to Fetner Properties.

Conditions:

CB7's approval of the disposition is subject to inclusion in a restrictive declaration recorded prior to the issuance of a Temporary or permanent Certificate of Occupancy of the following:

1. A requirement that the developer, through a recognized community-based organization, reach out to local non-profit agencies, including agencies serving senior citizens, to ensure that local residents, in particular seniors, are made aware of the availability of the affordable housing units and their eligibility to apply through a lottery to occupy those units; and that the developer provide support and/or assistance for those filling out applications for said affordable housing lottery.

2. That the developer, in cooperation with CB7, form a community construction coordination committee to include neighbors of the project and one or more members of CB7 for the purpose of ensuring that construction proceeds at the project site with minimal disruption to neighbors and to address any issues (including without limitation transportation and traffic issues) that may arise during construction; said community coordinating committee to convene no less frequently than once a month, under the auspices of the Community Board.

Strong Recommendations:

1. CB7 understands that the final mix of affordable housing units has not as yet been settled between the developer and the City. CB7 is concerned that a high percentage of the "affordable units" will be leased to individuals or families with annual incomes in excess of \$130,000. CB7 is unaware of the terms of the disposition agreed upon between the developer and the City and cannot specifically condition its approval on any particular mix of income levels for the affordable units. However, CB7 believes that it is reasonable, under all circumstances, to reserve at least 75% of the affordable units of each size (i.e., studio, one bedroom and two bedrooms) for individuals and families earning less than 100% of the AMI (\$74,700 for an individual and \$106,700 for a family of four).

2. CB7 understands that the NYC Department of Transportation is willing to provide for a curb extension at the southwest corner of 96<sup>th</sup> Street and West End Avenue, approximately one-half block from the subject property. The curb extension, however, cannot be built unless a "partner" is found willing to maintain the extension. CB7 urges the developer to consider becoming that partner. The curb extension will benefit the entire community, including tenants at the subject property.

## 266 West 96<sup>th</sup> Street, Affordable Housing

*Schedule A*

	Affordable	Market-Rate	Total
Studio	35	45	80
1 BR	14	22	36
2 BR	19	28	47
3 BR	0	8	8
<b>Total</b>	<b>68</b>	<b>103</b>	<b>171</b>

*Schedule B*

AMI	1-2 Bedrooms	Studio	Total	Percentage of All Units
50%	5	5	10	5.8%
70%	14	15	29	17.0%
130%	14	15	29	17.0%
<b>Total</b>	<b>33</b>	<b>35</b>	<b>68</b>	<b>39.8%</b>



Application #: **C 200140 PPM**

CEQR Number: 18HPD103M

Project Name: **266 West 96th Street Disposition**

Borough(s): Manhattan

Community District Number(s): 7

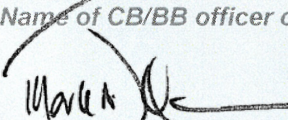
Please use the above application number on all correspondence concerning this application

### SUBMISSION INSTRUCTIONS

- Complete this form and return to the Department of City Planning by one of the following options:
  - EMAIL (recommended):** Send email to [CalendarOffice@planning.nyc.gov](mailto:CalendarOffice@planning.nyc.gov) and include the following subject line: (CB or BP) Recommendation + (6-digit application number), e.g., "CB Recommendation #C100000ZSQ"
  - MAIL:** Calendar Information Office, City Planning Commission, 120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271
  - FAX:** to (212) 720-3488 and note "Attention of the Calendar Office"
- Send one copy of the completed form with any attachments to the applicant's representative at the address listed below, one copy to the Borough President, and one copy to the Borough Board, when applicable.

#### Docket Description:

IN THE MATTER OF an application submitted by the Department of Housing, Preservation and Development (HPD), pursuant to Section 197-c of New York City Charter, for the disposition of one city-owned property (Block 1243, Lot 57), pursuant to zoning.

<b>Applicant(s):</b> NYC Department of Housing, Preservation and Development 100 Gold Street New York, NY 10038		<b>Applicant's Representative:</b> Melissa Auton NYC Department of Housing, Preservation and Development 100 Gold Street 212.863.6515
<b>Recommendation submitted by:</b> Community Board 7/ Manhattan		
<b>Date of public hearing:</b> 11/18/19 & 12/17/19 <b>Location:</b> 250 West 87th Street, NYC 10024		
<b>Was a quorum present?</b> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> <i>A public hearing requires a quorum of 20% of the appointed members of the board, but in no event fewer than seven such members.</i>		
<b>Date of Vote:</b> 12/17/19 <b>Location:</b> 250 West 87th Street, NYC 10024		
<b>RECOMMENDATION</b> <div style="display: flex; justify-content: space-between;"> <div> <input type="checkbox"/> Approve  <input type="checkbox"/> Disapprove         </div> <div> <input checked="" type="checkbox"/> Approve With Modifications/Conditions  <input type="checkbox"/> Disapprove With Modifications/Conditions         </div> </div> <p><b>Please attach any further explanation of the recommendation on additional sheets, as necessary.</b></p>		
<b>Voting</b> # In Favor: 36    # Against: 0    # Abstaining: 3    Total members appointed to the board: 47		
<b>Name of CB/BB officer completing this form</b>  , Mark N. Diller	<b>Title</b> Chair	<b>Date</b> 12/18/19