

RESOLUTIONS

Date: June 4, 2019

Committees of Origin: Parks & Environment, Preservation and Transportation

Re: NYC Department of Transportation proposed renovation of the West 79th Street Rotunda Complex.

Full Board Vote: 40 In Favor 0 Against 1 Abstention 0 Present

Joint Committee Members: 13-0-0-0. Non-Committee Board Members: 2-0-0-0.

The Rotunda – West 79th Street at the Henry Hudson Parkway in Riverside Park. Proposal by the Department of Transportation (“DoT”) in conjunction with the Department of Parks and Recreation (“DPR”) to renovate and restore the Rotunda structure, including a series of bridges forming a roadway over the Amtrak rail lines right of way, a highway overpass, and several entrance and exit ramps to and from a traffic circle (collectively the “Project”).

Background: This resolution concerns the aspects of the Project relating to the configuration of vehicular, cycling and pedestrian access to and transit through the various ramps and roadways of the Rotunda structure, and the location and management of the staging areas to be used by contractors and subcontractors to store materials and equipment needed for the Project. There will be a separate resolution following the June Joint Committee meeting regarding issues related to the restoration and refurbishment of the Project in connection with an application or the Landmarks Preservation Commission.

The Rotunda structure is a contributing element to Riverside Park, an individually designated scenic New York City landmark.

The following facts were taken into consideration:

The Rotunda structure consists of three inter-connecting levels.

- At the top level of the Rotunda structure, the Project includes the restoration and resurfacing of the traffic circle, the ramps leading to and from the circle from the HH Parkway, and the ramps leading to the parking garage and Park paths. It will also include the restoration of the existing stepped pedestrian ramps to the mezzanine, as well as the creation of a new, multi-switch-back ADA-compliant pedestrian/handicap-accessible ramp leading to the mezzanine. The traffic circle will include a travel lane for cars using either of the ramps to/from the southbound HH Parkway as well as the turn-around for the M79 SBS bus, and will also include a dedicated, non-protected bike lane separated from the vehicular travel lane by a painted buffer. The separate bike lane will be painted green to conform to DoT’s typical palette. The exit ramp leading to the traffic circle will use painted shoulders to angle traffic entering the circle slightly to the left before entering the circle, and the existing stop sign at the end of the ramp will be retained. The purpose of angling traffic on the exit ramp is to maximize visibility by motorists of oncoming vehicle and cyclist traffic in the circle.
- The middle level is a pedestrian mezzanine consisting of a fountain surrounded by the inner walls of the annulus of the traffic circle, with an arched arcade leading to the western curve to steps that lead down to the sea rail and waterfront promenade.
- The ground level consists of a parking garage accessed by the ramps from the top level.

The materials and equipment needed to complete the Project will be stored on one of a pair of Little League ballfields located in the lower section of Riverside Park in an enclosed, fenced area at the "West 77th Street ballfields". At the end of the Project, both ballfields will be fully renovated to first class fields.

The renovation and restoration of the elements of the Rotunda structure referenced in this resolution are necessary and appropriate.

THEREFORE BE IT RESOLVED THAT Community Board 7/Manhattan **disapproves** the project, conditioned upon the following changes to the proposed project:

(a) concerning the traffic circle and ramps, that DoT and the contract documents ensure that additional material safety measures and protections for pedestrians and cyclists to and through the traffic circle be implemented, including without limitation that:

- There be a physical protected separation between motorists and cyclists in the traffic circle, or an alternative separate route solely for cyclists that bypasses the traffic circle;
- Additional signage be installed in the traffic circle and on the roadways leading to and from it alerting motorists and cyclists at appropriate points that the roadway is shared between motorists and cyclists, and that the signs be supplemented with flashing warning lights, with the signage to include a "Yield" sign instructing motorists to yield to cyclists entering the traffic circle from the Greenway via the ramps at the west end;
- Tactile warning treatments such as rumble strips be installed on the principal motorist approaches to the traffic circle, especially the exit ramp from the HH Parkway and the continuation of West 79th Street through the HH Parkway overpass;
- A safe route avoiding the staging area be available for cyclists from the traffic circle to the Greenway throughout the project; and

(b) concerning the staging area, that DPR, DoT and the contract documents ensure that:

- The staging area consume no more than the north diamond/field at the West 77th Street ballfields, and that the south field and the access paths to that field from the south remain accessible and unimpeded;
- The south diamond/field at the West 77th Street ballfields be fully restored during an off-season interval during construction, and the north diamond/field be fully restored immediately upon the conclusion of the portion of the Project that requires the use of a staging area;
- Parking of private vehicles by anyone, including without limitation any general or sub-contractor or any other party visiting or working on the Project, be strictly prohibited in the staging area in the strongest possible terms;
- DPR using all reasonable efforts to assist the West Side Little League and the community to secure alternative fields for its annual seasons throughout the period of Project construction, and that the burden of the unavailability of one of the West 77th Street ballfields be shared and not borne solely by the WSL; and
- Any RFP for the use of the renovated concessionaire/restaurant space in the restored Rotunda structure include a requirement that trash and garbage be stored and collected in a manner that eliminates the need for the current unsightly and odorous dumpsters now lining the pedestrian and cycling paths to the south of the Rotunda.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Business & Consumer Issues

Re: 955 West End Avenue (West 106th Street)

Full Board Vote: 40 In Favor 0 Against 0 Abstentions 0 Present

Committee: 8-0-0-0. Non-Committee Board Member: 0-0-1-0.

After due deliberation, the following facts were taken into consideration:

- Applicant is not compliant with the current and approved Method of Operations, which excludes live music;
- Applicant has not mitigated excessive noise after years of complaints from the community and repeated promises to do so;
- Applicant has not been responsive to the community, following years of complaints;
- Applicant continued to post signage claiming late hours;
- Applicant continues to advertise illegal live music and karaoke on social media platforms;
- Applicant continues to use surrounding frontage for storage and garbage.

BE IT RESOLVED THAT Community Board 7/ Manhattan **disapproves** renewal application to the SLA for a two- year liquor license by Mocha Lounge Inc., d/b/a West End Lounge.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Business & Consumer Issues

Re: 917 Columbus Avenue (West 105th Street)

Full Board Vote: 40 In Favor 0 Against 0 Abstentions 0 Present

Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application to the SLA for a Change of Class of existing W&B liquor license to Full On-Premises by Tien Giang Restaurant Corp., d/b/a Mekong.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Business & Consumer Issues

Re: 645 West 59th Street (Riverside Blvd, Building 3)

Full Board Vote: 40 In Favor 0 Against 0 Abstentions 0 Present

Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** new application to the SLA for a two-year liquor license by Sada 3WS, LLC, d/b/a Empellon.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Business & Consumer Issues

Re: Renewal Unenclosed Sidewalk Cafés:

Full Board Vote: 39 In Favor 0 Against 0 Abstentions 1 Present

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

- **2028-2032 Broadway** (West 69th – 70th Streets.) Renewal application #2058331-DCA to the Department of Consumer Affairs by West D&P, LLC, d/b/a Gina, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 26 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.
- **225 Columbus Avenue** (West 70th – 71st Streets.) Renewal application #2044029-DCA to the Department of Consumer Affairs by FM70, Inc., d/b/a Bistro Cassis, for a four-year consent to operate an unenclosed sidewalk café with 6 tables and 14 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.
- **302 Columbus Avenue** (West 74th Street.) Renewal application #1339241-DCA to the Department of Consumer Affairs by Lenwuch 74th, LLC, d/b/a Lemwich, for a four-year consent to operate an unenclosed sidewalk café with 9 tables and 18 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.
- **201 West 79th Street** (Amsterdam Avenue.) Renewal application #1125981-DCA to the Department of Consumer Affairs by Renolta, LLC, d/b/a Nice-Matin, for a four-year consent to operate an unenclosed sidewalk café with 24 tables and 68 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 1-0-0-0.
- **413 Amsterdam Avenue** (West 79th - 80th Streets.) Renewal application #1396587-DCA to the Department of Consumer Affairs by Flagship S B Amsterdam NY, LLC, d/b/a Saravana Bhavan, for a four-year consent to operate an unenclosed sidewalk café with 11 tables and 22 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.
- **435 Amsterdam Avenue** (West 81st Street.) Renewal application #1387587-DCA to the Department of Consumer Affairs by 357 Hospitality, Inc., d/b/a Spice, for a four-year consent to operate an unenclosed sidewalk café with 17 tables and 34 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.
- **474 Columbus Avenue** (West 83rd Street.) Renewal application #1415817-DCA to the Department of Consumer Affairs by Spring Natural, Corp., d/b/a Spring Natural Kitchen, for a four-year consent to operate an unenclosed sidewalk café with 10 tables and 20 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.
- **522 Columbus Avenue** (West 85th – 86th Streets.) Renewal application #0895505-DCA to the Department of Consumer Affairs by Barjer, Corp., d/b/a GETE Burgers, for a four-year consent to operate an unenclosed sidewalk café with 11 tables and 29 seats.
Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Business & Consumer Issues

Re: 502 Amsterdam Avenue (West 84th – 85th Streets.)

Full Board Vote: 36 In Favor 5 Against 1 Abstentions 0 Present

Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** renewal application LURP#N180463ECM/ DCA#1429718-DCA to the Department of Consumer Affairs by Romagica, Corp., d/b/a Celeste, for a four-year consent to operate an enclosed sidewalk café with 4 tables and 10 seats.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Business & Consumer Issues

Re: New Unenclosed Sidewalk Cafes:

Full Board Vote: 42 In Favor 0 Against 0 Abstentions 0 Present

Committee: 8-0-0-0. Non-Committee Board Members: 2-0-0-0.

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

- **329 Columbus Avenue** (West 75th -76th Streets.) New application #4108-2019-ASWC to the Department of Consumer Affairs by 329 Hospitality Group, LLC, d/b/a Asset, for a four-year consent to operate an unenclosed sidewalk café with 11 tables and 22 seats.
- **421 Amsterdam Avenue** (West 80th Street.) New application #4343-2019-ASWC to the Department of Consumer Affairs by 421 Amsterdam Pizza Corp, d/b/a Made in New York Pizza, for a four-year consent to operate an unenclosed sidewalk café with 12 tables and 24 seats.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Business & Consumer Issues

Re: 2020 Broadway (West 69th -70th Streets.)

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

Committee: 7-2-0-0.

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** new application #2409-2019-ASWC to the Department of Consumer Affairs by Espresso Bookstore & Café Broadway, LLC, d/b/a Shakespeare & Co., for a four-year consent to operate an unenclosed sidewalk café with 7 tables and 19 seats since the applicant submitted revised plans showing a 9' café footprint.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Youth, Education and Libraries

Re: West Side Little League.

Full Board Vote: 41 In Favor 0 Against 2 Abstentions 0 Present

Committee: 6-0-0-0. Non-Committee Board Member: 1-0-0-0.

The following facts were taken into consideration:

The West Side Little League (“WSLL”) was founded in 1986. It is a recognized 501(c)(3) not-for-profit led and staffed entirely by volunteers.

The WSLL currently serves approximately 800 players per year, ages 4-17 years, generally drawing players from neighborhoods residing from West 60th Street to West 120th Street, between Central Park West and the Hudson River.

The WSLL is structured to ensure inclusiveness by, among other things, providing scholarship support for players unable to pay the modest participation fees on a “no questions asked” basis, and by using ballfields throughout its geographic area of service to ensure fields of play are proximate to families in every neighborhood.

The majority of WSLL teams are co-ed.

The WSLL also sponsors 8 teams to play girls’ softball, and 8 teams under the rubric of a “Challengers” division consisting of children and youth ages 4-22 years who have documented special needs.

WSLL has four seasons. The majority of League play occurs in the Fall and Spring recreational teams. There is also a summer traveling/tournament schedule for advanced players, and a skills clinic in the winter. The WSLL requires players to play in the recreational group to qualify for the tournament/traveling teams. The tournament/traveling teams are connected with the national and international Little League operations, and can qualify for the Little League World Series.

Participation in the WSLL offers children opportunities for active recreation that are often severely limited in school due to confined spaces and the need to schedule large numbers of students. Healthy living habits are formed through positive reinforcement at an early age.

Engagement with the WSLL also offers players opportunities for social/emotional learning, including the development of conflict resolution and mediation skills and other life skills relating to healthy competition that cannot be taught with the same relevance and currency in traditional classroom settings.

The WSLL’s success in building community is evidenced by the older, accomplished players mentoring and supporting the younger and special needs players in the Challengers division.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan applauds the work of the West Side Little League and commends its presence and efforts to build a sustainable, inclusive community on the Upper West Side.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Transportation

Re: Manhattanhenge 2019, American Museum of Natural History.

Full Board Vote: 42 In Favor 0 Against 0 Abstentions 0 Present

Committee: 5-0-0-0. Non-Committee Board Members: 2-0-0-0.

The following facts were taken into consideration:

- July 11, 2019 will be the evening when the sunset aligns with the East West grid of Manhattan streets,
- The American Museum of Natural History will hold an event at the museum prior to the time of the sunset,
- 79th Street near Columbus Avenue is an ideal location to view the sunset as it drops between the buildings,
- This street closure is very popular and keeps people safe

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan **approves** the request by the American Museum of Natural History to close West 79th between Amsterdam and Columbus Avenues to traffic on Thursday July 11, 2019 from 7 to 9 pm for the annual Manhattanhenge celebration.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Transportation

Re: 410 Central Park West (101st Street.)

Full Board Vote: 14 In Favor 27 Against 1 Abstentions 0 Present

Committee: 6-0-1-0. Non-Committee Board Members: 4-0-0-0.

The following facts were taken into consideration:

- Ambulances and emergency vehicles are not able to pull up in front of building,
- Vehicles are unable to pick up or drop off Residents with disabilities,
- A significant number of residents in the building have requested a no parking zone.

THEREFORE BE IT RESOLVED **THAT** Community Board 7/Manhattan requests that DoT create a no parking zone in front of 410 Central Park West.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Transportation

Re: 2642 Broadway, Carmel Car & Limo Service (West 100th – 101st Streets.)

Full Board Vote: 42 In Favor 0 Against 0 Abstentions 0 Present

Committee: 5-0-0-0. Non-Committee Board Members: 2-0-0-0.

Carmel Taxi and Limo Service has been operating out of 2642 Broadway for many years and there have been no complaints,

THEREFORE, BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** renewal application #B00256 to the NYC Taxi & Limousine Commission by Carmel Car & Limo Service for a renewal of their For Hire Base Station License.

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Transportation

Re: Request to make crossing Riverside Drive at 95th and 97th Streets safer.

Full Board Vote: 41 In Favor 0 Against 1 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Members: 4-0-0-0.

The following facts were taken in consideration:

- Seniors, people with disabilities, young children have difficulty crossing these two intersections,
- The two intersections are used by a large number of people.

THEREFORE, BE IT RESOLVED THAT Community Board 7/Manhattan requests that DoT look at these two intersections with the goal of making them safer and pedestrian-friendly (as an example pedestrian islands and bump outs).

RESOLUTIONS

Date: June 4, 2019

Committee of Origin: Transportation

Re: Speed Limits for bikes and wheeled vehicles in Riverside Park.

Full Board Vote: 35 In Favor 2 Against 3 Abstentions 0 Present

Committee: 7-0-0-0. Non-Committee Board Members: 4-0-0-0.

The following facts were taken into consideration:

- Paths in Riverside Park are shared among many users, pedestrians, bikes, scooters, etc.,
- Not all bikers are aware that there will be children darting across the paths,
- Not all pedestrians are aware that bikes, scooters, etc. will be on the paths,

THEREFORE BE IT RESOLVED THAT Community Board 7/Manhattan requests that Riverside Park have a 10 mph speed limit for all wheeled vehicles on all shared path in Riverside Park.

RESOLUTIONS

Date: June 4, 2019

Committees of Origin: Land Use and Housing

Re: Proposed Fetner Project at 266 West 96th Street (Broadway-West End Avenue.)

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

The following facts and concerns were taken into consideration in arriving at our conclusions:

- The former IRT substation at 266 West 96th Street is one on of the few remaining soft sites owned by the City in Manhattan Community District 7 (MCD7),
- The City, through the Department of Housing Preservation and Development (HPD), plans to dispose the site at 266 West 96th Street for \$1 to Fetner Properties,
- The City owned lot will constitute approximately 50 percent of the total developable site,
- When the City disposes a scarce resource such as public land, that resource should be used for a demonstrable public benefit that is aligned with the community’s needs and values,
- 25 percent of Manhattan CD7 residents were rent-burdened and 20 percent were severely rent-burdened in 2017;¹
- Approximately 43 percent of recently available rental units were available at 120 percent of Area Median Income (AMI), compared to 27 percent available at 80 percent AMI and just 9 percent available at 30 percent AMI.²

THEREFORE, BE IT RESOLVED THAT to justify the disposition for nominal disposition of City owned property at this valuable site, the following are minimum requirements for the affordable housing component:

1. That the overall development contains the greater of 50 percent affordable units or 50 percent of residential floor area designated for affordable units;
2. That the project contain a homeless set-aside at a minimum of 10 percent of the total building units;
3. That the affordable units contain a diverse mix of affordability tiers, but that HPD and Fetner should consider including the following tiers:
 - a. 30% of units below 80% AMI;
 - b. 60% of units below 100% AMI;
 - c. A hard cap on all affordable units at or below 130% AMI;
4. That the different size apartments (studios, 1 bedroom and 2 bedroom units) be equitably distributed among both the market-rate and affordable units;
5. That all affordable units in the building be deemed “permanently affordable;”
6. That all tenants, regardless of rent-regulation status, be allowed and encouraged to access the building’s amenities

Community Board 7/Manhattan reserves the right to address other comments and concerns about the project at a future time.

Housing Committee: 5-0-0-0. Land Use Committee 8-0-0-1. Non-Committee Board Members: 4-0-0-0.

¹ New York City Housing Vacancy Survey (HVS) 2017 Household Record. The HVS is based on 55 Sub-Borough Areas (SBAs that approximate NYC community districts but are not coterminous; use only percentages, do not combine with Community District level data, and label as sub-borough area as appropriate)

² NYU Furman Center. *Neighborhood Profiles*. Accessed 5/15/2019.
<http://furmancenter.org/neighborhoods/view/upper-west-side>

RESOLUTIONS

Date: June 4, 2019

Committees of Origin: Land Use

Re: 120 West 72nd Street, Orangetheory Fitness (Broadway – Columbus Avenue.)

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

BE IT RESOLVED THAT Community Board 7/ Manhattan **approves** application #2019-63-BZ to the NYC Board of Standards of Appeal by Sheldon Lobel, PC, for a special permit pursuant to Zoning Resolution Section 73-36 to legalize the operation of a Physical Cultural Establishment on a portion of the first floor of the existing building at the premises,
subject to receipt of a revised set of corrected architectural plans showing a second means of egress.
Committee: 6-0-1-0. Non-Committee Board Members: 3-0-0-0.