



CITY OF NEW YORK

**MANHATTAN COMMUNITY BOARD No. 4**

330 West 42<sup>nd</sup> Street, 26<sup>th</sup> floor New York, NY 10036  
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**J. LEE COMPTON**  
Chair

**ANTHONY M. BORELLI**  
District Manager

January 5, 2006

Iris Weinshall, Commissioner  
New York City Department of Transportation  
40 Worth Street, Room 940  
New York, NY 10013

**Re: Revocable Consent Application**  
Applicant: Swingtime LLC d/b/a Penthouse Executive Club  
Location: 603 West 45th Street  
Type: New Application

Dear Commissioner Weinshall:

Manhattan Community Board No. 4 requests modifications to the request for bollards and a stair with railing in front of 603 West 45th Street. The applicant has demonstrated that a stair is needed to enable pedestrians to exit and enter the club safely. In addition the applicant indicates that the bollards will prevent backing trucks from a nearby loading dock from driving on the sidewalk.

We feel the stair, in conjunction with a new-handicapped ramp built within the building line, enhances pedestrian and customer safety. However, the Community Board has received comments and e-mails in opposition to the bollards from the West 44<sup>th</sup> Street Better Block Association, the West 46<sup>th</sup> Street Block Association, and the West 47<sup>th</sup> and 48<sup>th</sup> Street Block Association in opposition to the bollards. These community organizations note that other commercial establishments are across the street from truck loading/unloading docks and driveways and do not have bollards and that sidewalk space is valuable public space that should not be given to private interests unless absolutely required. The board agrees with this argument.

The Block Associations also raised the concern that the applicant is being granted a special privilege, despite being an adult establishment in an area that the Board has requested be rezoned for residential use. While the Board would like to see more residential buildings along Eleventh Avenue, we feel that it would be inappropriate to use a revocable consent application, particularly one that increases pedestrian safety, to punish the applicant for not complying with our vision of the future of the neighborhood.

However, in consideration of the community groups' former argument, we would recommend that the bollards be replaced by tree or bush plantings in cement or other material that would have a similar safety effect as bollards. Such an action would be consistent with the rule of the immediately adjacent Clinton Special District, which mandate that property owners engaging in

**I. Weinshall**  
**January 5, 2006**  
**Page 2 of 2**

major renovations, such as the applicant, must plant street trees in the adjacent sidewalk. While the Board will defer to the owner's opinion that pedestrian safety would be at risk without some barrier, we feel the tree planting would meet this goal and provide a community amenity rather than an eyesore. We would request that the owner resubmit their application with tree plantings. We would request the owner submit those plans and drawings to the Community Board for review and comment.

Thank you very much for your consideration.

Sincerely,



J. Lee Compton  
Chair  
Manhattan Community Board No. 4



Jay Marcus  
Chair  
Transportation Planning Committee

cc: Hon. Michael Bloomberg, Mayor  
Hon. Scott Stringer, Manhattan Borough President  
Local Elected Officials  
Applicant