



CITY OF NEW YORK

MANHATTAN COMMUNITY BOARD FOUR

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JEAN-DANIEL NOLAND
Chair

ROBERT J. BENFATTO, JR., ESQ.
District Manager

January 12, 2009

Irina Fridman
New York City Department of Transportation
Division of Franchises, Concessions and Consents
40 Worth Street, 9th Floor South
New York, NY 10013

Re: Revocable Consent Application
Applicant: Swingtime LLC d/b/a Penthouse Executive Club
Location: 603 West 45th Street
Type: Modification to new application

Dear Ms. Fridman:

Manhattan Community Board 4 recommends approval of the revised proposal for 7 bollards, 3 trees, and a ramp and stairs with railings in front of 603 West 45th Street. The applicant has demonstrated that a staircase and ramp is needed to exit and enter the club at that location safely. In addition, the applicant indicated that the bollards and trees will prevent trucks from the loading dock across the street backing up onto the sidewalk.

The applicant had originally applied for this change in 2006, at which time their proposal included 11 bollards and no trees. CB4 requested that the applicant resubmit their application after modifications to include trees. Since that time, based on the applicant's request, the city installed two trees to the west of the entryway to this business and another tree on Eleventh Avenue just north of West 45th Street. However, the applicant did not modify their bollard design and waited over 2 years to resubmit. Several community members expressed concern about this delay.

The applicant indicated that, given the size of the platform at the end of the ramp and stairs, there was not sufficient room to install trees and provide 8' of pedestrian access. Based on discussion with the applicant, they agreed to remove five bollards and replace them with one tree in the area immediately to the West of the platform. Given the two trees recently installed by the city, this will provide a line of three trees from the northwest corner of Eleventh Avenue and West 45th Street and the business entryway.

The board has received a written guarantee provided by the applicant to amend their plans to reflect the above. Thus, CB4 recommends approval of the stairs, ramp, bollards and trees in the proposed modified design.

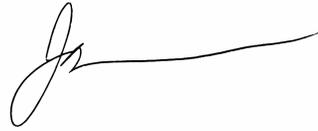
Sincerely,



Jean-Daniel Noland
Chair
Manhattan
Community Board 4



Christine Berthet
Co-Chair
Transportation Planning
Committee



Jay Marcus
Co-Chair
Transportation Planning
Committee

c.c.
Applicant