

NEW YORK CITY LAW DEPARTMENT
OFFICE OF THE CORPORATION COUNSEL

Michael A. Cardozo, *Corporation Counsel*

Press Release

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For Immediate Release

**LANDMARKS PRESERVATION COMMISSION
AND NEW YORK CITY LAW DEPARTMENT ANNOUNCE
SETTLEMENT OVER ILLEGAL ROOFTOP TENT ON
GREENWICH VILLAGE RESTAURANT**

***SUSHI SAMBA AGREES TO SETTLEMENT,
INCLUDING PAYMENT OF \$500,000
AND CONSTRUCTION OF A LEGAL SECOND STORY***

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New York, Feb. 1, 2007 – New York City Corporation Counsel Michael A. Cardozo and Landmarks Preservation Commission (LPC) Chairman Robert B. Tierney today announced that the owners of Sushi Samba, a Greenwich Village restaurant and the City, have agreed to a settlement in which Sushi Samba will pay to the City \$500,000 and Sushi Samba has been authorized to construct a new LPC-approved rooftop addition which corrects the violation.

Sushi Samba is located at 81-87 Seventh Ave. in the Greenwich Village Historic District, one of 85 such districts across the City. The Landmarks Commission is responsible for preserving these collections of historically, culturally and architecturally significant buildings and places, and is authorized to approve or deny permission for changes to them.

In September 2000, the Commission gave Sushi Samba permission to build a wooden, open-air trellis on the roof. The restaurant built the trellis but added several steel arches to the trellis thereby changing its shape. It also covered the structure with a tent-like canvas and plastic enclosure creating in effect an enclosed, year-round second story to the building. This violated the permission granted by the Landmarks Commission, so the City instituted legal action.

“We are extremely pleased with the settlement,” said Virginia Waters, senior counsel at the New York City Law Department, who handled the case on behalf of the City. “The illegal structure did not fit the character of the Greenwich Village Historic District, and has finally been removed after five years of litigation. Sushi Samba has agreed to comply with the Landmarks Law in the future.”

"It's our job to protect the neighborhoods and buildings that make New York City great," said Chairman Tierney. "In recent years, our aggressive enforcement of the law has enabled us to preserve the character of many of the City's buildings and neighborhoods. Our settlement with Sushi Samba underscores that commitment, and should serve as a deterrent to those who would knowingly and intentionally violate the Landmarks Law."

The Commission denied the restaurant's application to legalize the steel arches and canvas and plastic enclosure, a decision that was subsequently upheld by Supreme Justice Faviola A. Soto in January 2003. The City filed a lawsuit against Sushi Samba in 2003 after the restaurant refused to remove the illegal addition. In a ruling issued last June, State Supreme Court Justice Paul G. Feinman ordered the restaurant to take it down, and directed that a referee determine the amount of civil penalties due. Sushi Samba appealed that Order.

The New York City Law Department is one of the oldest, largest and most dynamic law offices in the world, ranking among the top three largest law offices in New York City and the top three largest public law offices in the country. Tracing its roots back to the 1600's, the Department's 650-plus lawyers handle more than 90,000 cases and transactions each year in 17 separate legal divisions. The Corporation Counsel heads the Law Department and acts as legal counsel for the Mayor, elected officials, the City and all its agencies. The Department's attorneys represent the City on a vast array of civil litigation, legislative and legal issues and in the criminal prosecution of juveniles. Its web site can be accessed through the City government home page at nyc.gov or via direct link at nyc.gov/law.

The New York City Landmarks Preservation Commission is the largest municipal preservation agency in the United States. Since its creation in 1965, the Commission has designated more than 23,000 buildings in all five boroughs, including 1,148 individual landmarks, 107 interior landmarks, nine scenic landmarks and 85 historic districts. Its web site can be accessed through the City government home page at nyc.gov or via direct link at nyc.gov/landmarks.

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