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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

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October 19, 2018

Marisa Lago, *Chair*
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Ms. Lago:

At its Full Board meeting on October 18, 2018, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

59 Greenwich Avenue (Between Seventh Ave South and Perry Street) is an application for a special permit pursuant to ZR 74-711 to waive ZR 32-421 (to allow Use Group 6 retail use on the second floor of an existing mixed-use building), and to waive ZR 23-861 (to allow existing non-compliances to remain with respect to distance between legally-required windows and rear lot line).

Whereas:

1. This is a special permit pursuant to ZR 74-711 to waive ZR 32-421 (to allow Use Group 6 retail use on the second floor of an existing mixed-use building), and to waive ZR 23-861 (to allow existing non-compliances to remain with respect to distance between legally-required windows and rear lot line in a building where greater than 75% of the building's floor area is being demolished).
2. The building site is a vacant, mixed-use, four-story building with ground floor retail and three dwelling units above. It contains 4171sf of zoning area and is located in a C2-6 zoning district within the Greenwich Village Historic District.
3. C2-6 is an R7-2 equivalent district, which permits a maximum residential FAR of 3.44. Commercial use is limited to 2.0 FAR. No front, rear or side yards are required.
4. The building's only existing non-compliance is with regard to rear-facing, legally-required windows on the second, third and fourth floors; on this shallow lot, such windows must be located at least 20 feet from any wall or lot line (in this case, the distance ranges from 14.8' and 18.9') and this legal non-compliance may be maintained unless more than 75% of the non-complying building's floor plan is demolished. This condition on the site has existed for 172 years and has had no adverse effects in the structures or open space in the vicinity of the building.

5. “Due to structural issues,” the applicant proposes to reconstruct substantially all of the building’s floor area with no changes to the building envelope. The applicant’s continuing maintenance plan has been approved by LPC and the applicant has received a Certificate of Appropriateness from LPC relative to the windows.
6. The applicant proposes a single hair salon (UG6) on the first and second floors and one residential unit on each of the third and fourth floors. The two dwelling units (which will be occupied by the owner and his staff) are permitted by the applicable district regulations, which allow a maximum of three in the building.
7. The requested bulk modification will have no adverse effects on neighboring structures or open space because it simply maintains the status quo and the practical effect of the requested modification will be a reduction in the number of non-complying, legally-required windows—but no change in the total number of windows. By replacing the second story residential with commercial (1585sf), the degree of non-compliance drops from three stories to two. No residential windows in other buildings face these windows.
8. The requested use modification will have no adverse effect on the residential uses on the third and fourth floors and little in the surrounding area.
9. There would be no commercial signage of any kind above the first floor and the salon’s lighting would be turned off at the end of the business day so that the appearance of the second story would be no different than the residential stories above. With only three chairs and access to subway lines, the salon is expected to generate an insignificant number of vehicular and pedestrian trips.
10. The 375sf rear terrace on the second floor will be reserved for hair salon patrons and will have no permanent furniture or music.
11. The C2-6 zoning district in which the development site is located adjoins two zoning districts (C4-5 and C6-2) that permit second-story retail when residential use is located above. As a result, it is not **unusual** to find second-story commercial use in the Village, especially on major commercial thoroughfares such as Greenwich and Seventh Avenues. Accordingly, the proposed use modification is in keeping with the character of the area.
12. The triangular shape of the block combined with the fact that, as a result, the site has little separation from two busy streets and the adjoining commercial buildings create a special circumstance that will have minimal adverse effect on the conforming uses in the area.
13. The applicant offered to exclude eating and drinking uses from the premises in perpetuity and further stated that in 2017, City Planning approved a ZR 74-711 use modification for 19 E. 72nd Street in Manhattan that permitted UG 6 with the exception of eating and drinking establishments. This was stated in the CPC report itself and also incorporated into the restrictive declaration that is required with every 74-79 special permit that requires the owner to do restorative work and maintenance in perpetuity.

Therefore be it resolved, that CB2, Man. recommends approval of this application provided that eating and drinking is excluded in perpetuity and this is stated within the City Planning Commission report and likewise specifically incorporated and described as such in a restrictive declaration.

Vote: Unanimous, with 42 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

Sincerely,



Terri Cude, Chair
Community Board #2, Manhattan



Anita Brandt, Co-Chair
Land Use & Business Development Committee
Community Board #2, Manhattan



Frederica Sigel, Co-Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

TC/jt

c: Hon. Jerrold Nadler, Congressman
Hon. Brad Hoylman, State Senator
Hon. Deborah Glick, Assemblymember
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, City Council Speaker
Sylvia Li, Dept. of City Planning

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October 19, 2018

Margery Perlmutter, Chair
NYC Board of Standards & Appeals
40 Rector Street, 9th Floor
New York, New York 10006-1705

Dear Chair Perlmutter:

At its Full Board meeting on October 18, 2018, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

20 West 14th Street (Between Fifth and Sixth Avenues) - BSA Cal No 2018-143-97-BZ is an application for a new special permit to allow the operation of a physical culture establishment (PCE) called FitHouse to be located in a part of the cellar and first floor, pursuant ZR 73-36.

Whereas:

1. This is an application for a new special permit to permit to allow the operation of a physical culture establishment (PCE) called FitHouse to be located in a part of the cellar and first floor, pursuant ZR 73-36.
2. Total zoning floor area is 2488sf; gross floor area is 4867sf.
3. The building is mixed use with commercial use on the ground floor and residential use on the upper floors.
4. A term of 10 years is requested.
5. The establishment contains facilities for classes, instruction and programs for physical improvement, bodybuilding, weight reduction and aerobics.
6. An approved interior fire alarm and sprinkler system will be installed in the entire PCE space and the premises will comply with Local Law 58/87.
7. Noise abatement measures will be installed to ensure that the sound level in the adjacent building areas does not exceed 45dBA.
8. This use is compatible with the mixed-use nature of the neighborhood, which is well-served by multiple nearby subway lines.
9. It is located so as to not impair the essential character or the future use or development of the surrounding area or interfere with the street system or any public improvement projects.
10. There will be no modification of use, parking or bulk regulations and it is not located on a roof.

11. Hours of operation will be 6am to 10pm and they anticipate there will be 10-20 classes per day.
12. Peak hour clientele is projected to be approximately 60-70 people and there will be a staff of 20.
13. There are no known hazards or disadvantages and there will be no adverse effect on the privacy, quiet, light and air to the neighborhood at large.
14. The space will be ADA accessible.
15. No one from the neighborhood appeared to speak against the application.

Therefore be it resolved, CB2, Man. has no objection to this application.

Vote: Unanimous, with 42 Board members in favor.

Please advise us of any decision or action taken in response to this resolution.

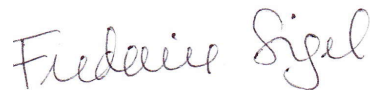
Sincerely,



Terri Cude, Chair
Community Board #2, Manhattan



Anita Brandt, Co-Chair
Land Use & Business Development Committee
Community Board #2, Manhattan



Frederica Sigel, Co-Chair
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