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December 28, 2016

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 December 22, 2016, Community Board #2, Manhattan adopted the following resolution:

25 Bleeker Street (between Mott and Elizabeth Streets) BSA Cal. No 2016-4265-BZ application to allow the construction of a new building to have Use Group 6 (commercial) on the ground floor and Use Group 2 (residential) on the upper floors contrary to the zoning district regulations, and which also does not comply with rear yard requirements.

Whereas:

1. The site is located in the NoHo Historic District and within an M1-5B zoning district and is currently occupied by a 3.5-story building that has been vacant on the upper floors since 2014 due to poor structural conditions.
2. In May 2016, the NYC LPC issued a Certificate of Appropriateness that allowed the demolition of the existing structure due to its lack of historic value and instead allowed the construction of a new seven-story building that would rise to a height of 97', would contain UG9A showroom use on the first floor and UG6 offices on the upper floors, would be built full to the lot line on the cellar and first floor levels, and would have a 19' rear yard and 6730sf of floor area.
3. Instead, the currently-proposed building would have six stories and a penthouse, would rise to a height of 88' 11", would contain UG6 retail on the first floor and UG2 residential on the upper floors, would be built full on the cellar and first floors, would have a 16'-4" rear yard at floors 2-6, a 19'-6" rear yard at the penthouse level, and 6758sf of floor area.
4. The project site is located on a block that is occupied primarily by mixed use commercial and residential buildings.
5. Only three residential units are proposed (simple, duplex and triplex), which is equivalent in number but not in size to the number of units in the current building.
6. Three-quarters of the 16 zoning lots on the north side of Bleeker St. have non-complying rear yards of less than 20'.

7. The matter was originally presented at CB2's Land Use committee meeting in October. At the meeting, certain revisions and limitations were discussed: modification of the ground floor and cellar space, a reduction in building depth, a limitation on commercial uses, and other issues.
8. Subsequent to that meeting, the property owner's representative and architect met with representatives from the NoHo Bowery Stakeholders, adjacent buildings and other concerned neighbors. At this meeting, certain items were confirmed and agreement on further revisions and modifications was reached. These items include, but are not limited to:
 - a. First floor and below grade space will allow Use Group 6 with a restriction on eating and drinking establishments. This restriction will be included in the deed for the property.
 - b. Limitations on the depth of the rear yard (now 14'-10" and 14', given the angled rear lot line).
 - c. Use of the rear yard is limited to the commercial tenant only.
 - d. The cellar will extend to the full length of the lot.
 - e. Inclusion of hardware on the easterly wall of the building to accommodate vines for 21/23 Bleecker Street.
 - f. Limitations on the use of the penthouse terrace.
 - g. Elimination of the rear yard balconies.
 - h. Establishment of a Construction Protocol Agreement between the subject premises and adjacent properties, which will be submitted with the BSA application.

Therefore, CB2, Man. recommends approval of the two Use Group waivers and the rear yard waiver provided:

1. The BSA's own detailed inspection of the Economic Analysis Report, particularly calculations leading to the return on investment, validates the findings therein.
2. The final plans and documents reflect and incorporate agreements with NoHo Bowery Stakeholders, the neighbors and other concerned parties as detailed above.

Vote: Unanimous, with 34 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, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

TC/fa

- c: Hon. Jerrold L. Nadler, Congressman
Hon. Deborah Glick, Assembly Member
Hon. Daniel Squadron, NY State Senator
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Margaret Chin, Council Member