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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

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Greenwich Village ♦ Little Italy ♦ SoHo ♦ NoHo ♦ Hudson Square ♦ Chinatown ♦ Gansevoort Market

December 22, 2017

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

Dear Ms. Lago:

At its Full Board meeting on December 21, 2017, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

21 E. 12 Street (at University Place) DEP # 180069ZSM is an application for a special permit pursuant to ZR Sections 13-45 (Special Permits for Additional Parking Spaces) and 13-451 (Additional parking spaces for residential growth) to permit 187 space public parking garage in a mixed-use development.

Whereas:

1. This is an application for a special permit pursuant to ZR Section 13-45 (Special Permits for Additional Parking Spaces) and ZR Section 13-451(a) (Additional parking spaces for residential growth, for an attended public parking facility with a maximum capacity of 187 spaces.
2. The mixed use, 23-story building currently being developed on University Place from 12th Street to 13th Street will include 53 luxury condominiums and 12,770 square feet of retail would be permitted 13 accessory parking spaces as of right so the proposed action would increase the number of spaces by 174.
3. The Manhattan Core Parking regulations which for 30 years had contributed to a reduction of car commuting into Manhattan, were amended in 2013, allowing developers to apply for special permits to increase parking spaces in new developments based on residential growth in the area and also allowing accessory residential spaces to be used for public parking.
4. As stated in the NYC Zoning Handbook published by the City Planning Commission: "...in almost all new developments in Community Districts 1 to 8 in Manhattan and in Downtown Brooklyn, commercial, manufacturing, and most community facility uses are exempt from parking requirements because public transit is easily available. Experience has shown that if such parking were available it would increase traffic congestion by attracting more cars into the heart of the city...."

5. CB2, Man. opposed the 2013 amendments because they enable an increase of car commuting into the Manhattan Core (below 96th Street), and CB2 specifically recommended restrictions that would prevent use of new residential spaces to increase availability for commuters. CB2, Man. also recommended a limit of 50 cars at any new development.
6. There is nothing in the parking regulations preventing an operator from increasing monthly residential parking prices to create spaces for daily or hourly parking or monthly parking for employees.
7. CB2, Man. also has a position opposing inappropriate development along the University Place/4th Avenue corridor below 14th Street where neighborhood character is threatened by massive new office and residential development, including the 269-foot tall building where this large new garage would be located.
8. Increasing parking availability will also encourage new development and is likely to increase car use by commuters and shoppers coming to the area.
9. The application requires a finding that the new use “will not create or contribute to serious traffic congestion and will not unduly inhibit traffic and pedestrian flow,” without specifying the area where this may occur. Any additional commuter parking will inevitably contribute to serious traffic congestion at tunnel access points, including at the Holland Tunnel within CB2.
10. The traffic study focused on an 600-foot radius from the site; therefore, the study was insufficient and the application should have required a study that showed that the facility will not increase car commuting into the Manhattan Core.
11. Unlike other areas within CB2, the Central Village has many large apartment buildings that were constructed in the automobile era.
12. CB2's Traffic and Transportation Committee conducted an informal survey of indoor parking garages within the study area, finding a plentiful supply of available monthly parking, for example, Stewart House at 70 E. 10th St. has 45 spaces open; The Brevoort at 11 5th Ave. has 12; Randall House at 63 E. 9th St. has 20, 7 E. 14th St. has 20, to name just a few in the immediate vicinity. Icon, which runs at least 7 garages with 1,000s of spaces within a 6-block area, stated that they have 100s of available spaces for monthly parking.
13. CB2's T&T Committee also spoke to the VP of a large parking company, who said demand for monthly spaces was "way down," that millennials don't buy cars, and that Uber was hurting business.
14. SpotHero, a website and App to find convenient parking locations, shows 33 garages (other than those already cited) near 21 E. 12th St. with monthly parking spaces available, average monthly cost in the \$500 range. All of them, save three, offer hourly parking as well, along with 12 other garages. This is unlike SpotHero in the West Village, which shows few garages with monthly parking available and prices about twice as high as in the 21 E. 12th vicinity.
15. There was no public testimony favoring the application or expressing the need for additional spaces to serve residents in the area.
16. With the location of college dorms in the area and with the increased intensity of office and hotel development south of 14th St., sidewalks are packed with pedestrian traffic, which is in frequent conflict with vehicular traffic.
17. Sufficient monthly off-street parking appears to be available without the addition of 174 long-term spaces. In the absence of long-term parking demand, short-term parking could easily be substituted for those additional spaces, attracting more commuter and retail vehicular traffic.
18. This application is coming to CB2, Man. after work on the structural work including the parking facility space and ramp was completed.
19. The applicant stated their original plan called for storage space in that structure, and there also are many other potential uses that would better attract monthly renters and better serve the community than parking spaces, which can generate traffic and unwanted congestion.

Therefore, it is resolved that CB2, Man.:

Recommends **denial** of a special permit for additional parking spaces for residential growth at 21 East 12th Street;

Recommends that should the City Planning Commission consider adding any additional spaces, the maximum number of spaces should not exceed the number of dwelling units in the building, which is 53, and will be for residential customers only or for a combination of residential customers and car share spaces, along with at least 38 permanent bike stations for monthly rental.

Vote: Passed, with 30 Board members in favor, and 4 in opposition (A. Brandt, T. Connor, R. Rothstein, R. Sanz).

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



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

TC/fa

c: Hon. Jerrold L. Nadler, Congressman
Hon. Brad Hoylman, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Rosie Mendez, Council Member
Sylvia Li, Dept. of City Planning

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December 22, 2017

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 21, 2017, Community Board #2, Manhattan adopted the following resolution:

823 Washington Street (between Little West 12th Street and Gansevoort Street) BSA calendar No. BZ 2017-296-BZ is an application for a new special permit for a physical culture establishment for a portion of cellar and ground floor, pursuant ZR 73-36.

Whereas:

1. The premises is located in an existing two-story building in the Gansevoort Historic Market District, which is in a M1-5 zoning district.
2. The PCE will occupy a total of 1655sf on the ground floor and in the cellar with a total occupancy of 33 people.
3. The applicant is an international skincare company that promotes overall natural wellness, health and fitness by offering an organically-derived product line in combination with licensed massage therapy. It will offer retail and spa services, including a café and a wine bar.
4. The applicant is requesting a special permit for the maximum term of years.
5. This use is compatible with the commercial nature of the neighborhood and will not create an increase in vehicular and/or pedestrian traffic or interfere with any approved or pending public improvement projects.
6. Hours of operation will be 11:00am to 7pm Monday through Friday and 11:00am to 8pm Saturday and Sunday.
7. The applicant does not propose any enlargement or extension to the existing building.
8. No portion of the proposed PCE will be located on the rooftop of the subject building; the entrance is appropriately located on a wide street; and the PCE has no potential hazards or disadvantages that will adversely impact the privacy, quiet, light and/or air within the neighborhood.
9. There are no active complaints or open DOB or ECB violations against the building.
10. No one from the neighborhood appeared to speak against this application.

11. This building has never been licensed.

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

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



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

TC/fa

c: Hon. Jerrold L. Nadler, Congressman
Hon. Brad Hoylman, NY State Senator
Hon. Deborah Glick, Assembly Member
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Corey Johnson, Council Member

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December 22, 2017

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

Dear Ms. Lago:

At its Full Board meeting on December 21, 2017, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

31 Bond Street (between Lafayette Street and Bowery) CPC #180062ZSM Application for a special use modification to allow Use Group 6 commercial retail on the ground floor, cellar and sub cellar, pursuant to 74-711.

Whereas:

1. This application for a special permit use modification would allow Use Group 6 commercial retail on the ground floor, cellar and sub-cellar levels of an existing six-story building located in Manhattan's NoHo Historic District. Proposed retail use would total gross 3489sf on the three levels.
2. The building was vacant when the current owner purchased it in 2010 and it is currently unoccupied. In the past, it was used for storage, boilers and toilets in the cellar and sub-cellar, gallery and performing space on the first floor, a recording studio on the second floor, offices/video room on the third floor, classrooms, offices and storage on the fourth floor, and JLWQA on the fifth and sixth floors.
3. There is no documentation that there was ever a Loft Law case in this building.
4. In 2015, the BSA issued a variance to permit residential use on each floor of the building, including ground floor. However, the applicant intends to abandon that variance and convert floors two through six to conforming office use.
5. If it gets the special permit, it is CB2's understanding that the applicant must formally abandon the variance by informing the BSA.
6. The applicant received a Certificate of Appropriateness from LPC in August, 2017.
7. Within the surrounding area, retail uses occupy the ground floor of the majority of buildings, so the special permit use modification will have minimal adverse effects on conforming and legal non-conforming uses in the surrounding area.

8. According to the application, the applicant is seeking a “maker-retail” operation that can confer “authenticity” and prestige on the building and improve demand for the upper level office space. “The applicant’s desired tenant will ideally involve some artisanal work or value-added retailing, such as a design-industry tenant....The right tenant will not include a restaurateur, high footfall operator, or convenience store retailer and the applicant has committed as much to community members.”

9. The applicant agreed to no a eating and drinking establishment and believes that CPC will stipulate this in the special permit as a matter of course.

Therefore, be it resolved, that CB2, Man. recommends denial of this application UNLESS the following conditions are met:

1. The applicant formally communicates with the BSA to abandon the variance in its entirety.
2. The applicant is correct that there was never a Loft Law case in this building and the JLWQA units were disposed of properly.
3. The CPC stipulates no eating and drinking establishments in its special permit.
4. The applicant makes every effort to find a “maker-retail” tenant as described in the application.

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
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Frederica Sigel, Co-Chair
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