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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE
NEW YORK, NY 10012-1899

www.cb2manhattan.org

P: 212-979-2272 F: 212-254-5102 E: info@cb2manhattan.org

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

December 20, 2019

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 19, 2019, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

***56 W. 8th Street** (south side between Sixth Ave. and McDougal St.) BSA Cal. No. 2019-177-BZ - PCE is an application for a new special permit for a physical culture establishment for a yoga studio by CorePower Yoga located on the ground floor, pursuant ZR 73-36.

Whereas:

1. The site is in a C4-5 commercial zoning district with approximately 22 feet located within and R6 residential district. The entire site is within the Greenwich Village Historic District, which is characterized by primarily commercial buildings and residential buildings with ground floor retail.
2. The PCE has two yoga studios with shower facilities; total floor area of the PCE is 3550 square feet.
3. A maximum term of ten years is requested per ZR 73-76.
4. The premises are ADA-accessible.
5. No noise issues are anticipated with the PCE use. A sound limiter will be installed on the PCE's music system, which will play only soft New Age music. There will be no workout equipment and nothing will be attached to the ceiling.
6. The site is well-served by public transportation and will not interfere with any public improvement project.
7. Hours of operation are 5:30 am to 9:00 during the week and 8:00 am to 6:30 pm on weekends. It is anticipated that the site will offer 10-14 classes per day for 120-300 patrons per day.
8. The PCE does not contain courts or a pool nor does it offer massage or other relaxation therapy.
9. The operation of the facility does not impair the essential character or future use of development of the surrounding area and is in keeping with the mixed-use character of the neighborhood.
10. There are no open violations on the building.
11. The building has a Certificate of Occupancy.

12. No one from the neighborhood appeared to speak against the application.

Therefore, CB2 Manhattan has no objection to this application. Therefore, CB2 Manhattan has no objection to this application.

Vote: Unanimous, with 38 Board members in favor.

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

Sincerely,



Carter Booth 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

CB/jt

c: Hon. Jerrold Nadler, Congressman
Hon. Brad Hoylman, State Senator
Hon. Deborah Glick, Assembly Member
Hon. Gale A. Brewer, Manhattan Borough President
Hon. Margaret Chin, Council Member

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Antony Wong, Treasurer
Keen Berger, Secretary
Erik Coler, Assistant Secretary

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December 20, 2019

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

Dear Ms. Lago:

At its Full Board meeting on December 19, 2019, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

***364 Ave of America** (aka 126 Waverly Place) application by Washington Place Associates LLC requesting a zoning map change to a C1-5 overlay to a C2-5 overlay for a depth of 100 feet.

Whereas:

1. This application is for a zoning map amendment to rezone 364 Ave of the Americas (aka 126 Waverly Place), 124 Waverly Place, and 85 Washington Place in the Greenwich Village Historic District from an R7-2/C1-5 zoning district to an R7-2/C2-5 zoning district to facilitate legalization of a physical culture establishment (PCE) called Vada Spa, which opened on Oct. 23, 2019.
2. The spa is classified as Use Group 6, which is permitted as of right, but it also offers massages on site, which classifies it as a PCE requiring a special permit from the Board of Standards and Appeals.
3. A special permits from the Board of Standards and Appeals for a PCE is not available to the tenant under the current overlay commercial zoning district.
4. The proposed zoning map amendment will eliminate the existing C1-5 commercial overlay district and will establish a C2-5 commercial overlay district in order to facilitate the development of a PCE in an existing mixed use residential and commercial building.
5. C1-5 zoning districts are commercial overlay districts mapped within residence districts along streets that serve local retail needs such as neighborhood grocery stores, restaurants, and beauty parlors. C2-5 zoning districts allow a variety of commercial uses that serve a wider population and generate greater use of the street. In mixed buildings in

both districts, commercial uses are limited to one or two floors and must be located below the residential use.

6. The area surrounding the project site contains a mix of residential, commercial office, hotel, retail, and community facility uses. The development site is improved with a five-story, mixed-use building with approximately 43,736 square feet of residential floor area (28 dwelling units) and approximately 22,450 square feet of commercial floor area.
7. The project is adjacent to a C4-5 zoning district which is a regional commercial center located outside the central business district that serve a larger area than the neighborhood in which it is located. C4-5 zoning districts are mapped in densely built areas.
8. The proposed rezoning will facilitate the development of a PCE, subject to the grant of a special permit by the BSA, which will occupy approximately 628 square feet of floor area on the ground floor and 4,701 square feet in the cellar and will be accessed by an entrance on Waverly Place.
9. A C2-5 Commercial overlay district will allow PCEs as well as home maintenance establishments, dance studios and other uses in Use Groups 7, 8, 9,10 and 14 which represent a wider range of commercial uses consistent with the land uses in the area that serve the local community while enriching the pedestrian activity on the street.

Therefore, be it resolved that Manhattan Community Board 2 does not object to this application.

Vote: Passed unanimously with 38 Board members in favor.

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

Sincerely,



Carter Booth 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

CB/jt

c: Hon. Jerrold Nadler, Congressman
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December 20, 2019

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

Dear Ms. Lago:

At its Full Board meeting on December 19, 2019, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

***46-74 Gansevoort** (between Washington and Greenwich Streets) #M 840260(F) LDM is a private application for an amendment to a restrictive declaration to allow Use Groups 3, 4, and 6B in addition to those presently permitted at the property located at 46-74 Gansevoort Street (Block 643, Lots 43, 49, and 54) in the Gansevoort Market Historic District, CD 2, Manhattan.

Whereas:

1. The three tax lots, which are within the Gansevoort Market Historic District, were previously treated as a single zoning lot, but have been treated as separate zoning lots since 2015.
2. The original restrictive declaration on this property dates to 1984, when the area bounded by Gansevoort, Washington, Jane, and West Sts. was rezoned to facilitate the development of new residential buildings and the conversion of non-residential buildings by Rockrose Development Corp. The project area in question retained its M1-5 zoning status.
3. To mitigate the possible impacts of the rezoning on industrial/meat production related uses, Use Groups 11, 16, 17 and 18 were allowed (various industrial and manufacturing uses).
4. In 1998, CPC approved a modification that expanded the uses permitted at 46-50 Gansevoort (Lot 54) to include Use Group 6, including but not limited to eating and drinking establishments and offices. This modification was intended to facilitate the operation of a restaurant on a portion of the ground floor and to allow a photography studio on the second floor.

5. In 2003, CPC approved a further modification to allow Use Groups 6 and 9 on all lots. However, the CPC approval was subsequently modified to exclude Use Group 6B office uses, exclude eating and drinking with entertainment establishments, and exclude eating and drinking establishments in rear yards or on the roof.
6. In 2013, a further modification was filed to modify the uses, but this application was subsequently terminated.
7. The applicant is now requesting Use Groups, 3, 4, and 6B (offices) on all floors of all buildings, but will maintain the existing exclusions on eating and drinking establishments with entertainment as well as eating and drinking establishments in rear yards and on the roof.
8. The applicant has met on numerous occasions with representatives of Save Gansevoort, a local neighborhood association, and the two parties have agreed to the following quality of life stipulations on the property:
 - a. No transference of unused FAR to 803-807 Washington Street in perpetuity.
 - b. A maximum of three full liquor licenses (none of which may be for spaces adjoining any of the rooftop/terrace exterior spaces) and four beer and wine licenses (all of which would be ancillary to some other use such as retail or office space). Requests for these licenses must go through the standard SLA public review process.
 - c. No increase in height of existing buildings in excess of 5' and then only in case of casualty.
 - d. The erection of visual screening and sound attenuation along the perimeters of the three outdoor spaces.
 - e. The three exterior roofs/terraces will be used only for passive recreation and will adhere to the following closing hours, by which times all persons, including clean-up staff, will be inside:
 - i. second floor terraces: 8pm Sunday – Wednesday, 10pm Thursday – Saturday;
 - ii. 60-68 Gansevoort rooftop: 10pm seven days a week
 - f. All music and amplified sound will be prohibited at all times on exterior rooftop/terrace spaces.
9. The committee voiced concern regarding the shortage of affordable community benefit space in CB2 for non-profit service and arts organizations and expressed an interest in transitioning from protecting the production of meat (per #3) to protecting the production of art. The chair of CB2's Arts and Institutions committee stressed the importance of finding and preserving spaces for the arts in the district, as did representatives from four local theatres and two arts organizations.
10. After consultation, Aurora offered to lease approximately 1775 rentable square feet of community benefit space in the basement (or the equivalent square footage on another floor) at 60-68 Gansevoort St. for non-profit arts organizations at \$1 per year. This space will be made available in perpetuity, simultaneously with the full and final approval of the amended restrictive declaration.
11. In addition, Aurora offered to lease approximately 4000 rentable square feet of community benefit space at the applicant's development site comprised of 7-11 Weehawken St., 300 W 10 St., and 171-177 Christopher St. as a community benefit in perpetuity to be rented to non-profit arts organizations and non-profit service organizations in CB2 and at a rent of \$25 per foot, with a 10% increase every five years.

This space is to be allocated as equally as possible between non-profit service and non-profit arts organizations and will be made available no later than 36 months from full and final approval of the amended restrictive declaration. In lieu of space, the service organization and/or Aurora may opt for an annuity or lump sum in an amount approximately commensurate with the value of the rent (exact amount to be negotiated by Aurora and the service organization(s)) and to be used only as a rent subsidy.

12. No more than 50% of the total square footage of all three of the community benefit spaces should be below grade.

Therefore, be it resolved that CB2 denies the application unless the stipulations in #8, #10, #11 and #12 are incorporated into the amended restrictive declarations (or other equally binding and enforceable instruments) and attach to the affected properties in perpetuity.

Be it further resolved that the timetable for the writing of the restrictive declarations (or other equally binding and enforceable instruments) allows for input by and the approval of CB2.

Vote: Passed unanimously with 38 Board members in favor.

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

Sincerely,



Carter Booth Chair
Community Board #2, Manhattan



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



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