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Susan Kent, *Second Vice Chair*
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Antony Wong, *Treasurer*
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COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE

NEW YORK, NY 10012-1899

www.cb2manhattan.org

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

March 23, 2015

Carl Weisbrod, Director
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Mr. Weisbrod:

At its Full Board meeting on March 19, 2015, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

41 Great Jones Street (south side of Great Jones between Bowery and Lafayette). Application 150146AZSM by 41 Great Jones Holdings LLC to the City Planning Commission for a special permit pursuant to ZR 74-711 to modify ZR 42.00 to allow the conversion of a 5-story commercial office building in an M1-5B zone in the NoHo Historic District Extension to Use Group 2 residential use. The project will include a one-story rooftop addition conforming to the bulk regulations of the underlying zoning for which a Certificate of Appropriateness was issued by the Landmark Preservation Commission in June, 2014.

Whereas:

1. This application was presented to the Land Use committee by Jerry Johnson of FoxRothschild at its February 11, 2015 and March 11, 2015 meetings;
2. The applicant's plan includes creation of a triplex apartment occupying the cellar, ground and second floors; a duplex apartment on the third and fourth floors; and another duplex apartment on the fifth and (new) rooftop floors;
3. According to the applicant's Project Description (p.3), the 3^d, 4th and 5th floors of the building were used as artists' joint live/work quarters beginning in 1979;
4. Ms. Lanny Alexander, executive director of the Loft Board, attended the committee's March 11, 2015 meeting to explain the Loft Board's history and the documentation that must accompany a building's units if they are to be eligible for conversion to market rate residential;
5. According to information obtained from the Loft Board, the building came under the jurisdiction of the NYC Loft Board in the 1980s and the building's Certificate of Occupancy was issued for JLWQA;

6. According to the Loft Board, the fourth floor was abandoned and so went out of rent regulation; when the third and fifth floors left the Loft Board's jurisdiction, they went into rent-stabilization status and moved to NYS Division of Housing and Community Renewal (DHCR);
7. The applicant was unable to provide documentation supporting these three floors' current status with respect to rent regulation or deregulation;
8. A finding for a special permit requires that any use modifications have only minimal adverse effects on conforming uses within the building and the neighborhood;
9. JLWQA is a conforming use that provides opportunities for more affordable residential rentals and purchases, which, in turn, helps maintain the diversity of the NoHo/SoHo area in general and its attractiveness to artists in particular;
10. Loss of JLWQA units in this building will have a significant adverse effect on the mixed-use nature of NoHo/SoHo and therefore the application does not meet the conditions required for a special permit under 74-711.

Therefore it is resolved that CB2, Man.:

1. CB2, Man. recommends denial of this application until sufficient documentation is provided that the third, fourth and fifth floors are eligible for conversion to market rate residential, after having followed the legalization process under the Loft Law.
2. Because the loss of JLWQA is a de facto loss of affordable housing stock in the District, a threat to the vibrant, mixed-use nature of the surrounding area, and a matter of great and ongoing concern for CB2, even if the units on these floors are not subject to rent stabilization under the Loft Law, CB2 recommends denial of this application unless JLWQA status is preserved for two full floors of the building.

Vote: Passed, with 37 Board members in favor, and 1 recusal (S. Wittenberg).

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

Sincerely,



Tobi Bergman, Chair
Community Board #2, Manhattan



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

TB/fa

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

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Carl Weisbrod, Director
City Planning Commission
22 Reade Street
New York, NY 10007

Dear Mr. Weisbrod:

At its Full Board meeting on March 19, 2015, CB#2, Manhattan (CB2, Man.), adopted the following resolution:

The Zoning for Quality and Affordability Text Amendment CEQR No. 15DCP104Y seeks to promote affordable senior housing and care facilities, modernize the rules that shape buildings and reduce unnecessary parking requirements for affordable housing;

Whereas:

1. CB2, Man. wholeheartedly supports these goals and seeks a scope that will assure opportunities for CB2 to have input in achieving those goals;
2. While some of this plan will not affect CB2, Part 2 (modernizing the rules that shape buildings) would significantly affect both the two areas within CB2 where contextual rules currently apply, and larger areas where CB2 supports new zones using current rules;
3. These changes could increase the allowed heights of buildings as much as 20% to 30%;
4. Contextual zoning in these areas resulted from a public process that included extensive community involvement and created compromises that allowed taller building that did not infringe on neighborhood and historic local character;
5. While the plan offers good ideas that may have positive effects in many areas, implementation would eliminate all existing options and current rules, including those that have successfully protected neighborhood character and created many new and often very attractive buildings ;
6. In fact, the Quality Housing height limits currently in effect within CB2 have had a positive effect, keeping the scale of new development in character with existing, highly successful neighborhoods. This suggests that the proposed 20% increase in height for market rate development in R7-A and R8-A equivalent zones is unnecessary in our district;

7. CB2 has proposed new contextual zones in the South Village and the University Place corridor, areas that are not within historic districts. In these areas, the proposed zoning changes are likely to spur redevelopment of older and smaller buildings including some that are National Register listed or eligible, buildings that would more likely to survive under existing contextual rules.
8. Likewise, the proposed changes would encourage teardowns of existing buildings in the district that will also drive housing costs higher and have a negative impact on diversity and affordability;
9. A review of the proposed text as a neighborhood-based option rather than a no-option, one-size-fits-all replacement can provide mechanisms to mitigate significant impacts in some districts while implementing positive changes in other areas—even within the same community board district ;
10. It is unclear to CB2 whether the proposed scope will allow consideration of such an option-based plan;
11. The scoping timeframe for this plan does not allow community boards sufficient time to fulfill their Charter-mandated review or to hear comments from local community groups and individuals ;
12. Neither CB2 nor the public has had the opportunity to hear a presentation from the Department of City Planning or to get answers to questions regarding the scope;

Therefore it is resolved that CB2:

1. Requests extension of the scoping timeframe for an additional 60 days to allow more community participation and to assure that the scope is sufficiently broad to secure a successful outcome that respects the diverse characters, scales, population profiles and needs of our communities.
2. In any case, the scope should allow consideration of a plan that is flexible enough to assure successful application to the full variety of New York City neighborhoods, for example by providing options in existing contextual zones and quality housing areas.

Vote: Unanimous, with 38 Board members in favor.

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

Sincerely,



Tobi Bergman, Chair
Community Board #2, Manhattan



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

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