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COMMUNITY BOARD NO. 2, MANHATTAN

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January 20, 2012

Meenakshi Srinivasan, *Chair*
NYC Board of Standards & Appeals
40 Rector Street, 9th Floor
New York, New York 10006-1705

Dear Chair Srinivasan:

At its Full Board meeting on January 19, 2012, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

286 Spring Street, a/k/a 290 Hudson Street (Block 579, Lot 5) Board of Standards and Appeals application on behalf of Hudson Spring Partners, LP, pursuant to Section 72-21 of the Zoning Resolution to request a variance of the use regulations of ZR Section 42-10 to allow the conversion of floors 2-6 from office to residential use (one loft unit on each floor). There would be no change in floor area. The ground floor would continue to be occupied by a Use Group 6 eating and drinking establishment or other conforming retail use. Located in an M1-6 manufacturing zoning district.

WHEREAS, The area was posted and there was no opposition to this application, and,

WHEREAS, In 1999 CB#2, Man. recommended approval of the application noting the unique difficulties of being located on top of the Holland Tunnel that prevent the building from being built to the full FAR, the shape of the building that produces a narrow width and lot line windows, and the excess office space in the surrounding area, and

WHEREAS, The conversions of large industrial buildings to market rate office space has continued making the commercial usage of this building more difficult, and

WHEREAS, The Jazz Gallery is a tenant on the second floor of this building, providing an extraordinary and irreplaceable asset to the community, and providing a unique incubator for many of the best young musicians in one of the best traditions of our district, a different kind of venue from the clubs that are often inaccessible to them, and

WHEREAS, the Jazz Gallery will have a very difficult time finding suitable replacement space, which is a strong and reasonable argument in favor of the retention of this class of commercial space in the district; and

WHEREAS, There would be no change in floor area as a result of this application;

THEREFORE BE IT RESOLVED, that CB#2, Man. approval of this Board of Standards and Appeals application on behalf of Hudson Spring Partners, LP, pursuant to Section 72-21 of the Zoning Resolution to request a variance of the use regulations of ZR Section 42-10 to allow the conversion of floors 2-6 from office to residential use (one loft unit on each floor) except as noted below. There would be no change in floor area. The ground floor would continue to be occupied by a Use Group 6 eating and drinking establishment or other conforming retail use. Located in an M1-6 manufacturing zoning district; and

THEREFORE BE IT FURTHER RESOLVED that CB#2, Man. Favors retaining the second floor space occupied by The Jazz Gallery as a commercial space so that this valuable resource is not forced out, and CB#2, Man. urges the applicant to make its best effort to reach an agreement at a rent appropriate to this class of commercial space for a sufficient term of years to allow this non-profit tenant to fund its future.

Vote: Unanimous, with 39 Board members in favor.

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

Sincerely,



Brad Hoylman, Chair
Community Board #2, Manhattan



David Reck, Chair
Land Use & Business Development Committee
Community Board #2, Manhattan

BH/fa

cc: Hon. Jerrold L. Nadler, Congressman
Hon. Thomas K. Duane, NY State Senator
Hon. Daniel Squadron, NY State Senator
Hon. Deborah J. Glick, Assembly Member
Hon. Scott M. Stringer, Man. Borough President
Hon. Christine C. Quinn, Council Speaker
Pauline Yu, CAU
Vivian Awner, Community Board Liaison, Dept. of City Planning
Jeff Mulligan, Executive Director, Board of Standards & Appeals
Derek Lee, Man. Borough Commissioner, NYC Department of Buildings