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## COMMUNITY BOARD NO. 2, MANHATTAN

3 WASHINGTON SQUARE VILLAGE  
NEW YORK, NY 10012-1899

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July 24, 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 July 19, 2012, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

**384 Lafayette Street (aka 692 Broadway) at East 4<sup>th</sup> Street: A resolution supporting an application to the Board of Standards and Appeals for a special permit to permit a physical culture establishment (PCE) within portions of an existing mixed use building in an M1-5B district within the NoHo Historic District.**

**Whereas:**

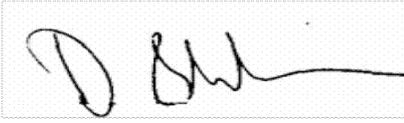
1. The the applicant for the special permit made a presentation to the committee and the application was provided to committee members in advance of the meeting;
2. SoulCycle would occupy portions of the cellar and first floor;
3. The use appears to be compatible with other uses in the building, including another physical culture establishment and retail stores;
4. The hours of operation would be 5:30 AM – 11:00 PM, Monday through Saturday and 7:00 AM through 9:00 PM on Sunday;
5. There will be music in the establishment but the planned renovations will include sound attenuation installations;
6. No one from the community spoke in favor of or in opposition to the application.

**Therefore it is resolved** that CB#2, Man. supports granting of this special permit by BSA to allow a physical culture establishment use at 384 Lafayette Street as proposed.

Vote: Unanimous, with 38 Board members in favor.

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

Sincerely,



David Gruber, Chair  
Community Board #2, Manhattan



Tobi Bergman, Chair  
Land Use & Business Development Committee  
Community Board #2, Manhattan

DG/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  
Hon. Margaret Chin, Council Member  
Hon. Rosie Mendez, Council Member  
Pauline Yu, CAU  
Vivian Awner, Community Board Liaison, Dept. of City Planning  
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### REVISED VOTES

July 24, 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 July 19, 2012, CB#2, Manhattan (CB#2-Man.), adopted the following resolution:

**547 Broadway (west side of Broadway between Spring and Prince Streets): A resolution stating no objection to an application to the BSA for a waiver of Section 42-14 of the Zoning Resolution to permit the legalization of the existing retail store on the first floor of the building and expansion of the use group 6 use into the cellar with accessory use in the sub-cellar.**

#### **Whereas**

1. The applicant's representatives made a presentation to the committee and the application was provided to committee members in advance of the meeting;
2. The building currently contains a retail store on the ground floor which is not allowed as-of-right below the second floor in an M1-5B zoning district and the second floor contains legal commercial use, and the third through sixth floors were legally converted from light manufacturing to JWLQA in 1988, currently under co-op ownership;
3. Use Group 6 is now common in the SoHo historic district, especially on Broadway;
4. Because of grade change between Broadway and Mercer Streets, the ground floor level on Mercer Street is almost a full floor above ground level, reducing the impact of the retail use on Mercer Street;
5. The applicant presented letters of support from three residents of JWLQA units;
6. One community resident who lives across the street on Broadway expressed concern about the impact of stores on residents and urged the applicants to be responsible neighbors, expressing particular concern about the impact of storefronts that remain brightly lit all night;

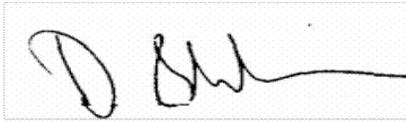
7. No one from the community spoke in favor or opposition;
8. The applicant noted that because of the configuration of JWLQA entrances, and the landmark status of the building, there is no opportunity for a storefront like many of the larger Broadway storefronts;
9. The applicant agreed to a stipulation prohibiting food and beverage establishments;

**Therefore it is resolved** that CB#2, Man. does not object to application if it is stipulated that there will be no eating and drinking uses.

Vote: Passed, with 34 Board members in favor, and 4 in opposition (K. Berger, H. Campbell, D. Diether, L. Rakoff).

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

Sincerely,



David Gruber, Chair  
Community Board #2, Manhattan



Tobi Bergman, Chair  
Land Use & Business Development Committee  
Community Board #2, Manhattan

DG/fa

cc: Hon. Jerrold L. Nadler, Congressman  
Hon. Thomas K. Duane, NY State Senator  
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July 24, 2012

Amanda Burden, FAICP  
Chair, City Planning Commission  
22 Reade Street  
New York, NY 10007

Dear Chair Burden,

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

**54 Greene Street (on the southeast corner of Broome Street): a resolution opposing ULURP Application # 090002ZSM to allow conversion of the second and fourth floors to JLWQA and to legalize Use Group 6 retail units on the ground floor and in the cellar UNLESS the maximum store size is limited to 3,500 square feet and the special permit prohibits eating and drinking establishments.**

### Whereas

1. The property is located in a M1-5B zoning district and is a contributing building in the SoHo Cast Iron Historic District;
2. the new JLWQA uses will, if legally occupied, support the diversity and character of the neighborhood and provide artists with places to live;
3. the restriction on retail below the second floor is arguably an antiquated zoning remnant in an area where few manufacturing uses persist, it is nevertheless an extant provision that provides needed protection to the quality of retail uses as well as to the quality of life in an increasingly residential area;
4. There are currently three legal and illegal retail stores in the building and this layout, which is supportive of the retail and residential character in the area, is unlikely to change as long as the use is not legalized;
5. Without restriction on unit size, legalization of ground floor and cellar retail is likely to result in large footprint retail more typical of Broadway;
6. The heavy vehicular traffic to the Holland Tunnel and the narrow side walks make Broome Street unsuitable for larger stores and eating and drinking establishments;
7. Upon request from the committee, the applicant was unwilling to consider a request to limit the maximum store size or prohibit eating or drinking establishments;

8. CB2 has supported allowing retail on the ground and cellar levels at other properties in the area, but has generally sought to obtain support for size and use restrictions to protect neighborhood character;
9. CB2 does not believe that the requirements of minimal impacts are met without the proposed restrictions on unit size and eating and drinking uses;
10. The applicant provided documentation that required conditions had been met for modification of use and bulk regulations in zoning lots with buildings located within historic districts, including certificates and approvals from the Landmarks Preservation Commission;
11. The applicant provided documentation that the requirements for a special permit had been met, including that the bulk modifications shall have minimal adverse effects on the structures or open space in the vicinity and that the use modifications shall have minimal adverse effects on the conforming uses within the building and the surrounding area;
12. A public purpose will be served if this preservation plan is implemented;

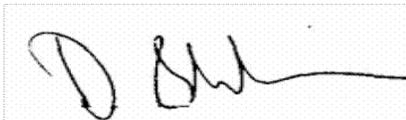
**Therefore it is resolved** that CB#2, Man.

1. supports the conversion of the fourth and sixth floors of 54 Greene Street to JWLQA;
2. opposes legalization of Use Group 6 on the ground floor and in the cellar unless the size of any store is limited to no more than 3500 square feet and eating and drinking establishments are prohibited.

Vote: Unanimous, with 38 Board members in favor.

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

Sincerely,



David Gruber, Chair  
Community Board #2, Manhattan



Tobi Bergman, Chair  
Land Use & Business Development Committee  
Community Board #2, Manhattan

DG/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  
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Pauline Yu, CAU  
Vivian Awner, Community Board Liaison, Dept. of City Planning  
Land Use Review Unit, Dept. of City Planning  
Jeff Mulligan, Executive Director, Board of Standards & Appeals  
Derek Lee, Man. Borough Commissioner, NYC Department of Buildings  
Thomas C. Wargo, Director, Zoning Division, Dept. of City Planning

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July 24, 2012

Amanda Burden, FAICP  
Chair, City Planning Commission  
22 Reade Street  
New York, NY 10007

Dear Chair Burden,

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

**111 Mercer Street (west side of Mercer between Spring and Prince Streets): A resolution stating no objection to ULURP Application 120360ZSM seeking a special permit pursuant to Section 74-711 of the Zoning Resolution to modify (i) the requirements of Section 43-17 to allow a 1-story enlargement of an existing 5-story building, and (ii) requirements of Section 42-00 to allow residential use on the second through sixth floors of the enlarged building.**

### Whereas

1. The applicant's representatives made a presentation to the committee and the application was provided to committee members in advance of the meeting;
2. The property is located with an M1-5A zoning district and within the SoHo Cast Iron Historic District;
3. The current uses include retail on the ground level and cellar floors and the building is vacant on the 2<sup>nd</sup> through 5<sup>th</sup> floors which are being altered for JLWQA use;
4. The adjacent building to the south is a seven story loft building with ground floor retail and residential use above and the adjacent building to the north is a seven story building with ground floor retail and JLWQA use above;
5. In M1-5A districts, buildings containing JLWQA uses may not be enlarged as of right;
6. The applicant provided documentation that required conditions had been met for modification of use and bulk regulations in zoning lots with buildings located within historic districts, including certificates and approvals from the Landmarks Preservation Commission;
7. The applicant provided documentation that the requirements for a special permit had been met, including that the bulk modifications shall have minimal adverse effects on the structures or open space in the vicinity and that the use modifications shall have minimal adverse effects on the conforming uses within the building and the surrounding area;

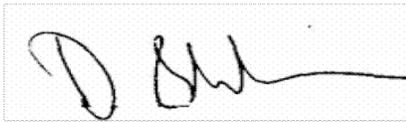
8. The current FAR of the existing building is 4.55 and with the proposed enlargement the building would remain within the allowed FAR of 5.0;
9. This documentation will be subject to review by the City Planning Commission;
10. One member of the public expressed concerns about possible noise from new air conditioning units and the architect provided satisfactory assurances regarding the size and type of units proposed;
11. No one from the community spoke in favor or opposition to the application;
12. Committee members expressed a general preference for JLWQA use over residential use to help retain the historic uses of SoHo as an artist's community;
13. CB2 has previously recommended approval of residential use in similar buildings, there are other buildings in the neighborhood that have been converted to residential use;
14. Because this is a vacant building with no apparent prior JLWQA use, no artists will be displaced by this action and the committee had no information that artists had previously lived in the building;
15. There is a public benefit to the required long term preservation of this 1878 loft building which is a contributing building in the historic district;

**Therefore it is resolved** that CB#2, Man. has no objection to a special permit to allow the proposed one-story enlargement of 111 Mercer Street and to allow residential use in the second through sixth floors of the enlarged building.

Vote: Unanimous, with 35 Board members in favor, and 3 in opposition (C. Dawson, D. Diether, J. Kiely).

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

Sincerely,



David Gruber, Chair  
Community Board #2, Manhattan



Tobi Bergman, Chair  
Land Use & Business Development Committee  
Community Board #2, Manhattan

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