

# Land Use Review Application

Department of City Planning

120 Broadway, 31<sup>st</sup> Floor, New York, NY 10271

City Planning will assign and stamp reference numbers here

APPLICATION NUMBER

APPLICATION NUMBER

APPLICATION NUMBER

APPLICATION NUMBER

## 1. APPLICANT AND APPLICANT'S REPRESENTATIVES

REEC St Marks LP

APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION) \*

18 East 48<sup>th</sup> Street, Penthouse  
STREET ADDRESS

New York NY 10017  
CITY STATE ZIP

212 682-2121  
AREA CODE TELEPHONE # FAX#

Gary Tarnoff, Esq. gtarnoff@kramerlevin.com  
APPLICANT'S PRIMARY REPRESENTATIVE

Kramer Levin Naftalis & Frankel LLP  
REPRESENTATIVE'S COMPANY/AGENCY OR OTHER ORGANIZATION

1177 Avenue of the Americas  
STREET ADDRESS

New York NY 10036  
CITY STATE ZIP

212 715-7833 212 715-7850  
AREA CODE TELEPHONE # FAX#

\* List additional applicants below:

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)

CO-APPLICANT (COMPANY/AGENCY OR OTHER ORGANIZATION)  
ADDITIONAL APPLICANT REPRESENTATIVE:

Morris Adjmi, Morris Adjmi Architects 212 982-2020  
NAME AND PROFESSIONAL AFFILIATION (ATTORNEY/ARCHITECT/ENGINEER ETC.) TELEPHONE # FAX #

3 St. Marks Place 3 St. Marks Place  
STREET ADDRESS PROJECT NAME (IF ANY)

On the north and south sides of St. Marks Place, between Second and Third Avenues  
DESCRIPTION OF PROPERTY BY BOUNDING STREETS OR CROSS STREETS

C6-1 12C  
EXISTING ZONING DISTRICT (INCLUDING SPECIAL ZONING DISTRICT DESIGNATION, IF ANY) ZONING SECTIONAL MAP NO(S).

Block 464, Lots 1, 3, & 59; Block 463, Lot 11 Manhattan 3  
TAX BLOCK AND LOT NUMBER BOROUGH COMM. DIST.

URBAN RENEWAL AREA, HISTORIC DISTRICT OR OTHER DESIGNATED AREA (IF ANY)

IS SITE A NEW YORK CITY OR OTHER LANDMARK? NO  YES  IF YES, IDENTIFY Hamilton-Holly House (4 St. Marks Place)

## 2. SITE DATA

(If the site contains more than one property complete the "LR Item 2. Site Data Attachment Sheet.")

## 3. DESCRIPTION OF PROPOSAL

(If the entire project description does not fit in this space, enter "see attached description" below and submit description on a separate sheet, identified as "LR item 3. Description of Proposal")  
See attached description.

## 4. ACTIONS REQUESTED AND FEES

(Check appropriate action(s) and attach supplemental form)

\* No supplemental form required

- CHANGE IN CITY MAP..... MM \$ \_\_\_\_\_
- ZONING MAP AMENDMENT.....ZM \$ \_\_\_\_\_
- ZONING TEXT AMENDMENT..... ZR \$ \_\_\_\_\_
- ZONING SPECIAL PERMIT ..... ZS \$ 5,215
- ZONING AUTHORIZATION.....ZA \$ \_\_\_\_\_
- ZONING CERTIFICATION ..... ZC \$ \_\_\_\_\_
- PUBLIC FACILITY, SEL./ACQ.....PF \$ \_\_\_\_\_
- DISPOSITION OF REAL PROP.....PP \$ \_\_\_\_\_
- URBAN DEVELOP'T ACTION.....HA \$ \_\_\_\_\_
- URBAN RENEWAL PROJECT.....\* \$ \_\_\_\_\_
- HOUSING PLAN & PROJECT..... \* \$ \_\_\_\_\_
- FRANCHISE.....\* \$ \_\_\_\_\_
- REVOCABLE CONSENT..... \* \$ \_\_\_\_\_
- CONCESSION.....\* \$ \_\_\_\_\_
- LANDFILL.....\* \$ \_\_\_\_\_
- OTHER (Describe) \$ \_\_\_\_\_

- MODIFICATION \$ \_\_\_\_\_
  - FOLLOW-UP \$ \_\_\_\_\_
  - RENEWAL \$ \_\_\_\_\_
  - OTHER \$ \_\_\_\_\_
- APPLICATION NO. \_\_\_\_\_
- APPLICATION NO. \_\_\_\_\_
- SPECIFY \_\_\_\_\_
- TOTAL FEE (For all actions) \$ 5,215**

Make Check or Money Order payable to Department of City Planning.  
If fee exemption is claimed check box below and explain

Has pre-application meeting been held?  NO  YES

If yes Xinyu Liang 2/14/2018  
DCP Office/Representative Date of meeting

5. ENVIRONMENTAL REVIEW

CITY ENVIRONMENTAL QUALITY REVIEW (CEQR) (Discuss with CEQR lead agency before completing)
LEAD AGENCY DCP CEQR NUMBER
TYPE OF CEQR ACTION:
TYPE II Type II category: Date determination was made:
TYPE I Has EAS been filed? Yes No
UNLISTED If yes, Date EAS filed:
Has CEQR determination been made? Yes No
If yes, what was determination? Negative Declaration CND Positive Declaration Date determination made: (Attach Copy)
If Positive Declaration, has PDEIS been filed?
Has Notice of Completion (NOC) for DEIS been issued? If yes, attach copy.
If PDEIS has not been filed, has final scope been issued? If yes, date issued:

6. COASTAL ZONE MANAGEMENT

IS SITE IN STATE DESIGNATED COASTAL ZONE MANAGEMENT (CZ M)? AREA? No Yes

7. RELATED ACTIONS BY CITY PLANNING

LIST ALL CURRENT OR PRIOR CITY PLANNING COMMISSION ACTIONS RELATED TO SITE:
APPLICATION NO. DESCRIPTION/ DISPOSITION/STATUS CAL. NO. DATE

8. RELATED ACTIONS BY OTHER AGENCIES

LIST ALL OTHER CURRENT OR PRIOR CITY, STATE OR FEDERAL ACTIONS RELATED TO APPLICATION:
REFERENCE NO. DESCRIPTION/ DISPOSITION/STATUS CAL. NO. DATE
LP-2157 Landmark designation of Hamilton-Holly House (4 St. Marks Place) 10/19/2004
COFA 19-9359 LPC Certificate of Appropriateness LPC-19-6677 3/02/2017
MOU - - - - - LPC Report LPC- - - - - / /2018

9. FUTURE ACTIONS REQUIRED

LIST ALL FUTURE CITY, STATE OR FEDERAL ACTIONS REQUIRED TO IMPLEMENT THE PROPOSED ACTION:

10. APPLICANT (Attach authorizing resolution(s), if applicable)

Mark Seigel
NAME AND TITLE OF APPLICANT OR AUTHORIZED REPRESENTATIVE

Mark A. Seigel 7/30/19
SIGNATURE OF APPLICANT DATE

REEC St Marks LP
APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION (IF ANY)

11. CO-APPLICANTS (Attach authorizing resolution(s), if applicable)

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE

SIGNATURE OF CO-APPLICANT DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS CITY STATE ZIP TEL.NO. FAX

NAME AND TITLE OF CO-APPLICANT OR AUTHORIZED REPRESENTATIVE

SIGNATURE OF CO-APPLICANT DATE

CO-APPLICANT'S COMPANY/AGENCY OR OTHER ORGANIZATION

STREET ADDRESS CITY STATE ZIP TEL.NO. FAX

ADMINISTRATIVE CODE

ANY PERSON WHO SHALL KNOWINGLY MAKE A FALSE REPRESENTATION ON OR WHO SHALL KNOWINGLY FALSIFY OR CAUSE TO BE FALSIFIED ANY FORM, MAP, REPORT OR OTHER DOCUMENT SUBMITTED IN CONNECTION WITH THIS APPLICATION SHALL BE GUILTY OF AN OFFENSE PUNISHABLE BY FINE OR IMPRISONMENT OR BOTH, PURSUANT TO SECTION 10-154 OF THE CITY OF NEW YORK ADMINISTRATIVE CODE.

NOTICE

THIS APPLICATION WILL BE DEEMED PRELIMINARY UNTIL IT IS CERTIFIED AS COMPLETE BY THE DEPARTMENT OF CITY PLANNING OR THE CITY PLANNING COMMISSION. ADDITIONAL INFORMATION MAY BE REQUESTED OF THE APPLICANT BY THE DEPARTMENT OF CITY PLANNING.

# Special Permit/Authorization/Certification..... ZS/ZA/ZC

APPLICATION NO.

APPLICATION NO.

APPLICATION NO.

(If more than five actions are being requested, enter "see attached" below, and list ALL PROPOSED ACTIONS in the same format as below on a separate sheet titled "Proposed Zoning Special Permits/ Authorization/ Certifications.")

Action(s) requested pursuant to ZR (Check one box for each proposed action)	Special Permit (ZS)	Authorization (ZA)	Certification (ZC)	PURSUANT TO:	ZONING RESOLUTION SECTION TITLE	TO MODIFY:
				ZONING RESOLUTION SECTION NUMBER		SECTION NO. (If applicable)
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	74-79	Transfer of Development Rights from Landmark Sites	33-432
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>			

HAS A DRAFT RESTRICTIVE DECLARATION BEEN INCLUDED WITH THIS APPLICATION? YES  NO

WILL ALL PARTIES IN INTEREST TO THE PROPERTY AGREE TO A RESTRICTIVE DECLARATION IF REQUIRED? YES  NO

**Property ownership/ interest**

CHECK APPLICABLE BOX(ES) (If more than one box is checked in the left column, please explain below).

APPLICANT:

- IS OWNER OF SUBJECT PROPERTY
- IS LESSEE OF SUBJECT PROPERTY
- HAS CONTRACT TO LEASE/BUY SUBJECT PROPERTY
- IS OTHER (explain real property interest below)

APPLICANT:

- IS A CITY AGENCY
- IS A STATE OR FEDERAL AGENCY

**Discussion of findings**

**STATEMENT IN SUPPORT OF REQUIRED ZONING RESOLUTION FINDINGS/DECLARATION OF COMPLIANCE**

(This is the same discussion/statement as in Attachment #11. If it fits below, it may be put here instead of in a separate attachment. If Attachment #11 has been completed, you may leave this area blank).

**Land Use Review Application (LR) ..... Item 2. Site Data**

Application No. \_\_\_\_\_

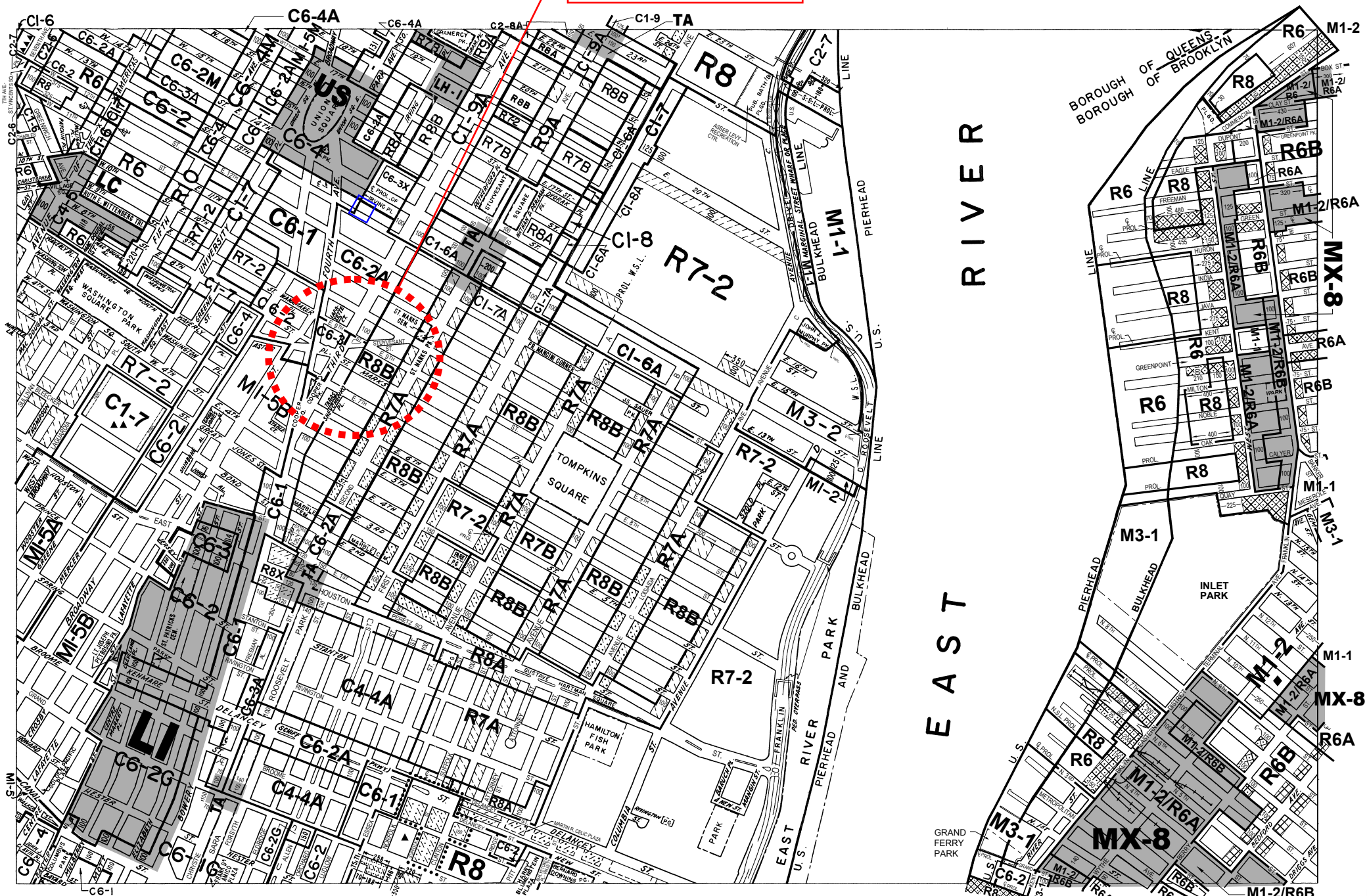
Enter all property information on this Attachment Sheet if the site contains more than one property.

TAX BLOCK OR TAX BLOCK RANGE (Enter Range only if all Lots in Range are Included)	TAX LOT(S) OR TAX LOT RANGE	ADDRESS (House Number and Street Name) OR BOUNDING STREETS OR CROSS STREETS (If No Address)
464	1, 3, & 59	3 St. Marks Place, 23 - 25 Third Avenue
463	11	4 St. Marks Place



Click blue outline on map to view diagram of proposed zoning change

**Proposed Project Area**



# ZONING MAP

THE NEW YORK CITY PLANNING COMMISSION

## Major Zoning Classifications:

The number(s) and/or letter(s) that follows an R, C or M District designation indicates use, bulk and other controls as described in the text of the Zoning Resolution.

- R – RESIDENTIAL DISTRICT
- C – COMMERCIAL DISTRICT
- M – MANUFACTURING DISTRICT

**SPECIAL PURPOSE DISTRICT**  
The letter(s) within the shaded area designates the special purpose district as described in the text of the Zoning Resolution.

AREA(S) REZONED

## Effective Date(s) of Rezoning:

10-11-2012 C 120226 ZMM

## Special Requirements:

For a list of lots subject to CEQR environmental requirements, see APPENDIX C.

For a list of lots subject to "D" restrictive declarations, see APPENDIX D.

For Inclusionary Housing designated areas and Mandatory Inclusionary Housing areas on this map, see APPENDIX F.

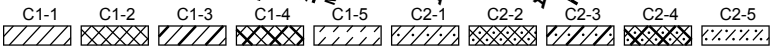
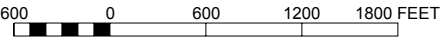
## CITY MAP CHANGE(S):

- ▲▲▲ 8-28-2015 C 150203 MMM
- ▲▲ 7-25-2015 C 120077 MMM
- ▲ 6-01-2013 C 120156 MMM
- ◆ AS CORRECTED 10-04-2017

## MAP KEY

8b	8d	9b
12a	<b>12c</b>	13a
12b	12d	13b

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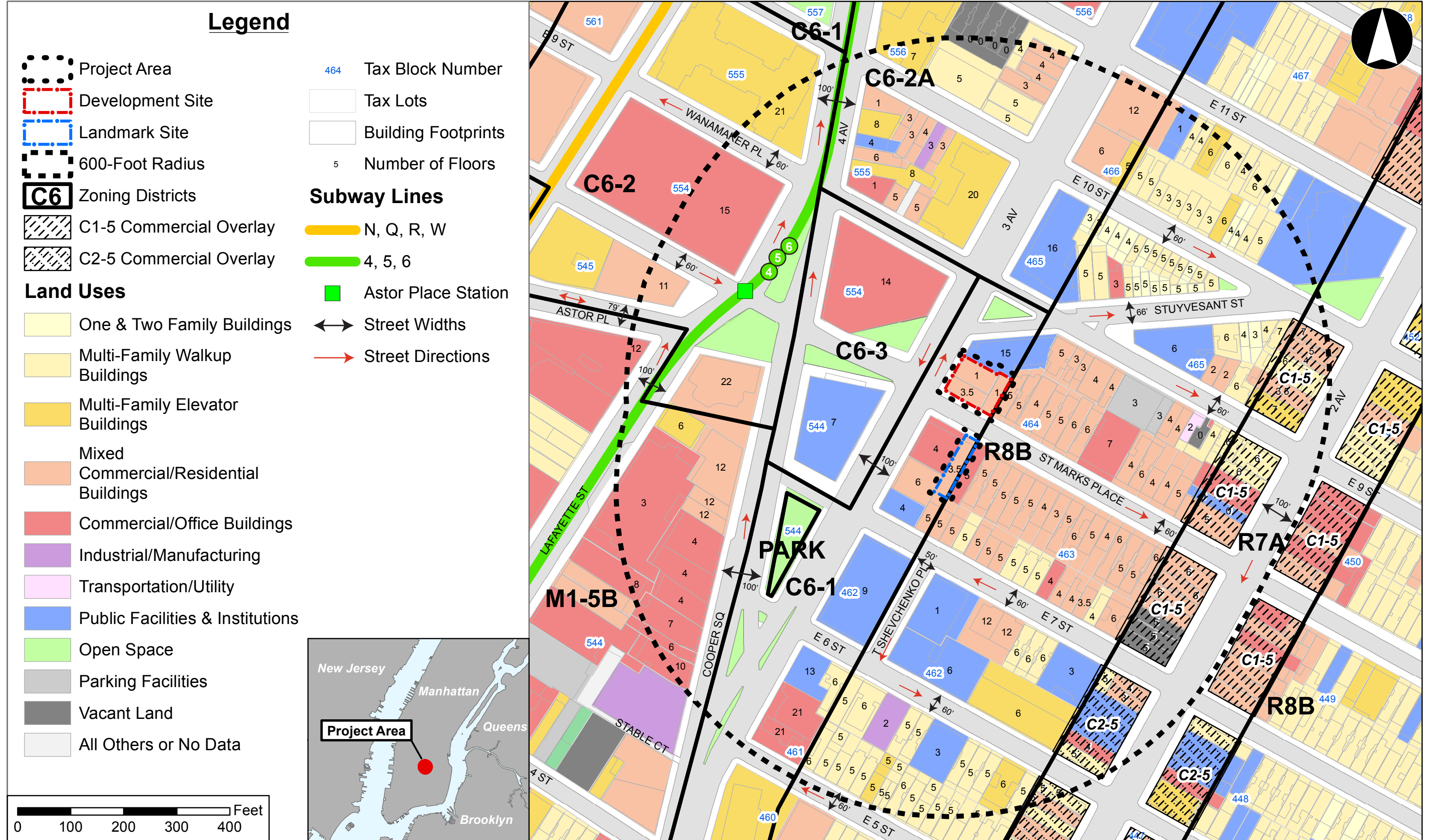
NOTE: Where no dimensions for zoning district boundaries appear on the zoning maps, such dimensions are determined in Article VII, Chapter 6 (Location of District Boundaries) of the Zoning Resolution.

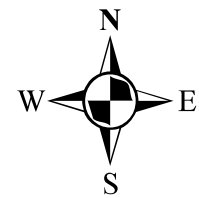
ZONING MAP 12c

NOTE: Zoning information as shown on this map is subject to change. For the most up-to-date zoning information for this map, visit the Zoning section of the Department of City Planning website: [www.nyc.gov/planning](http://www.nyc.gov/planning) or contact the Zoning Information Desk at (212) 720-3291.



# AREA MAP: Manhattan Block 464, Lots 1, 3, + 59; Block 463, Lot 11





### NYC Digital Tax Map

Effective Date : 01-11-2018 17:31:08

End Date : Current

Manhattan Block: 464

#### Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon
- Development Site
- Project Area

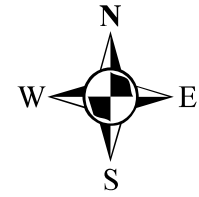






# NYC Digital Tax Map

Effective Date : 07-18-2018 12:22:56  
End Date : Current  
Manhattan Block: 463



### Legend

- Streets
- Miscellaneous Text
- Possession Hooks
- Boundary Lines
- Lot Face Possession Hooks
- Regular
- Underwater
- Tax Lot Polygon
- Condo Number
- Tax Block Polygon

- Landmark Site
- Project Area



## **3 ST. MARK'S PLACE**

**August 27, 2019**

### **1. Introduction**

REEC St Marks LP (the "Applicant") seeks a special permit from the City Planning Commission ("CPC") pursuant to Section 74-79 of the New York City Zoning Resolution (the "Zoning Resolution" or "ZR") to facilitate the construction of a ten-story building (the "Proposed Development") located at 3 St. Mark's Place in Manhattan (Block 464, Lots 1, 3, and 59) (the "Development Site"). The special permit would (a) allow a transfer of 8,386 square feet of development rights from the zoning lot located at 4 St. Mark's Place (Block 463, Lot 11) (the "Landmark Site" and, together with the Development Site, the "Project Area"), which is occupied by the Hamilton-Holly House (the "Landmark Building"), an individual landmark, and (b) modify the provisions of ZR Section 33-432 to allow the Proposed Development to penetrate the maximum front wall height and sky exposure plane within the 20-foot initial setback distance on St. Mark's Place.

### **2. Background**

There are no recent land use approvals that affect the Development Site.

The Landmark Building was designated as an individual landmark by the Landmarks Preservation Commission ("LPC") on October 19, 2004 (LP-2157). The designation was the subject of a CPC report to the City Council on December 8, 2004 (N 050150 HKM).

On March 2, 2017, LPC issued a Certificate of Appropriateness (COA 19-9359) allowing certain alterations to the Landmark Building, including replacement of storefront infill; replacement of windows and doors; restoration of the front façade; installation of a new metal balcony and fire escape; construction of a rear yard addition; and certain excavation work. LPC approved three amendments to the Certificate of Appropriateness in April and June 2017, and one in April 2018, to incorporate modifications to the original proposal ([LPC-19-09873](#), [LPC-19-12794](#), [LPC-19-18386](#), and [LPC-19-24903](#)) (the Certificate of Appropriateness, as so amended, the "CoA"). These modifications included elimination of portions of the rear addition, modifications to window types and sizes, and modifications to exterior materials and finishes. As discussed below, the owner of the Landmark Site has commenced work on the Landmark Building pursuant to the CoA and intends to complete such work independent of the proposed action.

As a condition of the special permit, the owner of the Landmark Site has agreed to undertake additional work—more expansive in scope than the approved work under the CoA—to restore the Landmark Building to a sound, first-class condition, and to thereafter implement a cyclical maintenance plan for the Building. On August 26, 2019, LPC issued a report under MOU-20-01663 (LPC-20-01663) (the "LPC Report"), a copy of which is included in this

application, supporting this application for a special permit pursuant to ZR Section 74-79. The LPC Report states that the restorative work:

Will return the building closer to its historic appearance and will reinforce the architectural and historic character of the building; that the proposed entrance infill will closely resemble historically appropriate prototypes of Federal style entrances found at other buildings of this age and style; that the bulk waivers will result in a four-story base on the new building that will have a better relationship with the landmark than the as-of-right five story-base; that the proposed new building, featuring a contemporary design that utilizes traditional materials such as brick and metal and articulated details and fenestration, with stepped multi-story setbacks above a four-story base, will have a harmonious relationship with the Hamilton-Holly Individual Landmark; that the implementation of a cyclical maintenance plan will ensure the continued maintenance of the building in a first class, sound condition; that 5% of the sale price of the development rights being transferred from the landmark to the new building will be deposited in the account dedicated to the maintenance and upkeep of the landmark;

The owner of the Landmark Site will enter into a restrictive declaration, binding upon the owner and its successor and assigns in perpetuity, implementing the approved continuing maintenance program.

### **3. Description of the Surrounding Area**

The Project Area is in the Borough of Manhattan, on the north and south sides of St. Mark's Place (East 8<sup>th</sup> Street), between Third Avenue and Second Avenue in Community District 3. It is located entirely within a C6-1 zoning district in the East Village neighborhood.

The surrounding area is a medium- to high-density neighborhood containing a mix of residential, commercial, and institutional land uses. Bowery and Fourth Avenue, which run through the area in a north-south direction, form the boundary between the East Village neighborhood, within which the Development Site is located, and the NoHo neighborhood to the west. The East Village is generally bounded by East Houston Street to the south, Bowery and Fourth Avenue to the west, East 14<sup>th</sup> Street to the north, and the East River to the east and accounts for much of the surrounding area's diverse land uses and building types. NoHo, which is generally bounded by East Houston Street to the south, Broadway to the west, Astor Place to the north, and Bowery and Fourth Avenue to the east, is defined primarily by its historic character and residential and commercial uses.

Existing buildings in the surrounding area vary greatly in height, bulk, and style. To the east of Third Avenue, along the area's east-west side streets, are numerous tenement style row houses containing residential and mixed uses. Along and to the west of Third Avenue are taller buildings with larger footprints, containing commercial, institutional, and residential uses.

The buildings along St. Mark's Place are generally four- to six-story tenements, constructed between 1900 and 1910. Another of Davis's three-and-one-half-story landmarked Federal-style townhouses, known as the Daniel Leroy House, remains at 20 St. Mark's Place. Also landmarked is the German-American Shooting Society Clubhouse, constructed in 1888,

which is located to the east of the Landmark Site at 12 St. Mark's Place. Excepting a seven-story office building constructed in 1920 on the north side of the street at 19 St. Mark's Place, the buildings lining both sides of the street generally contain retail uses, including restaurants, bars, tattoo parlors, and small gift shops on the ground floor with residential uses above.

Immediately to the north of Project Area, at the southeast corner of Third Avenue and Stuyvesant Street, is a 15-story dormitory building owned by the private college, Cooper Union, one of several institutional uses in the area. Cooper Union also owns a 14-story office building at 51 Astor Place, constructed in 2012, directly across Third Avenue from the Development Site and, farther south, the landmarked Foundation Building, Cooper Union's original academic building, constructed in 1859. These buildings define the eastern edge of Astor Place, a significant neighborhood commercial hub at the intersection of Fourth Avenue and Lafayette Street. Buildings surrounding Astor Place and Cooper Square, are large in scale and contain commercial office, residential, hotel, and big-box retail uses. They include, in addition to the dormitory and office buildings noted above, a 22-story residential tower at 443 Lafayette Street, built in 2004, and a 20-story residential tower at 30 Third Avenue, built in 1965.

Cooper Union's campus extends to the south of the Project Area, where it occupies an academic building on Third Avenue between East 6<sup>th</sup> and East 7<sup>th</sup> Streets. A dormitory building immediately to the south, across East 6<sup>th</sup> Street, houses students of Marymount Manhattan College. New York University ("NYU") also has a presence in the neighborhood, with a 16-story dormitory and a six-story academic building, both located on the block bounded by Second and Third Avenues and East 9<sup>th</sup> and East 10 Streets; an additional dormitory located at 40 East 7<sup>th</sup> Street; and an academic building on Second Avenue between east 6<sup>th</sup> and East 7<sup>th</sup> Streets. NYU also occupies academic and administration buildings located on and to the west of Cooper Square.

In addition to academic uses, there are several other cultural and institutional uses in the surrounding area, including an off-Broadway theater located in the landmarked Astor Library building on Lafayette Street; All Saint's Ukrainian Orthodox Church located at 206 East 11<sup>th</sup> Street; St. George's Ukrainian Catholic Church located at 30 East 7<sup>th</sup> Street and its associated high school located immediately to the south; the Ukrainian Museum of folk and fine art located at 222 East 6<sup>th</sup> Street; the landmarked Ottendorfer branch of the New York Public Library, located on the west side of Second Avenue between St. Mark's Place and East 9<sup>th</sup> Street; and St. Mark's-in-the-Bowery Church, also an individual landmark, located on the northwest corner of Second Avenue and East 10<sup>th</sup> Street. St. Mark's-in-the-Bowery dates to 1799 and is the oldest site of continuous Christian worship in New York City and the burial site of Peter Stuyvesant and other founding families of New York.

The surrounding area also contains several historic districts. The southern and eastern portions of the block that contains the Landmark Building fall within the East Village/Lower East Side Historic District, which extends along Second Avenue to East 2<sup>nd</sup> Street and includes some midblock areas between Avenue A and Cooper Square, which are lined with examples of three- to five-story Greek Revival-style row houses constructed in the early 19<sup>th</sup> century. To the north of the Project Area, between Stuyvesant Place and East 11<sup>th</sup> Street, is the St. Mark's Historic District, which includes the St. Mark's-in-the-Bowery Church and Stuyvesant-Fish

House, discussed above, along with several intact rows of elegant residences dating from the turn of the 19<sup>th</sup> century. Finally, to the east of the Project Area is the NoHo Historic District, which is bounded generally by East 9<sup>th</sup> Street, Broadway, Houston Street and Bowery.

Major thoroughfares in the surrounding area include Lafayette Street and Fourth, Third, and Second Avenues. Each of these has at least one bus line that serves the neighborhood, including the M1 on Lafayette and Fourth Avenues, the M101, M102, and M103 on Third Avenue, and the M15, which includes Select Bus Service, which runs downtown on Second Avenue. The M8 runs westbound on St. Mark's Place and eastbound on East 9<sup>th</sup> Street. The Project Area is served by the Astor Place station of the number 6 subway line, the 8<sup>th</sup> Street station of the N/Q/R/W subway line, and the Third Avenue station of the L subway line. Open spaces within the vicinity of the Project Area include the Fourth Avenue GreenStreet, which accommodates the Astor Place Subway Station, the Alamo Plaza, the Cooper Union Plaza, the 51 Astor Place Plazas, and Cooper Triangle.

The surrounding area includes a mix of commercial (C6-1, C6-3, C1-5, C6-2A) and contextual residential (R7A and R8B) zoning districts. The areas along Third Avenue to the north of East 9<sup>th</sup> Street and along Second Avenue are also mapped as Inclusionary Housing designated areas. The regulations of the C6-1 district allow residential, community facility, and commercial uses in Use Groups 1 through 12 and a basic maximum floor area ratio ("FAR") of 6.0 for commercial uses, 6.5 for community facility uses, and 3.44 for residential uses. The C6-1 district extends to the north and south of the Project Area along Third Avenue. The blocks to the west of the Project Area, across Third Avenue, are located within a C6-3 zoning district, which allows the same uses and building envelope as the C6-1 district but with a higher residential FAR. The midblocks between Second and Third Avenues, including the portion of St. Mark's Place located to the east of the Project Area, are mapped within an R8B district. Second Avenue, farther east, is mapped within an R7A district and a C1-5 commercial district overlay. The R8B and R7A districts are medium-density contextual districts that do not allow commercial uses on an as-of-right basis and limit new development to an FAR of 4.0. Within the Inclusionary Housing designated areas, zoning lots containing residential use are subject to a lower base maximum FAR than would otherwise apply, but are eligible for a floor area bonus for the provision of affordable housing in accordance with the Inclusionary Housing Program.

#### **4. Description of the Project Area**

The Project Area consists of the Development Site and the Landmark Site. The Development Site is an irregular lot located at the northeast corner of St. Mark's Place and Third Avenue, with frontages of 98 feet on St. Mark's Place (a narrow street) and 70 feet on Third Avenue (a wide street). The Landmark Site is an interior lot located on the south side of St. Mark's Place, with a street frontage of 26 feet. The Development Site is located across St. Mark's Place and opposite from the Landmark Site, making it an "adjacent lot," as defined in Section 74-79 of the Zoning Resolution.

The Development Site consists of three tax lots on Block 464: Lots 1, 3, and 59, comprising a total area of 6,988 square feet. It contains three low-rise buildings that are currently vacant and are proposed to be demolished in connection with the development of the



Proposed Development. Lot 1, located at the northeast corner of St. Mark's Place and Third Avenue, is improved with a four-story mixed-use building that most recently contained several small gift shops on the ground floor and two dwelling units on the upper levels. Lot 3 is improved with a one-story building fronting on Third Avenue that most recently contained an eating and drinking establishment. Lot 59 is also improved with a one-story building that contained an eating and drinking establishment. The existing buildings contain a total of approximately 8,735 square feet of floor area, consisting of approximately 6,655 square feet in commercial use and approximately 1,795 square feet in residential uses, for a total FAR of approximately 1.25.

The Landmark Site is occupied by the Landmark Building, a three-and-one-half-story Federal-style townhouse (the half story being an attic with two dormer windows) containing 10,074 square feet of floor area (3.22 FAR). The Landmark Building is characterized by Flemish bond brickwork, a gable roof with front and rear dormers, and Gibbs Surrounds around the front entrance door. It was constructed in 1831 by English-born real estate developer Thomas E. Davis, who sold it in 1833 to Col. Alexander Hamilton, son of first U.S. Secretary of the Treasury. The younger Hamilton resided there with his wife, mother, and half-sister Eliza Hamilton Holly and her husband, Sidney. In the 1840s, the home belonged to a family of candle merchants, the Van Wyck family, who inhabited it until 1863. It is believed that the Hamilton-Holly House served as a boarding house during this period. In the 1860s, a one-story rear addition was built with a first-floor meeting hall. The building was owned for the next 40 years by a butter merchant and, subsequently, from 1901 through 1953 by the musical instruments firm of C. Meisel, Inc. Through the 1950s and 1960s, the building was used as a playhouse and theater, reflecting the cultural ascendancy of St. Mark's Place at that time. From approximately 1969 to the present, the building has housed retail uses on the lower floors and three dwelling units above. The Landmark Site has a lot area of 3,120 square feet.

As of the date of this application, the Landmark Building is undergoing alterations pursuant to the CoA, as described above. This work will restore certain portions of the Landmark Building to their historic condition but will not restore the building to a sound, first-class condition. The work under the CoA is less extensive than the work that the owner would perform in connection with the grant of the special permit, as described in the LPC Report. The 10,074 square feet of existing floor area in the Landmark Building reflects an increase in floor area attributable to work under the CoA that has already been completed. The balance of work under the CoA and the restoration work proposed under this application will not result in any further changes in the building's floor area.

Both the Development Site and the Landmark Site are located in a C6-1 zoning district, which allows a basic maximum FAR of 6.0 for commercial uses, 6.5 for community facility uses, and 3.44 for residential uses. The basic maximum floor area for a commercial building on the Development Site, given a lot area of 6,988 square feet, is 41,928 square feet. The basic maximum floor area for non-community facility uses on the Landmark Site, given a lot area of 3,120 square feet, is 18,720 square feet. The Landmark Site therefore has 8,646 square feet of unused floor area (18,720 square feet – 10,074 square feet = 8,646 square feet).

The standard height and setback regulations of the C6-1 zoning district allow the front wall of a building to be built to a height of up to 85 feet or 6 stories, whichever is less, before

providing a required initial setback of 20 feet from a narrow street or 15 feet from a wide street Pursuant to ZR § 33-432, above such height and beyond such initial setback distance, a building may not penetrate a sky exposure plane that begins at a height of 85 feet above the street line and extends over the zoning lot with a slope of 2.7 feet (vertical) to 1 foot (horizontal), along a narrow street, or 5.6 feet (vertical) to 1 foot (horizontal), along a wide street.

## **5. Description of the Proposed Development**

The Applicant proposes to redevelop the currently underutilized Development Site with a ten-story commercial building with cellar and subcellar, containing a Use Group 6 retail use on the ground floor, Use Group 6 offices on the ground floor and above, and accessory uses in the cellar and subcellar. The proposed retail and office uses are permitted on an as-of-right basis in the C6-1 zoning district and are in keeping with the character of the immediately surrounding area, including the ground-floor retail uses along St. Mark's Place and the large office buildings along Third Avenue and Astor Place.

The Proposed Development would have a lot coverage of approximately 100 percent and total floor area of 50,314 square feet, consisting of 45,363 square feet of floor area in Use Group 6 office use and 4,951 square feet of floor area in Use Group 6 retail use. Pursuant to ZR § 74-792(b)(4), increases in floor area resulting from the transfer of development sites from a landmark to an adjacent zoning lot shall not exceed more than 20 percent of the maximum base floor area allowed on the zoning lot. The proposed 50,314 square feet of floor area is 20 percent more than the basic maximum floor area for a commercial building on the Development Site.

The front wall of the Proposed Development would be built at the street line to a height of four stories (approximately 62.91 feet), with three setbacks above the fourth floor (approximately 62.91 feet), seventh floor (approximately 108.17 feet), and ninth floor (approximately 138.66 feet), respectively. These setbacks would be designed as passive recreation space, providing a valuable amenity for the office tenants in the building. The maximum building height, exclusive of mechanical and elevator bulkheads, would be approximately 153.66 feet (maximum 155.66 feet), with the ground floor having a floor-to-ceiling height of approximately 14 feet 3 inches, the second through ninth floors each having a floor-to-ceiling height of approximately 12 feet, and the tenth floor having a floor-to-ceiling height of approximately 11 feet 3 inches.

The massing of the Proposed Development is designed to relate harmoniously to the surrounding area, including, in particular, the Landmark Building across St. Mark's Place. The building's first setback, which is more than 20 feet below the maximum front wall height of 85 feet, would visually reference the height of the Landmark Building and of the neighboring row houses and tenement buildings to the east on St. Mark's Place, in effect extending the street wall of these buildings to the intersection of St. Mark's Place and Third Avenue. The setback would also closely align with the base height of the Cooper Union dormitory building on Third Avenue, which abuts the Development Site to the immediate north, and the office building at 51 Astor Place, which is located directly across Third Avenue to the west.

The building walls on St. Mark's Place would angle in a slight northeast-to-southwest direction, accommodating setbacks of 8 feet above the fourth floor and 12 feet above the seventh

floor at the northern end of the Development Site, and setbacks of 10.89 feet above the fourth floor and 16.94 feet above the seventh floor at the southern end of the Development Site. These angled setbacks would strengthen the visual relationship between the Proposed Development and the surrounding area. The shallower setbacks at the northern end would relate to the existing built form along the midblock of St. Mark's Place, where the buildings, including the Landmark Building, are recessed at grade to a depth of approximately 8 feet. The southwesterly angles of the walls would visually gesture toward the open spaces and angled street walls of Astor Place.

As a condition of the proposed special permit, the exterior of the Landmark Building would be restored to a sound, first-class condition to match its historic, late-19<sup>th</sup> century appearance. As discussed in the LPC Report, at the front façade, the original brick and marble stone masonry surrounds, including the existing historic marble Gibbs surround at the entrance, would be restored. The entrance door would be replaced with a new paneled wooden door with sidelights designed to match historic conditions. The existing masonry stoop would be repaired to comply with rise and tread code requirements, and marble cladding would be added to match the historic appearance. The modern metal stairs connecting the sidewalk to the commercial parlor entrance would be removed and, along with the other front façade windows, would be replaced with period-appropriate windows with new brick moldings to match the historic Federal style. In addition, the existing asphalt shingle roofing on the Landmark Building would be removed and replaced with a new slate tile roof, the front and rear dormers would be restored, and the wooden roof cornices would be reconstructed, all to match historic conditions. The owner of the Landmark Site would implement a cyclical maintenance plan to ensure the continued maintenance of the Landmark Building, and would enter into a restrictive declaration to bind the owner and all heirs, successors, and assigns to this plan.

## **6. Action Necessary to Facilitate the Project**

The Applicant requests a special permit pursuant to ZR Section 74-79 to (a) transfer 8,386 square feet of development rights from the Landmark Site to the Development Site and (b) modify the provisions of ZR Section 33-432 to allow the Proposed Development to penetrate the maximum front wall height and sky exposure plane within the 20-foot initial setback distance on St. Mark's Place.

Pursuant to Section 74-79 of the Zoning Resolution, CPC may, by special permit, allow a transfer of unused floor area from a zoning lot containing an individual landmark to an "adjacent lot," as defined in Section 74-79, provided that, among other things, the resulting floor area on the adjacent lot does not exceed the basic maximum FAR by more than 20 percent. The Proposed Development would contain 50,314 square feet of floor area, which is 20 percent, or 8,386 square feet, more than the basic maximum commercial floor area of 41,928 square feet. The Landmark Site has 8,646 square feet of unused floor area, which is sufficient to allow a transfer of 8,386 square feet from the Landmark Site to the Development Site by a CPC special permit pursuant to ZR Section 74-79.

Section 74-79 also allows CPC to modify certain bulk regulations, including height and setback regulations, applicable to the adjacent lot. As shown on Drawings Z-010 and Z-020, portions of the Proposed Development along St. Mark's Place, from the sixth to the ninth floors, would encroach up to 12 feet within the 20-foot initial setback distance above the maximum

front wall height of 85 feet. The encroaching portions of the Proposed Development are contrary to ZR Section 33-432, requiring a modification of that section.

The proposed encroachments on St. Mark's Place allow a building massing for the Proposed Development that, as discussed above, relates harmoniously to the Landmark Building and the surrounding area. First, they would facilitate a building setback above the fourth floor (approximately 62.91 feet) by allowing floor area that would otherwise be located on the fifth floor to be accommodated at higher floors of the building. Without the proposed encroachments, the only building design that could rationally accommodate the proposed floor area is one that is built at the street line to the maximum front wall height of 85 feet. Second, the varied depth of encroachments results in the Proposed Development's angled street walls along St. Mark's Place. These angled street walls relate to the recessed building forms of the Landmark Building and other historic buildings along St. Mark's Place and, further, visually gesture from these buildings toward the open spaces and angled street walls of Astor Place. In addition, the proposed encroachments would allow for more accommodating floor plates at the building's upper floors, providing more programming flexibility for office tenants, and would facilitate the provision of rooftop passive recreation space, a valuable office amenity.

## **7. Conclusion**

Based on the foregoing and on the information presented in Attachment 11 of this application, the Applicant respectfully requests that CPC grant the special permit described herein pursuant to Zoning Resolution Section 74-79 to allow the construction of the Proposed Development.

**Special Permit Pursuant to ZR Section 74-79  
Attachment #11a - Discussion of Conditions**

**74-79**

***Transfer of Development Rights From Landmark Sites***

*In all districts except R1, R2, R3, R4 or R5 Districts or C1 or C2 Districts mapped within such districts, for #developments# or #enlargements#, the City Planning Commission may permit development rights to be transferred to adjacent lots from lots occupied by landmark #buildings or other structures#, may permit the maximum permitted #floor area# on such adjacent lot to be increased on the basis of such transfer of development rights, may permit, in the case of #developments# or #enlargements# containing #residences#, the minimum required #open space# or the density requirements to be reduced on the basis of such transfer of development rights, may permit variations in the front height and setback regulations and the regulations governing the size of required loading berths, and minor variations in #public plaza#, #arcade# and #yard# regulations, for the purpose of providing a harmonious architectural relationship between the #development# or #enlargement# and the landmark #building or other structure#.*

\*\*\*\*\*

**74-792**

***Conditions and limitations***

- (a) *For the purposes of this Section, except in C5-3, C5-5, C6-6, C6-7 or C6-9 Districts, the basic maximum allowable #floor area# for a #zoning lot# occupied by a landmark shall be the maximum #floor area# allowed by the applicable district regulations on maximum #floor area ratio# or minimum required #open space ratio# and shall not include any additional #floor area# allowed for #public plazas#, #arcades# or any other form of bonus whether by right or special permit.*

The proposed amount of development rights to be transferred from the Landmark Site to the Development Site is based on a maximum allowable floor area on the Landmark Site of 18,720 square feet. This floor area calculation is based on the floor area regulations of the C6-1 zoning district, which allow a basic maximum FAR of 6.0 for commercial uses. It does not include any additional floor area allowed for public plazas, arcades, or any other form of bonus.

- (b) *The maximum amount of #floor area# that may be transferred from any #zoning lot# occupied by a landmark #building# shall be computed in the following manner:*
- (1) *the maximum allowable #floor area# that could be built for #buildings# other than #community facility buildings# under existing district regulations on the same #zoning lot# if it were undeveloped;*
  - (2) *less the total #floor area# of all #buildings# on the landmark lot;*

- (3) *the figure computed from paragraphs (a) and (b) of this Section, inclusive, shall be the maximum amount that may be transferred to any one or number of adjacent lots; and*
- (4) *unused floor area may be transferred from one or any number of zoning lots occupied by a landmark building to one or any number of zoning lots adjacent to the landmark lot so as to increase the basic maximum allowable floor area that may be utilized on such adjacent zoning lots. For each such adjacent zoning lot, the increase in floor area allowed under the provisions of this Section shall in no event exceed the basic maximum floor area allowable on such adjacent zoning lot by more than 20 percent.*

Both the Development Site and the Landmark Site are located in a C6-1 zoning district, within which the maximum FAR for buildings other than community facility buildings is 6.0. Given a lot area of 3,120 square feet, this maximum FAR yields a maximum floor area on the Landmark Site of 18,720 square feet. As shown on Drawing Z-001, the Landmark Site contains 10,074 square feet of existing floor area, leaving 8,646 square feet of unused floor area available for transfer pursuant to ZR Section 74-79 (18,720 square feet – 10,074 square feet = 8,646 square feet). The 8,386 square feet of floor area that is proposed to be transferred from the Landmark Site to the Development Site is less than this amount.

The Development Site, following completion of the Proposed Development, would contain only commercial uses. The basic maximum floor area for commercial uses on the Development Site, given a maximum FAR of 6.0 and a lot area of 6,988 square feet, is 41,928 square feet. The proposed transfer of 8,386 square feet from the Landmark Site to the Development Site would increase the permitted floor area on the Development Site to 50,314 square feet of floor area, which is 20 percent more than the basic maximum commercial floor area of 41,928 square feet.

- (c) *When adjacent lots are located in C5-3, C5-5, C6-6, C6-7 or C6-9 Districts and are to be developed or enlarged with commercial buildings, the following conditions and limitations shall apply:*
  - (1) *the maximum amount of floor area that may be transferred from any zoning lot occupied by a landmark building shall be the maximum floor area allowed by Section 33-12 for commercial buildings on said landmark zoning lot, as if it were undeveloped, less the total floor area of all existing buildings on the landmark zoning lot;*
  - (2) *for each such adjacent zoning lot, the increase in floor area allowed by the transfer pursuant to this Section shall be over and above the maximum floor area allowed by the applicable district regulations; and*
  - (3) *the City Planning Commission may require, where appropriate, that the design of the development or enlargement include provisions for public amenities such as, but not limited to, open public spaces, subsurface pedestrian*

*passageways leading to public transportation facilities, #public plazas# and #arcades#.*

These conditions are not applicable.

- (d) *In any and all districts, the transfer once completed shall irrevocably reduce the amount of #floor area# that can be utilized upon the lot occupied by a landmark by the amount of #floor area# transferred. In the event that the landmark designation is removed or if the landmark #building# is destroyed, or if for any reason the landmark #building# is #enlarged# or the landmark lot is redeveloped, the lot occupied by a landmark can only be #developed# or #enlarged# up to the amount of permitted #floor area# as reduced by the transfer.*

Pursuant to a notice of restrictions to be recorded against the Landmark Site and the Development Site pursuant to ZR Section 74-793, the proposed transfer of 8,386 square feet of development rights from the Landmark Site to the Development Site will irrevocably reduce the amount of floor area that can be utilized for non-community facility buildings on the Landmark Site to 10,334 square feet.

\* \* \*

**Special Permit Pursuant to ZR Section 74-79  
Attachment #11b - Discussion of Findings**

**74-79**

***Transfer of Development Rights From Landmark Sites***

*In all districts except R1, R2, R3, R4 or R5 Districts or C1 or C2 Districts mapped within such districts, for #developments# or #enlargements#, the City Planning Commission may permit development rights to be transferred to adjacent lots from lots occupied by landmark #buildings or other structures#, may permit the maximum permitted #floor area# on such adjacent lot to be increased on the basis of such transfer of development rights, may permit, in the case of #developments# or #enlargements# containing #residences#, the minimum required #open space# or the density requirements to be reduced on the basis of such transfer of development rights, may permit variations in the front height and setback regulations and the regulations governing the size of required loading berths, and minor variations in #public plaza#, #arcade# and #yard# regulations, for the purpose of providing a harmonious architectural relationship between the #development# or #enlargement# and the landmark #building or other structure#.*

\*\*\*\*\*

**74-792**

***Conditions and limitations***

\* \* \*

***(e) As a condition of permitting such transfers of development rights, the Commission shall make the following findings:***

- (1) that the permitted transfer of #floor area# or variations in the front height and setback regulations will not unduly increase the #bulk# of any #development# or #enlargement#, density of population or intensity of use in any #block# to the detriment of the occupants of #buildings# on the #block# or nearby #blocks#, and that any disadvantages to the surrounding area caused by reduced access of light and air will be more than offset by the advantages of the landmarks preservation to the local community and the City as a whole;***

The permitted transfer of floor area from the Landmark Site to the Development Site, and the proposed modification of the height and setback regulations of ZR Section 33-432, would not unduly increase the bulk of the Proposed Development, the density of population in the area, or the intensity of use on the block to the detriment of neighboring occupants.

The increase in the Proposed Development's bulk would be modest, as only 8,386 square feet of development rights would be transferred to the Development Site. The requested modification of height and setback regulations would allow a small portion of the Proposed Development to penetrate the maximum front wall height and sky exposure plane within the 20-



foot initial setback distance on St. Mark's Place but at the street line would result in a front wall that is lower than the maximum front wall height. As discussed above, this modification would be for the purpose of providing a harmonious architectural relationship between the Proposed Development and the surrounding area, including, in particular, the Landmark Building. Further, at heights above the encroaching portion of the Proposed Development, the building would comply with applicable height and setback regulations and would, in fact, be set back from the applicable sky exposure plane. The Development Site's location at the intersection of St. Mark's Place and Third Avenue, a wide street, and its proximity to Astor Place would minimize any negative impacts of the increased bulk. As discussed in the Environmental Assessment Statement (the "EAS") submitted in support of this Application, the proposed special permit would not result in any potential adverse environmental impacts, including with respect to shadows, historic and cultural resources, urban design and visual resources, and neighborhood character.

The Proposed Development would contain retail uses on the ground floor area commercial offices above. Both of these uses are permitted on an as-of-right basis and are in keeping with the character of the surrounding area, including the ground-floor retail uses along St. Mark's Place and the large office buildings along Third Avenue and Astor Place. As discussed in the EAS, the special permit would not result in any potential adverse environmental impacts relating to increases in density or intensity of uses, including with respect to socioeconomic conditions, community facilities and services, open space, or transportation.

Any disadvantages to the surrounding area caused by the proposed bulk modifications would be more than outweighed by the benefits of the proposed restoration of the Landmark Building. As discussed in the Project Description included in this Application, the exterior of the Landmark Building would be restored to a sound, first-class condition to match its historic, late-19<sup>th</sup> century appearance. Among other things, the building's front façade (including entrance doors and windows), masonry stoop, commercial parlor entrance stairs, roof tiles, dormers, and cornices would all be restored to their historical conditions. The owner of the Landmark Site would implement a cyclical maintenance plan to ensure the continued maintenance of the Landmark Building, and would enter into a restrictive declaration to bind the owner and all heirs, successors, and assigns to this plan. The LPC Report found that this work will return the building closer to its historic appearance; that the exterior façade work will reinforce the architectural and historic character of the building; that the restorative work will bring the building up to a sound, first-class condition and aid in its long-term preservation; and that the implementation of a cyclical maintenance plan will ensure the continued maintenance of the building, in a sound, first-class condition.

- (2) ***that the program for continuing maintenance will result in the preservation of the landmark; and***

The owner of the Landmark Site has agreed to undertake work to restore the Landmark Building to a sound, first-class condition, and to thereafter implement a cyclical maintenance plan for the Building. The owner of the Landmark Site will enter into a restrictive declaration, binding upon the owner and its successor and assigns in perpetuity, implementing the approved continuing maintenance program.

The continuing maintenance program will result in the preservation of the Landmark Building. The LPC Report, submitted with this Application, states that a program has been established for the continuing maintenance of the Landmark Building and that such program contributes to a preservation purpose. In particular, LPC found that the proposed restorative work to the landmark building will return the building closer to its historic appearance; that the exterior façade work will reinforce the architectural and historic character of the building; that the restorative work will bring the building up to a sound, first-class condition; and that the implementation of a cyclical maintenance plan will ensure the continued maintenance of the building, in a sound, first-class condition.

- (3) *that in the case of landmark sites owned by the City, State or Federal Government, transfer of development rights shall be contingent upon provision by the applicant of a major improvement of the public pedestrian circulation or transportation system in the area.*

This finding is not applicable.

*The Commission shall give due consideration to the relationship between the landmark #building# and any #buildings developed# or #enlarged# on the adjacent lot regarding materials, design, scale and location of #bulk#.*

*The Commission may prescribe appropriate conditions and safeguards to minimize adverse effects on the character of the surrounding area.*



THE NEW YORK CITY LANDMARKS PRESERVATION COMMISSION  
1 CENTRE STREET 9TH FLOOR NORTH NEW YORK NY 10007  
TEL: 212 669-7700 FAX: 212 669-7780



August 26, 2019

ISSUED TO:

**Marisa Lago, Chairperson**  
**New York City Planning Commission**  
**120 Broadway, 31st Floor**  
**New York, NY 10271**

Re: LPC-20-01663  
MOU-20-01663  
4 ST. MARK'S PLACE  
Hamilton-Holly House, Individual Landmark  
MANHATTAN  
Block/Lot: 463 / 11

At the Public Meeting of June 18, 2019, following the Public Hearing and Public Meeting of April 9, 2019, the Landmarks Preservation Commission ("LPC") voted to approve a request to issue a favorable report to the City Planning Commission pursuant to Section 74-79 of the Zoning Resolution for a Modification of Bulk and transfer of development rights, as put forward in your application completed on March 14, 2019, and as the owner was notified in Status Update Letter 19-35844 (LPC 19-35844) issued on June 20, 2019.

In reviewing this proposal, the LPC noted that 4 St. Mark's Place ("The Designated Building") is described in the Hamilton-Holly House Individual Landmark Designation Report as a Federal style town house built in 1831. The LPC further noted that approximately 8,386 square feet of development rights will be transferred across the street from The Designated Building site to the development site at 3 St. Mark's Place, as part of the 74-79 application.

The LPC also noted that Certificate of Appropriateness 19-9359 (LPC 19-6677) issued March 2, 2017 was issued for the construction of a rear yard addition, replacement of storefront infill, windows, stoop, railings, and the entrance door, areaway alterations, and restorative work at all facades; and that Certificate of No Effect 19-34848 (LPC 19-34848) was issued on August 26, 2019 for restorative and corrective work at the primary facade to rescind Warning Letter 19-0446 issued for "façade work in noncompliance with Certificate of Appropriateness 19-9359, including but not limited to dormers, windows, and front entrance."

The proposal, as approved, was shown in a digital presentation, titled "LPC Application 3 Saint Marks Place,

Page 1

Issued: 08/26/19

DOCKET #: LPC-20-01663

New York, NY 10003, REEC St Marks LP," dated June 18, 2019, and including 42 slides. The proposal, as initially presented, was shown in a digital presentation, similarly titled, and dated April 9, 2019, and including 37 slides. Both presentations were prepared by Morris Adjmi Architects, and consisted of existing condition and historic photographs, drawings, photomontages, all of which were presented as components of the application at the Public Hearing and Public Meetings.

In reaching a decision to issue a favorable report, the Commission found that the restorative work approved pursuant to Certificate of Appropriateness 19-9359 and Certificate of No Effect 19-34848, including replacement of windows, restoration of dormers, and the installation of slate roofing, the restoration of the stoop and railings, and restorative work at all masonry facades, will return the building closer to its historic appearance and will reinforce the architectural and historic character of the building; that the proposed entrance infill will closely resemble historically appropriate prototypes of Federal style entrances found at other buildings of this age and style; that the bulk waivers will result in a four-story base on the new building that will have a better relationship with the landmark than the as-of-right five-story base; that the proposed new building, featuring a contemporary design that utilizes traditional materials such as brick and metal and articulated details and fenestration, with stepped multi-story setbacks above a four-story base, will have a harmonious relationship with the Hamilton-Holly House Individual Landmark; that the implementation of a cyclical maintenance plan will ensure the continued maintenance of the building in a first class, sound condition; that 5% of the sale price of the development rights being transferred from the landmark to the new building will be deposited in an account dedicated to the maintenance and upkeep of the landmark; and that the owners of the designated building have committed themselves to establishing a cyclical maintenance plan that will be legally enforceable by the Landmarks Preservation Commission under the provisions of a Restrictive Declaration, which will bind all heirs, successors and assigns, and which will be recorded at the New York County Registrar's Office.

The Declaration requires the Declarant to hire a qualified preservation professional, whose credentials are to be approved by LPC, to undertake comprehensive inspections every seven (7) years of the Designated Building's exterior and such portions of the interior which, if not properly maintained, would cause the Designated Building to deteriorate. The Declarant is required to perform all work identified in the resulting professional reports as being necessary to maintain the Designated Building in sound, first-class condition within stated time periods.

The staff of the Commission is available to assist you with these matters. Please direct inquiries to James Russiello.



Sarah Carroll  
Chair

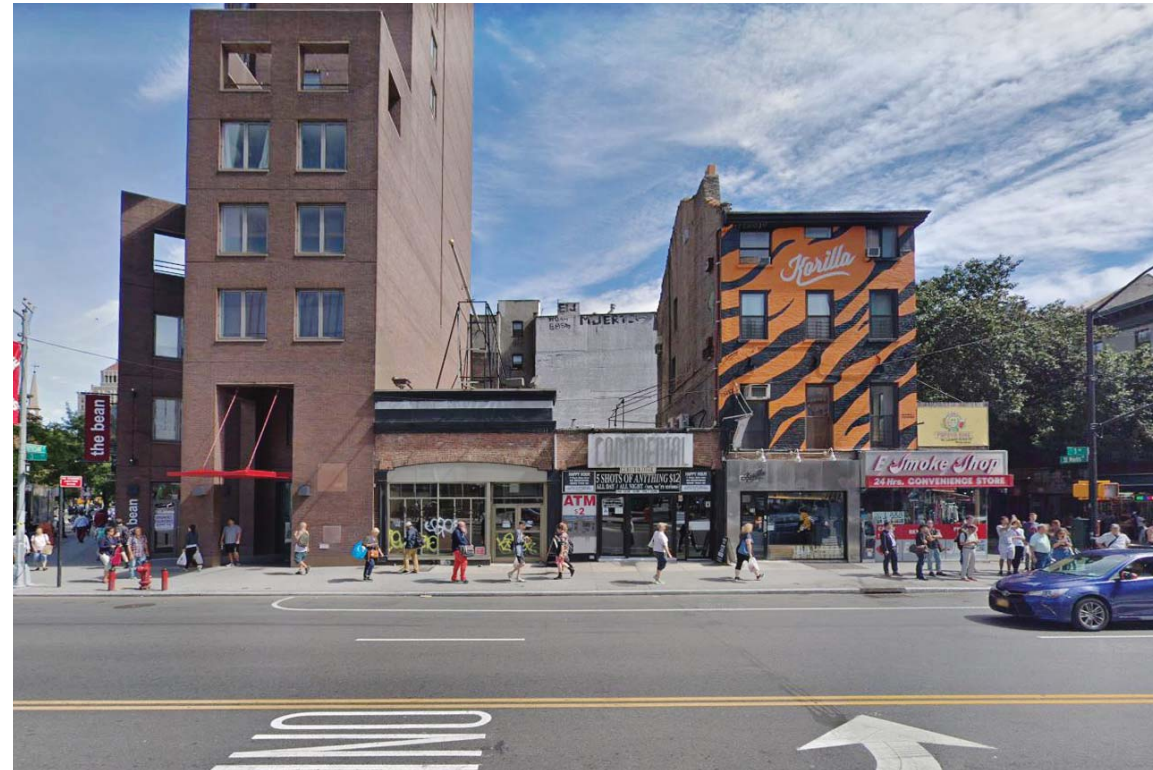
**cc:** Caroline Kane Levy, Deputy Director; Valerie Campbell, Partner, Kramer Levin Naftalis & Frankel LLP; Mark A. Silberman, LPC General Counsel; John Weiss, LPC Deputy Counsel; Cory Herrala, LPC Director of Preservation; Rick Serrapica, Liberty Place Property Management; Graeme Sowerby, Morris Adjmi Architects; Ward Dennis, Partner, Higgins Quasebarth & Partners, LLC; and Cheng Lin, SWA Architecture



**PROJECT AREA PHOTOGRAPHS**  
**3 SAINT MARKS PLACE - NEW YORK**



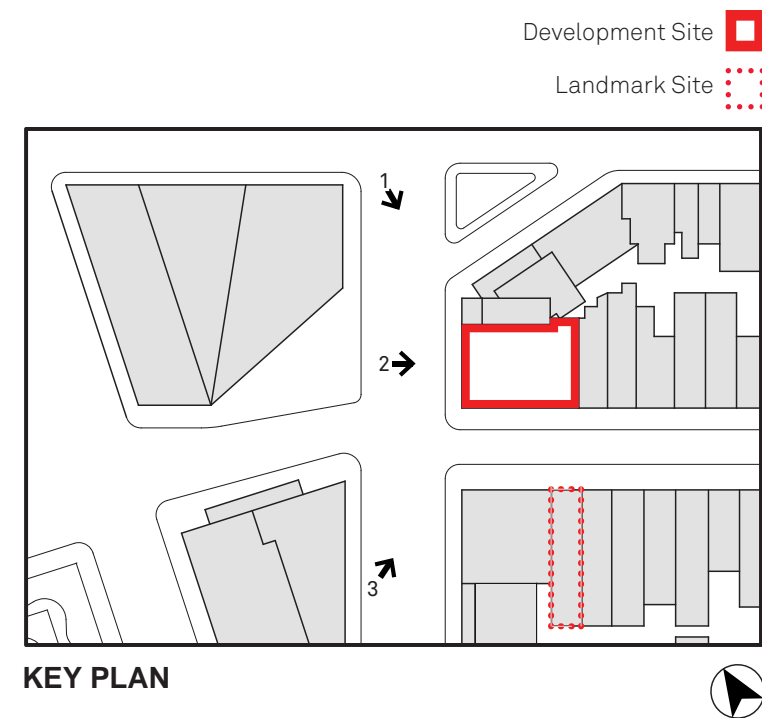
**1. VIEW ALONG 3RD AVENUE LOOKING SOUTH TOWARD DEVELOPMENT SITE**  
 Photograph Taken February 03, 2018



**2. VIEW ACROSS 3RD AVENUE LOOKING EAST TOWARD DEVELOPMENT SITE**  
 Photograph Taken June 20, 2018



**3. VIEW ALONG 3RD AVENUE LOOKING NORTH TOWARD DEVELOPMENT SITE**  
 Photograph Taken February 03, 2018





**PROJECT AREA PHOTOGRAPHS**  
**3 SAINT MARKS PLACE - NEW YORK**



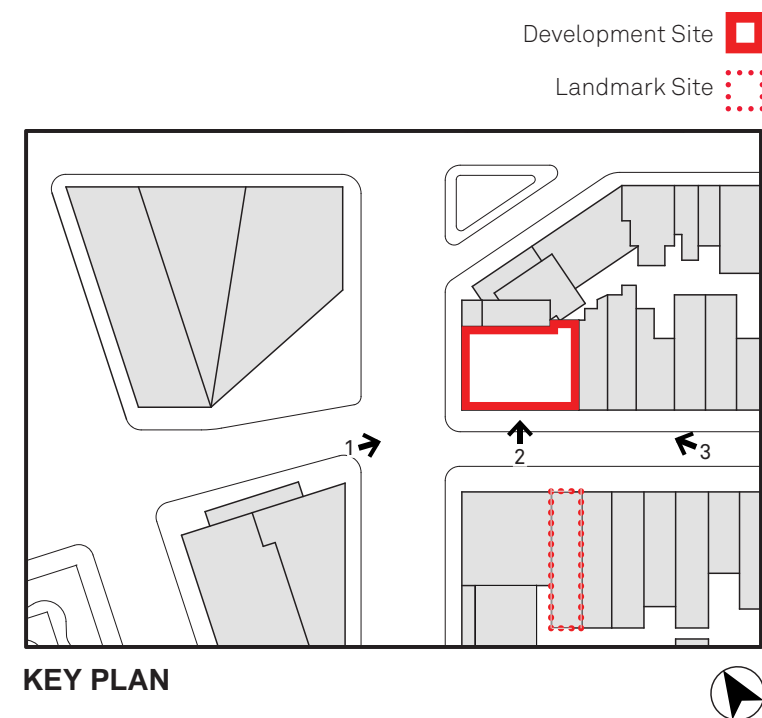
**1. VIEW ALONG EAST 8TH STREET LOOKING TOWARD DEVELOPMENT SITE**  
 Photograph Taken February 03, 2018



**2. VIEW ACROSS ST. MARKS PLACE LOOKING NORTH TOWARD DEVELOPMENT SITE**  
 Photograph Taken June 20, 2018



**3. VIEW ALONG ST. MARKS PLACE LOOKING WEST TOWARD DEVELOPMENT SITE**  
 Photograph Taken February 03, 2018





**PROJECT AREA PHOTOGRAPHS**  
**3 SAINT MARKS PLACE - NEW YORK**



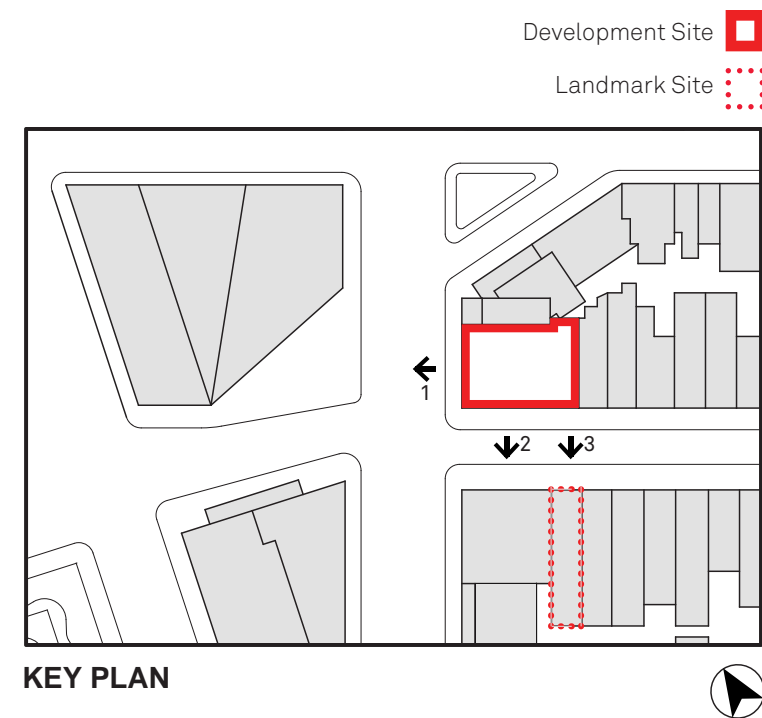
**1. VIEW ACROSS 3RD AVENUE LOOKING WEST FROM DEVELOPMENT SITE**  
 Photograph Taken June 20, 2018



**2. VIEW ACROSS ST. MARKS PLACE LOOKING SOUTH FROM DEVELOPMENT SITE**  
 Photograph Taken June 20, 2018



**3. VIEW ACROSS ST. MARKS PLACE LOOKING SOUTH TOWARD LANDMARK SITE**  
 Photograph Taken June 20, 2018





**PROJECT AREA PHOTOGRAPHS**  
**3 SAINT MARKS PLACE - NEW YORK**



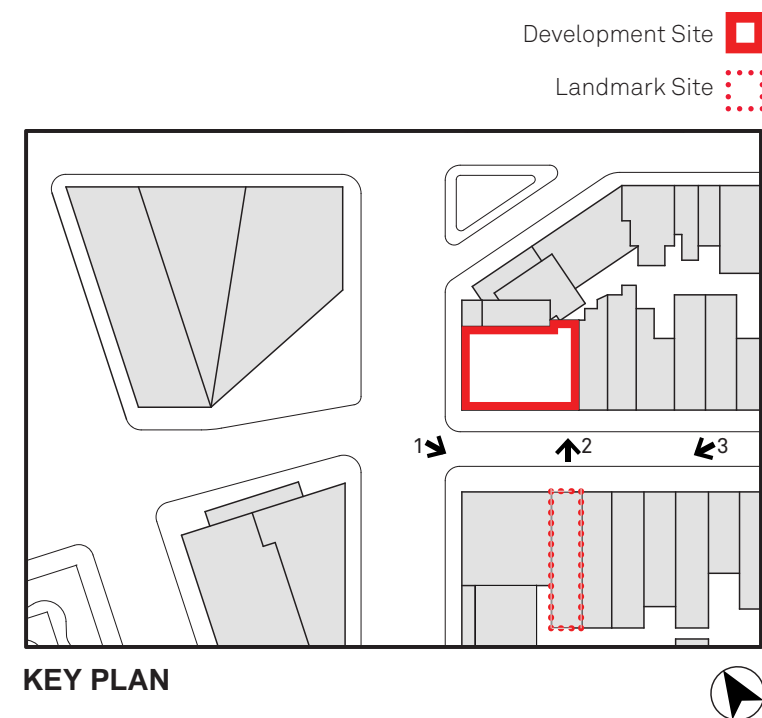
**1. VIEW ACROSS ST. MARKS PLACE LOOKING SOUTHEAST TOWARDS LANDMARK SITE** Photograph Taken June 20, 2018



**2. VIEW ACROSS ST. MARKS PLACE LOOKING NORTH TOWARDS DEVELOPMENT SITE** Photograph Taken February 03, 2018



**3. VIEW ACROSS ST. MARKS PLACE LOOKING SOUTHWEST FROM DEVELOPMENT SITE** Photograph Taken February 03, 2018







DRAWING LIST	
T-001.00	COVER PAGE
Z-001.00	LANDMARK/ADJACENT (RECEIVING/TRANSFER) SITE PLAN
Z-002.00	ADJACENT LOT (RECEIVING) SITE PLAN
Z-003.00	ADJACENT LOT (RECEIVING) ZONING ANALYSIS
Z-004.00	GROUND FLOOR PLAN
Z-010.00	WAIVER PLAN
Z-020.00	WAIVER SECTIONS
Z-030.00	BUILDING ELEVATION
Z-040.00	NEIGHBORHOOD CHARACTER DIAGRAMS
Z-041.00	NEIGHBORHOOD CHARACTER DIAGRAM

# ULURP SUBMISSION

3 Saint Marks Place  
New York, NY 10003

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Phone: 212-682-2121

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Phone: 212-982-2020

MEP/FP:  
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Iselin, NJ 08830  
Phone: 908-272-3300

STRUCTURAL:  
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Phone: 917-851-2197

LANDSCAPE:  
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ELEVATOR:  
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East Hanover, NJ 07936  
Phone: 973-984-9220

ACOUSTICAL:  
Longman Lindsey  
1410 Broadway, Suite 508  
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Phone: 212-315-6400

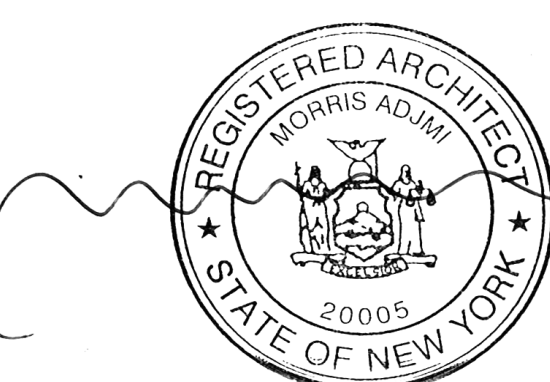
ENVELOPE:  
SGH (Simpson Gumpertz & Heger)  
550 Seventh Avenue, 10th Floor  
New York, NY 10018  
Phone: 212-271-7000

LIGHTING:  
Lighting Workshop  
33 Jay Street Suite 504  
Brooklyn, NY 11201  
Phone: 212-796-6510



Morris Adjmi Architects  
www.ma.com

BOROUGH: MANHATTAN  
BLOCK: 464  
LOTS: 1, 3, 59  
ULURP#:



DATE 09-24-2019

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SHEET 1 OF 10

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**3 Saint Marks Place**  
New York, NY 10003

BOROUGH: MANHATTAN  
BLOCK: 464  
LOT: 1, 3, 59  
ULURP:

**MA** Morris Adimi Architects  
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**LANDMARK LOT (TRANSFER SITE) - FLOOR AREA CALCULATIONS**

BOROUGH: MANHATTAN  
BLOCK: 463  
LOT: 11  
LOT AREA: 3,120 SF  
MAX. COMMERCIAL FAR: 6.00  
MAX. COMMERCIAL ZFA: 18,720 SF  
EXISTING ZFA TO REMAIN: 10,074 SF  
AVAILABLE ZFA BY TDR: 8,646 SF  
MAX. ZFA PERMITTED BY TDR: 8,386 SF 20% MAX. ZFA OF ADJACENT LOT (RECEIVING SITE)

REV NO	DATE	ISSUE
09-24-2019	ULURP SUBMISSION	

**OWNER/CLIENT:**  
REC (Real Estate Equities Corp)  
18 East 48th Street  
New York, NY 10017  
Phone: 212-682-2121

**EXPIEDITOR:**  
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New York, NY 10007  
Phone: 212-964-4464

**ARCHITECT:**  
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Phone: 212-962-2020

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East Hanover, NJ 07930  
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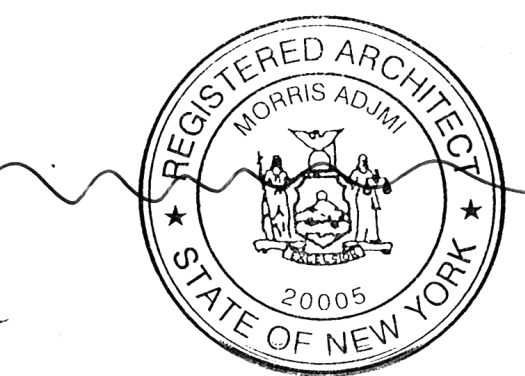
**LEGEND**

- ZONING LOT LINE
  - TAX LOT LINE
  - ZONE OF OVERLAP OF LANDMARK SITE AND DEVELOPMENT SITE FRONTAGES
  - PROPOSED MAX. BUILDING ENVELOPE
  - ZONING DISTRICT BOUNDARY
  - ILLUSTRATIVE BUILDING ENVELOPE
  - AWNING OR MARQUEE ABOVE
  - MECHANICAL EQUIPMENT SCREEN
  - TRAFFIC DIRECTION
  - COMMERCIAL ENTRANCE POINT
- 
- 8 STORY** HT: 90' - # STORIES
  - HT: 90' - BUILDING HEIGHT
  - S.E.P. SKY EXPOSURE PLANE
  - R9 / C2-5 ZONING DISTRICT
- 
- PROPOSED BUILDING
  - EXISTING BUILDING
- 
- STREET LAMP
  - TRAFFIC LIGHT
  - FIRE HYDRANT
  - EXISTING STREET TREE
  - PROPOSED NEW STREET TREE
  - FDNY BOX
  - BOLLARD

**GENERAL NOTES**

- APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
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SCALE: 1/16" = 1'-0"  
16' 8' 0' 8' 16' 32'



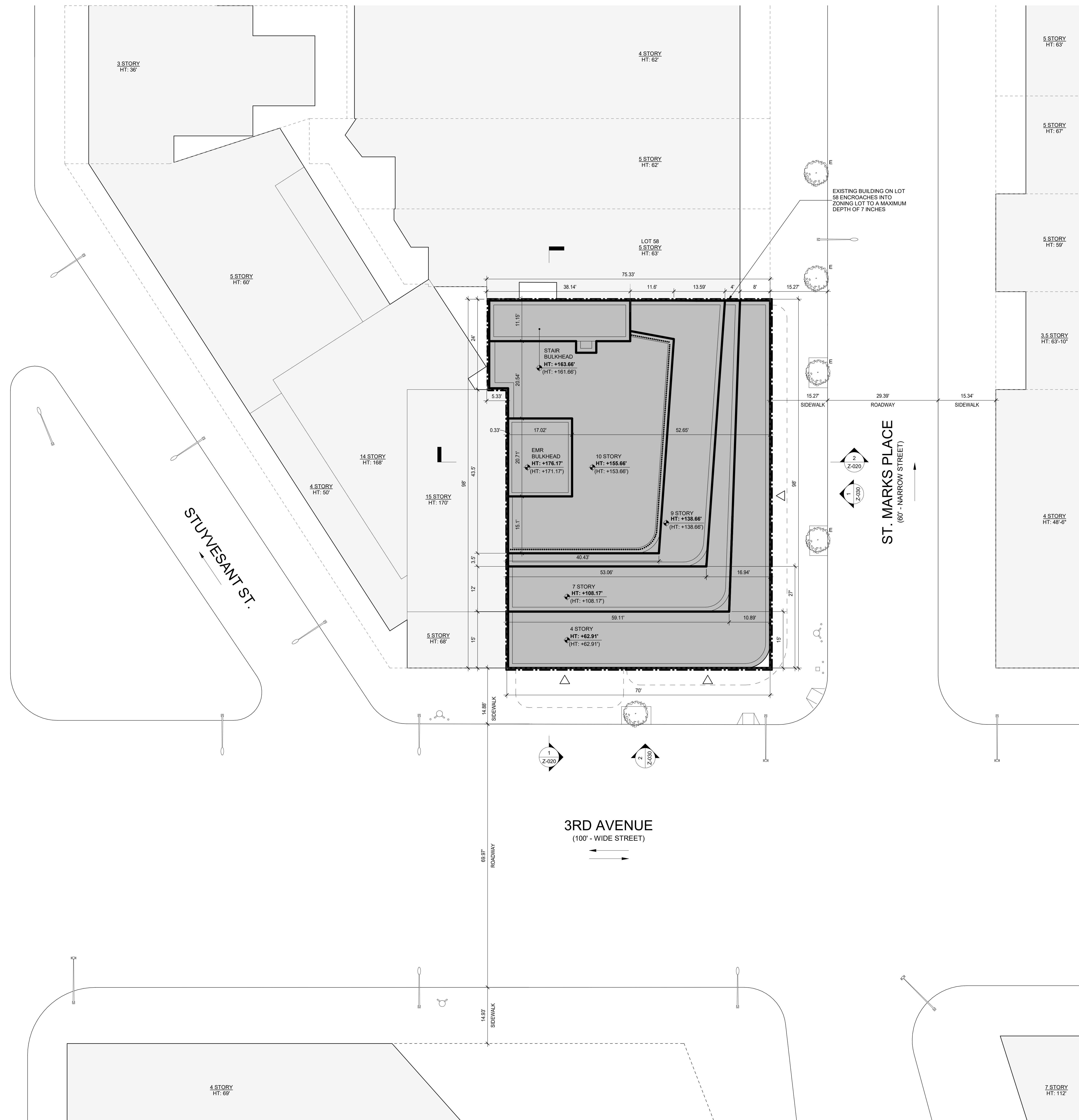
**LANDMARK/ADJACENT (RECEIVING/TRANSFER) SITE PLAN**  
**Z-001.00**  
MA PROJECT NO:1801 SHEET 2 OF 10  
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E. 9TH STREET

STUYVESANT ST.

ST. MARKS PLACE  
(60' - NARROW STREET)

3RD AVENUE  
(100' - WIDE STREET)

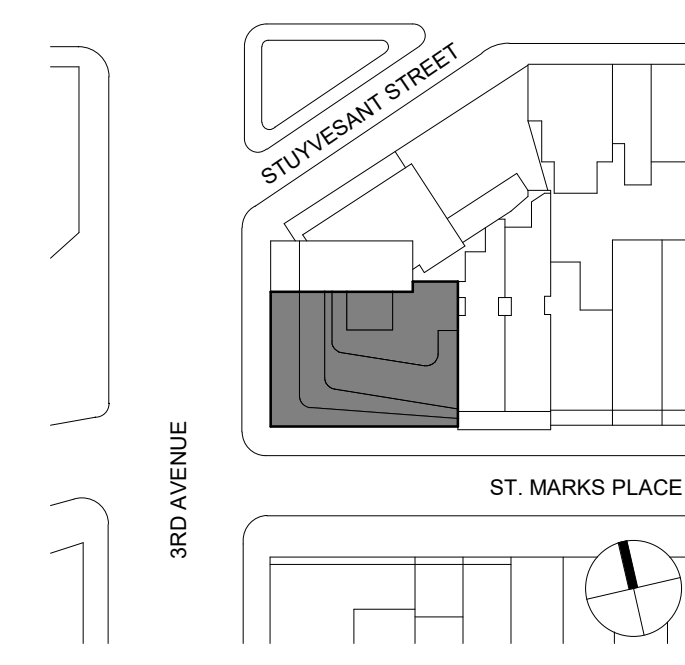


LEGEND

- COMMERCIAL ENTRANCE POINT
- 8 STORY HT: 90' ← # STORIES  
← BUILDING HEIGHT
- 5 UG 6B ← ZONING USE GROUP
- ← TRAFFIC DIRECTION
- ZONING LOT LINE
- TAX LOT LINE
- PROPOSED MAX. BUILDING ENVELOPE
- ILLUSTRATIVE BUILDING ENVELOPE
- AWNING OR MARQUEE ABOVE
- MECHANICAL EQUIPMENT SCREEN
- STREET LAMP
- TRAFFIC LIGHT
- HYDRANT
- # STORY HT: +0.00 (HT: +0.00) ← DESCRIPTION  
← PROPOSED ENVELOPE HEIGHT  
← ILLUSTRATIVE BUILDING HEIGHT
- S.E.P. SKY EXPOSURE PLANE  
PROPOSED BUILDING
- EXISTING BUILDING
- EXISTING STREET TREE
- PROPOSED NEW STREET TREE
- FDNY BOX
- BOLLARD

3 Saint Marks Place  
New York, NY 10003

BOROUGH: MANHATTAN  
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ULURP:



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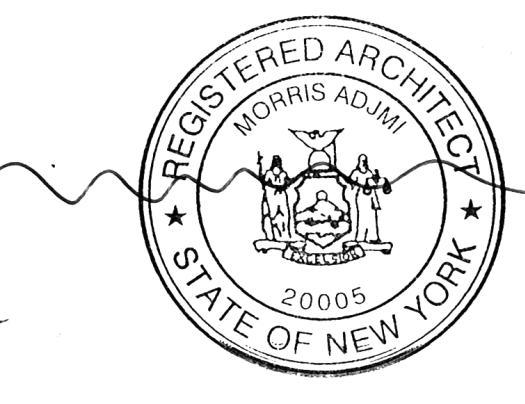
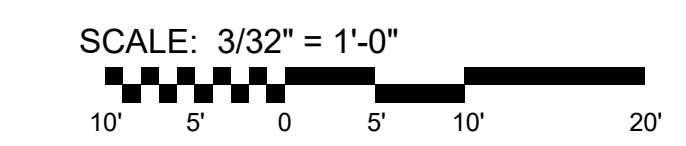
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ADJACENT LOT  
(RECEIVING) SITE PLAN

Z-002.00

MA PROJECT NO:1801 SHEET 3 OF 10

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ZONING ANALYSIS

ZR SECTION	ITEM / DESCRIPTION	PERMITTED / REQUIRED	PROPOSED	COMPLIANCE
<b>USE REGULATIONS</b>				
<b>USE GROUPS</b>				
32-10	USES PERMITTED AS OF RIGHT	USE GROUPS 1 - 12	USE GROUP 6	COMPLIES
<b>BULK REGULATIONS</b>				
<b>F.A.R.</b>				
	COMMERCIAL	6.00	PROPOSED BASE FAR: 6.00 TRANSFER AMOUNT FROM LANDMARK SITE: 1.20 20 PERCENT INCREASE = 7.20	PERMITTED WITH SPECIAL PERMIT PURSUANT TO 74-79
	COMMUNITY FACILITY	6.50	0.00	
<b>FLOOR AREA</b>				
33-122	COMMERCIAL	41,928 SF	PROPOSED BASE FAR: 41,928 SF TRANSFER AMOUNT FROM LANDMARK SITE: 8,386 SF 20 PERCENT INCREASE = 50,314 SF	PERMITTED WITH SPECIAL PERMIT PURSUANT TO 74-79
33-123	COMMUNITY FACILITY	45,422 SF	0 SF	
<b>YARDS</b>				
33-301	REAR YARD WITHIN 100 FEET OF CORNER	NONE	NONE	COMPLIES
33-25	NO SIDE YARD REQUIRED	NONE	NONE	COMPLIES
<b>HEIGHT &amp; SETBACK</b>				
<b>THIRD AVENUE (WIDE STREET)</b>				
	MAX. HEIGHT OF FRONT WALL	85 FT/6 STORIES	62.91 FT	COMPLIES
	INITIAL SETBACK	15 FT	15 FT	
	SKY EXPOSURE PLANE	5.6:1	5.6:1	
	ST. MARKS PLACE (NARROW STREET)			
	MAX. HEIGHT OF FRONT WALL	85 FT/6 STORIES	138.66 FT	DOES NOT COMPLY - CPC SPECIAL PERMIT PURSUANT TO 74-79 REQUIRED
	INITIAL SETBACK	20 FT	4 FT MINIMUM	
	SKY EXPOSURE PLANE	2.7:1	2.7:1	
<b>SPECIAL URBAN DESIGN GUIDELINES</b>				
<b>STREET TREE PLANTING</b>				
33-03	COMMERCIAL DISTRICTS	ONE STREET TREE SHALL BE REQUIRED FOR EVERY 25 FEET OF STREET FRONTAGE 95 FEET = 3.82 FEET = 2.8 7 STREET TREES REQUIRED	EXISTING TREES = 2 NEW TREES TO BE PLANTED = 1 TOTAL = 3*	* REMAINING REQUIRED TREES TO BE PROVIDED OFF-SITE OR PAID INTO FUND PURSUANT TO ZR SECTION 26-40
<b>OFF-STREET PARKING &amp; LOADING</b>				
13-10	OFF-STREET PARKING	PARKING IN MANHATTAN CORE	NONE	NONE
<b>LOADING BERTHS</b>				
36-62	OFFICE USE	NOT REQUIRED FOR FIRST 100,000 SF OF FLOOR AREA	FLOOR AREA 45,363 SF; NO LOADING BIRTH PROVIDED	COMPLIES
	RETAIL USE	NOT REQUIRED FOR FIRST 25,000 SF OF FLOOR AREA	FLOOR AREA 4,951 SF; NO LOADING BIRTH PROVIDED	COMPLIES
<b>BICYCLE PARKING</b>				
36-711	OFFICE USE	6 SPACE (1 PER 7,500 SF)	FLOOR AREA 45,363 SF; 6 SPACES PROVIDED	COMPLIES
	RETAIL USE	1 SPACE (1 PER 10,000 SF)	FLOOR AREA 4,951; 1 SPACE PROVIDED	COMPLIES

SITE DATA

BOROUGH	MANHATTAN
BLOCK	464
TAX LOTS	1, 3, 59
ADDRESS	3 SAINT MARKS PLACE
ZONING MAP	12C
ZONING DISTRICT	C6-1
ZONING LOT AREA	6,988 SF
HISTORIC DISTRICT	NO
COMMUNITY DISTRICT	3-MANHATTAN

3 Saint Marks Place  
New York, NY 10003

BOROUGH: MANHATTAN  
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ULURP:



REQUESTED ACTION

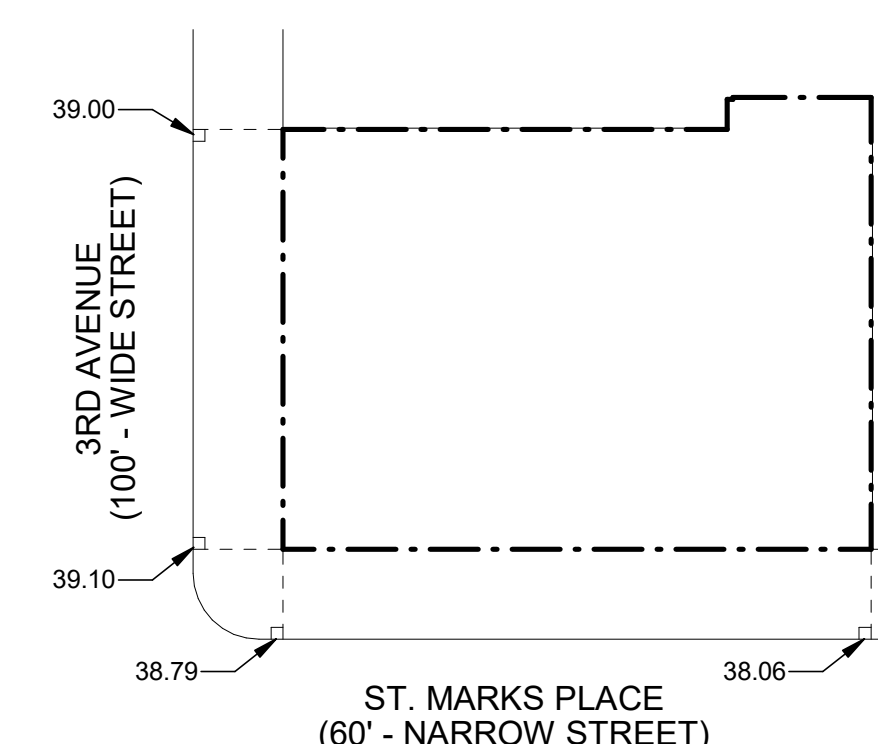
SPECIAL PERMIT PURSUANT TO ZR 74-79 (TRANSFER OF DEVELOPMENT RIGHTS FROM LANDMARK SITES)

FLOOR AREA SCHEDULE

FLOOR LEVEL	ZONING FLOOR AREA (SF)		
	USE GROUP 6B OFFICE	USE GROUP 6C RETAIL	TOTAL ALL USES
10	1,966 SF	-	1,966 SF
9	3,784 SF	-	3,784 SF
8	3,784 SF	-	3,784 SF
7	4,793 SF	-	4,793 SF
6	4,793 SF	-	4,793 SF
5	4,793 SF	-	4,793 SF
4	6,594 SF	-	6,594 SF
3	6,594 SF	-	6,594 SF
2	6,594 SF	-	6,594 SF
1-GROUND	1,550 SF	4,951 SF	6,501 SF
<b>TOTALS (ABOVE GRADE)</b>	<b>45,245 SF</b>	<b>4,951 SF</b>	<b>50,196 SF</b>
<b>CELLAR (GROSS SF)</b>	3,824 SF	3,083 SF	6,907 SF
<b>SUBCELLAR (GROSS SF)</b>	5,059 SF	0 SF	5,059 SF
<b>LOT 58 ENCROACHMENT</b>			<b>118 SF</b>
<b>ZONING LOT TOTAL</b>			<b>50,314 SF</b>

CURB LEVEL CALCULATION & DIAGRAM

THIRD AVENUE: 39.00' + 39.10' / 2 = 39.05'  
 ST. MARKS PLACE: 38.79' + 38.06' / 2 = 38.43'  
 CURB LEVEL = 39.05' + 38.43' / 2 = 38.74' = 0'-0"  
 NOTE: ALL ELEVATIONS ARE NAVD88



SCALE: 1/32" = 1'-0"

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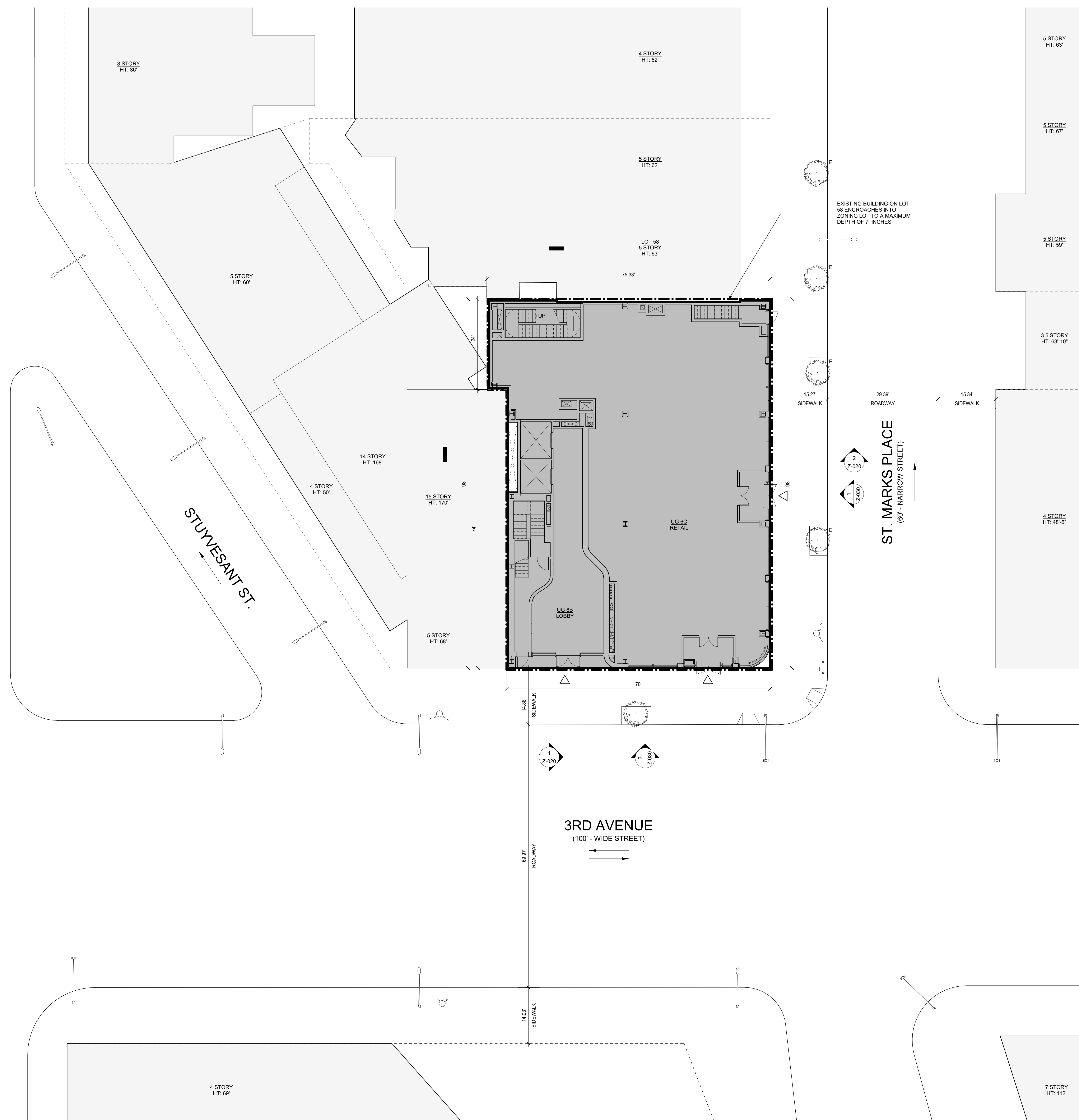
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ADJACENT LOT  
(RECEIVING) ZONING  
ANALYSIS  
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E. 9TH STREET

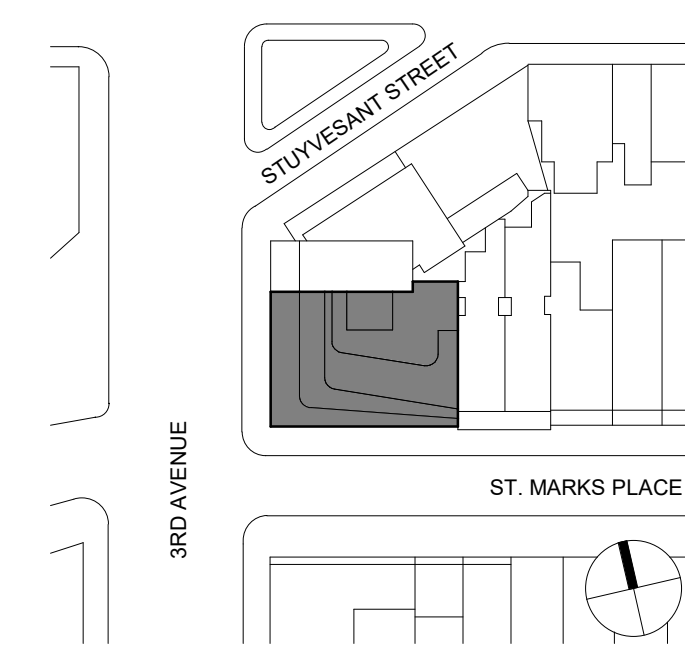


### LEGEND

- COMMERCIAL ENTRANCE POINT
- 8 STORY** ← # STORIES  
HT: 90' ← BUILDING HEIGHT
- 5** ← STORY #  
UG 6B ← ZONING USE GROUP
- ← TRAFFIC DIRECTION
- ZONING LOT LINE
- - - TAX LOT LINE
- ▬ PROPOSED MAX. BUILDING ENVELOPE
- ▬▬▬ ILLUSTRATIVE BUILDING ENVELOPE
- - - AWNING OR MARQUEE ABOVE
- ⋯ MECHANICAL EQUIPMENT SCREEN
- ⦿ STREET LAMP
- ⦿ TRAFFIC LIGHT
- ⦿ HYDRANT
- ← # STORY  
HT: +0.00  
(HT: -0.00) ← DESCRIPTION  
← PROPOSED ENVELOPE HEIGHT  
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- S.E.P. SKY EXPOSURE PLANE
- ▬ PROPOSED BUILDING
- ▬ EXISTING BUILDING
- ⦿ EXISTING STREET TREE
- ⦿ PROPOSED NEW STREET TREE
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- BOLLARD

### 3 Saint Marks Place New York, NY 10003

BOROUGH: MANHATTAN  
BLOCK: 464  
LOT: 1, 3, 59  
ULURP:



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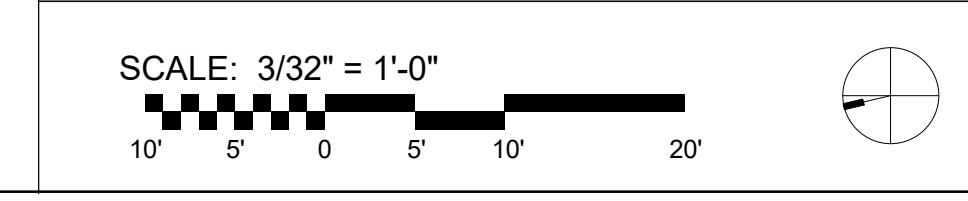
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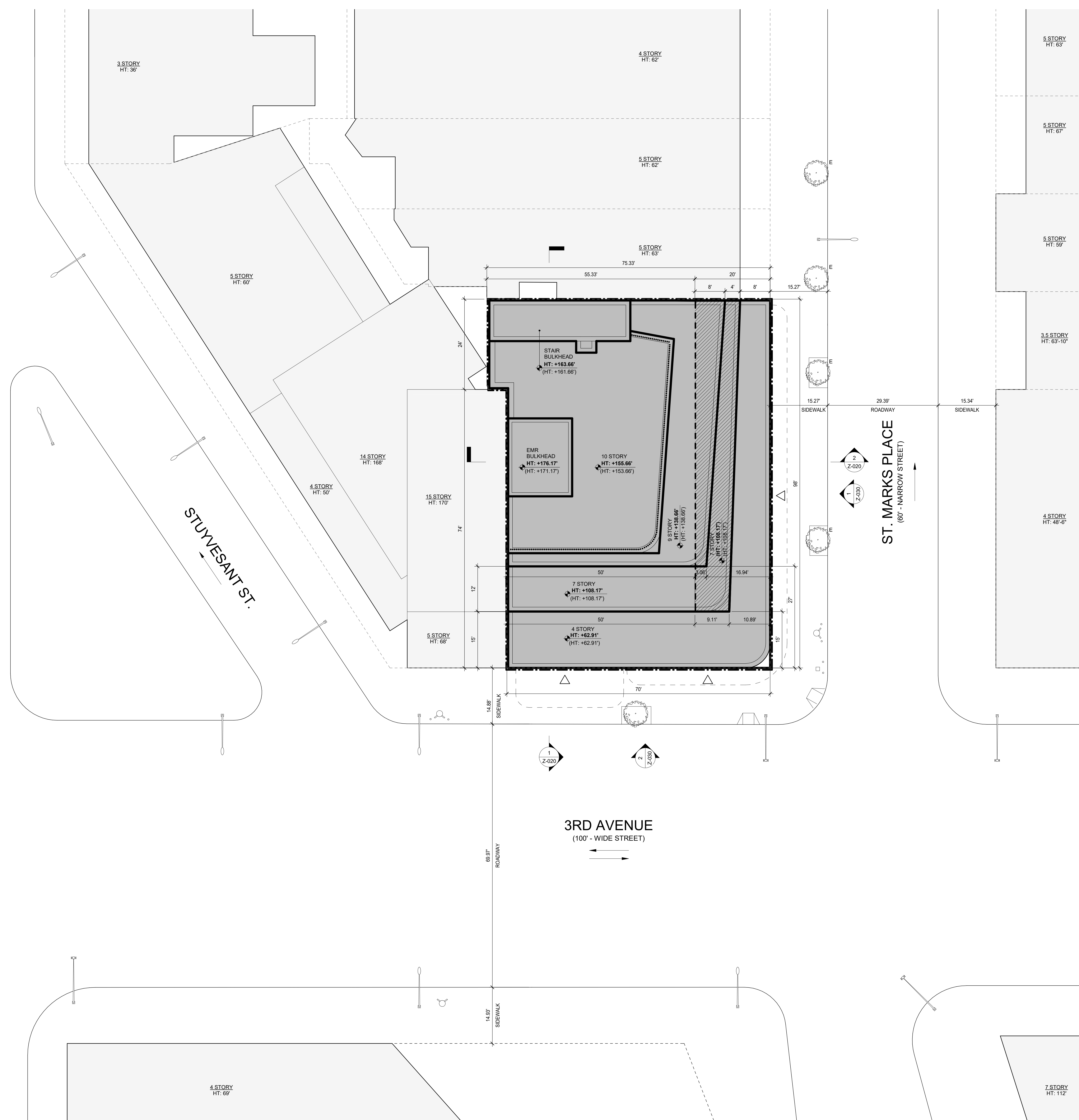
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### GROUND FLOOR PLAN

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E. 9TH STREET

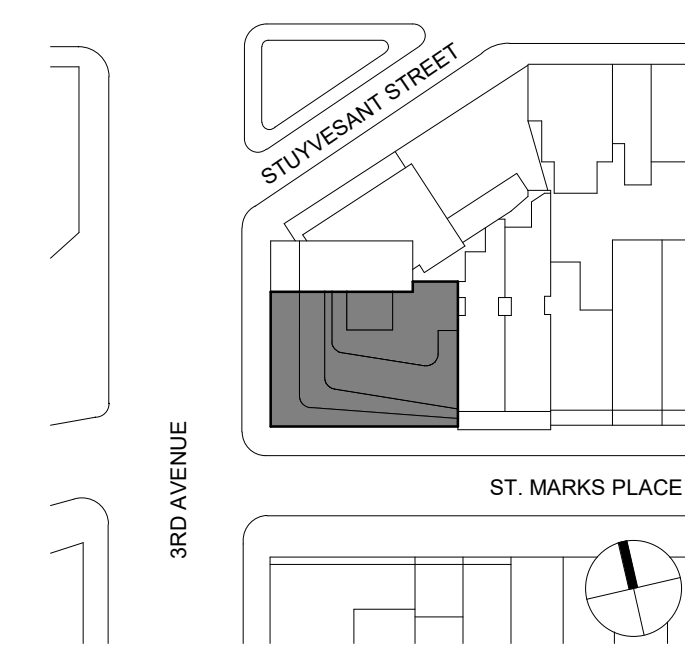


**LEGEND**

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- # STORIES  
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- TRAFFIC LIGHT
- HYDRANT
- # STORY  
HT: +0.00  
(HT: +0.00) DESCRIPTION  
PROPOSED ENVELOPE HEIGHT  
ILLUSTRATIVE BUILDING HEIGHT
- S.E.P. SKY EXPOSURE PLANE
- PROPOSED BUILDING
- EXISTING BUILDING
- ENCROACHMENT INTO INITIAL SETBACK DISTANCE ABOVE MAXIMUM FRONT WALL HEIGHT & SKY EXPOSURE PLANE REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-79
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- PROPOSED TREE
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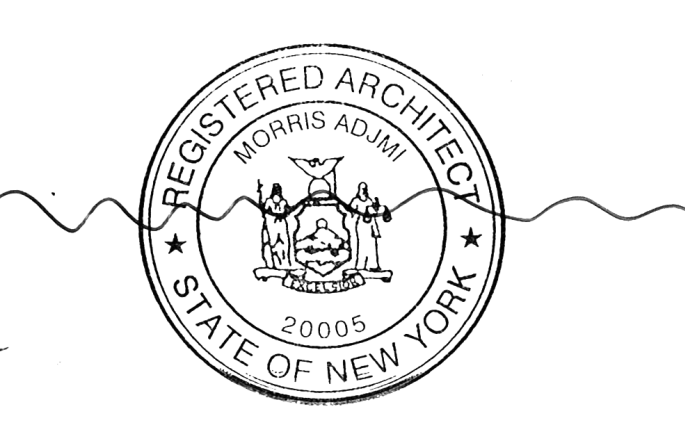
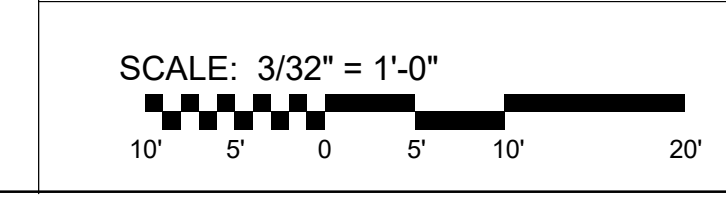
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**WAIVER PLAN**

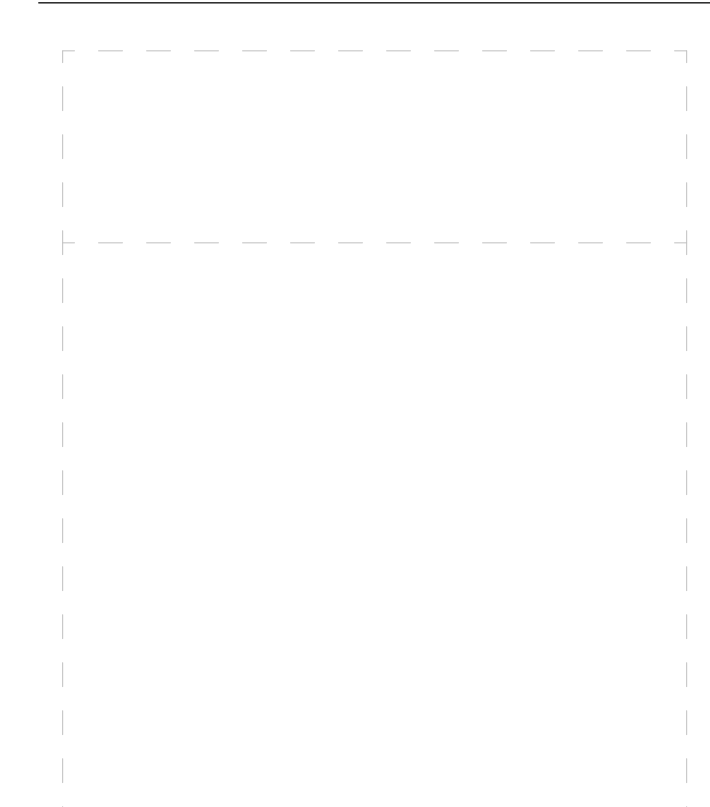
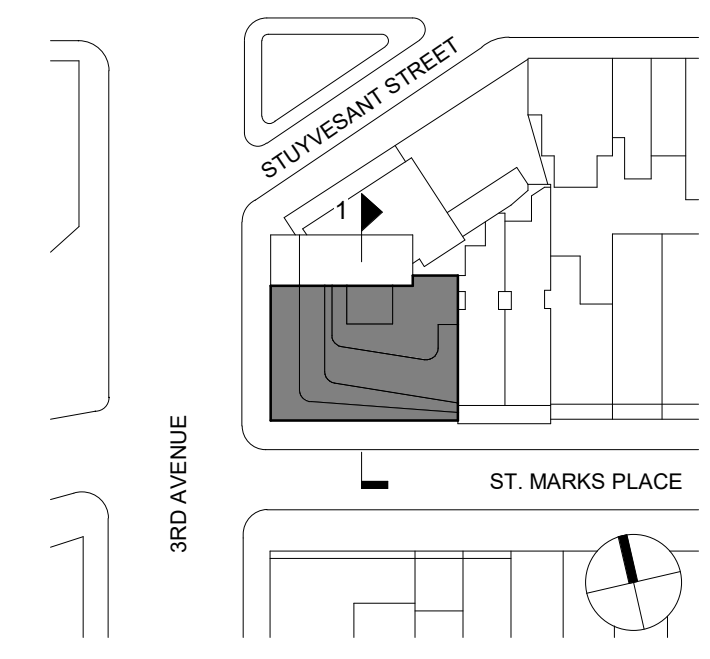
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**3 Saint Marks Place**  
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09-24-2019		ULURP SUBMISSION

**OWNER/CLIENT:**  
REC (Real Estate Equities Corp)  
18 East 48th Street  
New York, NY 10017  
Phone: 212-662-2121

**ARCHITECT:**  
Morris Adjmi Architects  
60 Broad Street, 32nd Fl.  
New York, NY 10001  
Phone: 212-662-2020

**ME/FP:**  
ICOR Associates  
485C Route 1 South, Suite 200  
Iselin, NJ 08830  
Phone: 908-272-3300

**STRUCTURAL:**  
SDG Engineering PC  
121 Washington Road  
Port Washington, NY 11050  
Phone: 917-661-2197

**LANDSCAPE:**  
Future Green Studio  
18 Bay Street  
Brooklyn, NY 11231  
Phone: 718-855-8995

**EXPEDITOR:**  
JM Zaring  
299 Broadway, Suite 1100  
New York, NY 10007  
Phone: 212-964-4464

**ELEVATOR:**  
VDA (Van Deusen & Associates)  
120 Eagle Rock Avenue, Suite 120  
East Hanover, NJ 07930  
Phone: 973-994-6220

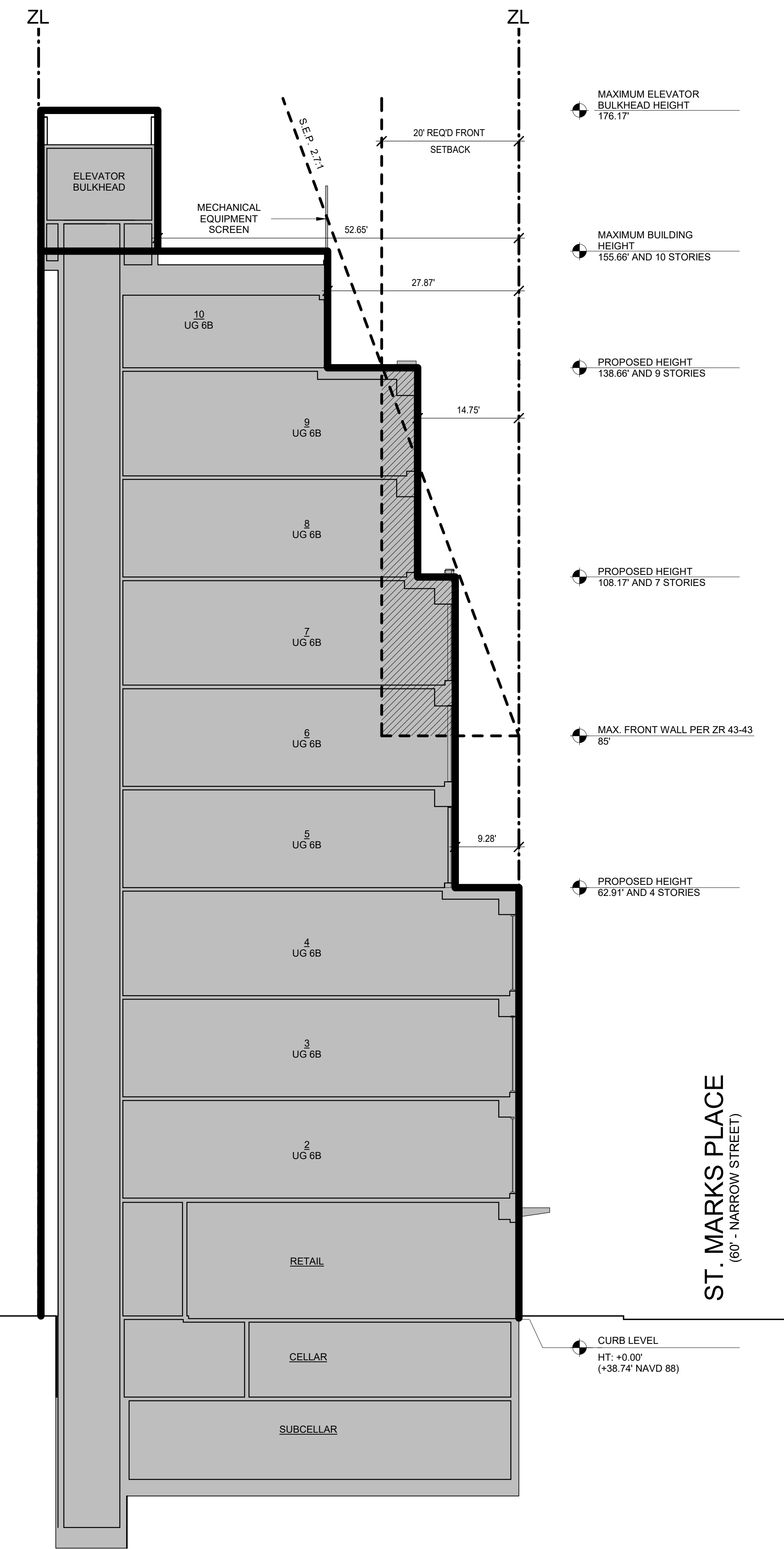
**ACOUSTICAL:**  
Longman Lindsay  
1410 Broadway, Suite 508  
New York, NY 10018  
Phone: 212-315-6400

**ENVELOPE:**  
SGH (Simpson Gumpertz & Heger)  
550 Seventh Avenue, 10th Floor  
New York, NY 10018  
Phone: 212-271-7000

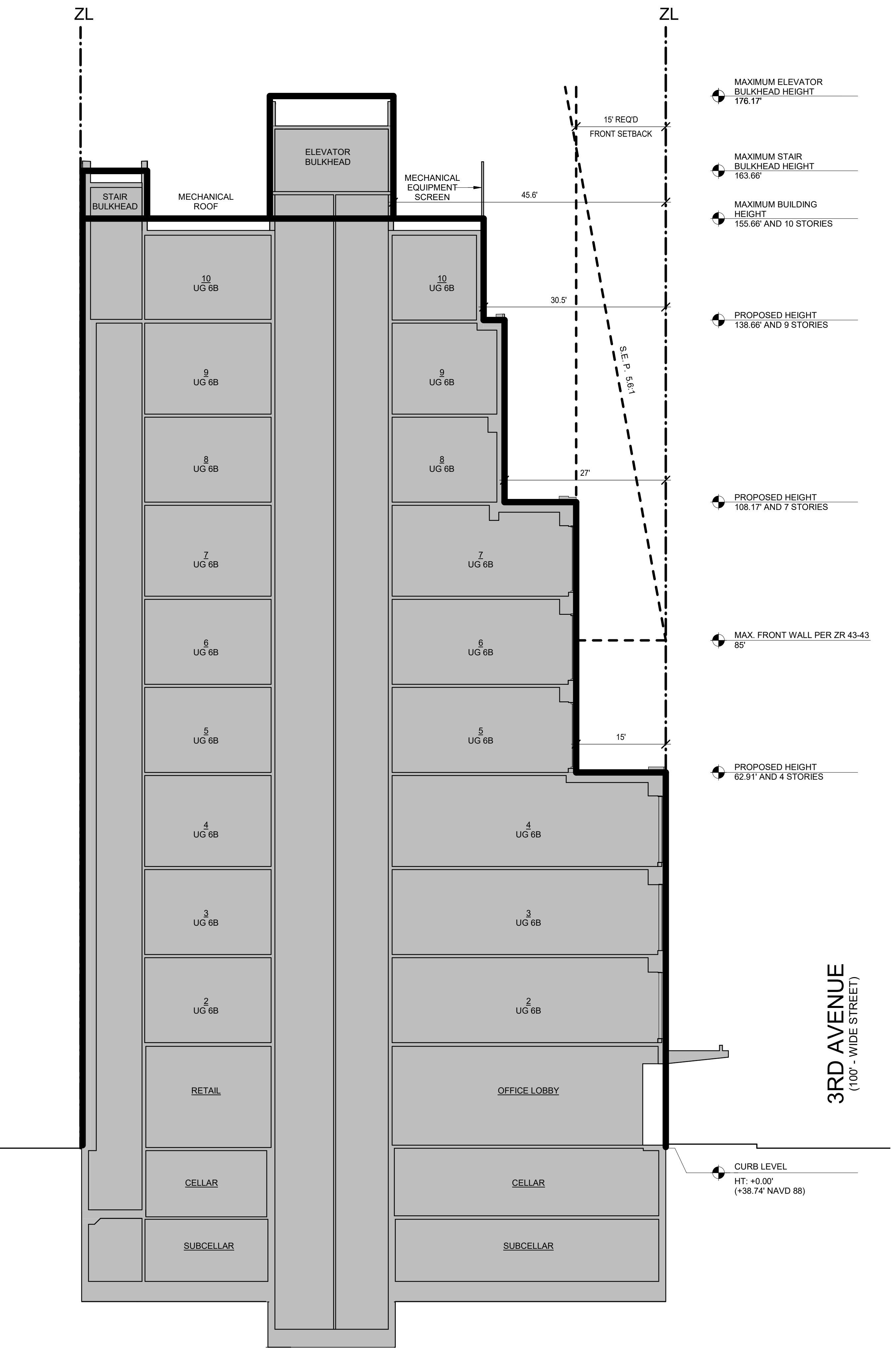
**LIGHTING:**  
Lighting Workshop  
20 Jay Street Suite 504  
Brooklyn, NY 11201  
Phone: 212-796-6510

**LEGEND**

- COMMERCIAL ENTRANCE POINT
- 8 STORY HT: 90' ← # STORIES BUILDING HEIGHT
- 5 UG 6B ← STORY # ZONING USE GROUP
- ← TRAFFIC DIRECTION
- ZONING LOT LINE
- - - TAX LOT LINE
- [Thick solid line] PROPOSED MAX. BUILDING ENVELOPE
- [Thin solid line] ILLUSTRATIVE BUILDING ENVELOPE
- [Dashed line] AWNING OR MARQUEE ABOVE
- [Dotted line] MECHANICAL EQUIPMENT SCREEN
- [Lamp icon] STREET LAMP
- [Traffic light icon] TRAFFIC LIGHT
- [Hydrant icon] HYDRANT
- [Arrow pointing up] S.E.P. SKY EXPOSURE PLANE
- [Arrow pointing up] HT: +0.00 (HT: +0.00) PROPOSED ENVELOPE HEIGHT
- [Arrow pointing up] ILLUSTRATIVE BUILDING HEIGHT
- [Solid grey box] PROPOSED BUILDING
- [Light grey box] EXISTING BUILDING
- [Hatched box] ENCROACHMENT INTO INITIAL SETBACK DISTANCE ABOVE MAXIMUM FRONT WALL HEIGHT & SKY EXPOSURE PLANE REQUIRES SPECIAL PERMIT PURSUANT TO ZR 74-79
- [Circle with 'E'] EXISTING TREE
- [Circle with 'P'] PROPOSED TREE
- [Square] FDNY BOX
- [Dot] BOLLARD



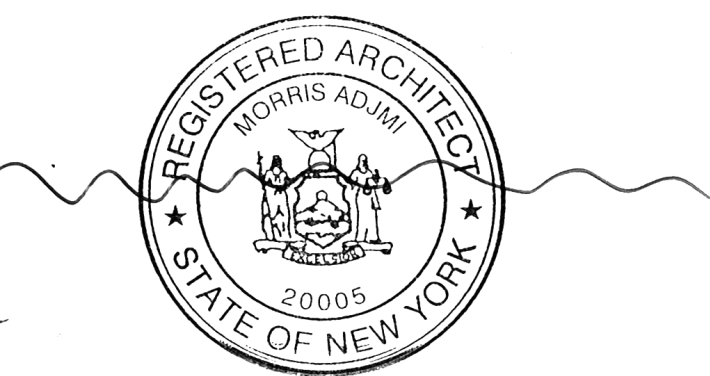
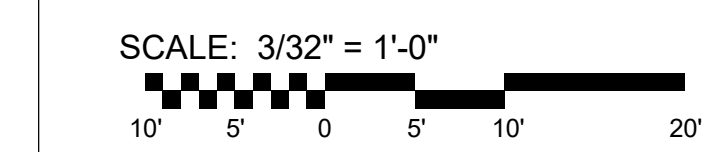
**2 WAIVER SECTION NORTH-SOUTH**  
3/32" = 1'-0"



**1 WAIVER SECTION EAST-WEST**  
3/32" = 1'-0"

**GENERAL NOTES**

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.
3. INTERIOR PARTITIONS ARE SHOWN FOR ILLUSTRATIVE PURPOSES ONLY ABOVE THE GROUND FLOOR.
4. AWNINGS, CANOPIES, MARQUEES AND OTHER PROJECTIONS INTO PUBLIC RIGHT-OF-WAY ARE PERMITTED, SUBJECT TO DOB AND/OR DOT APPROVAL.



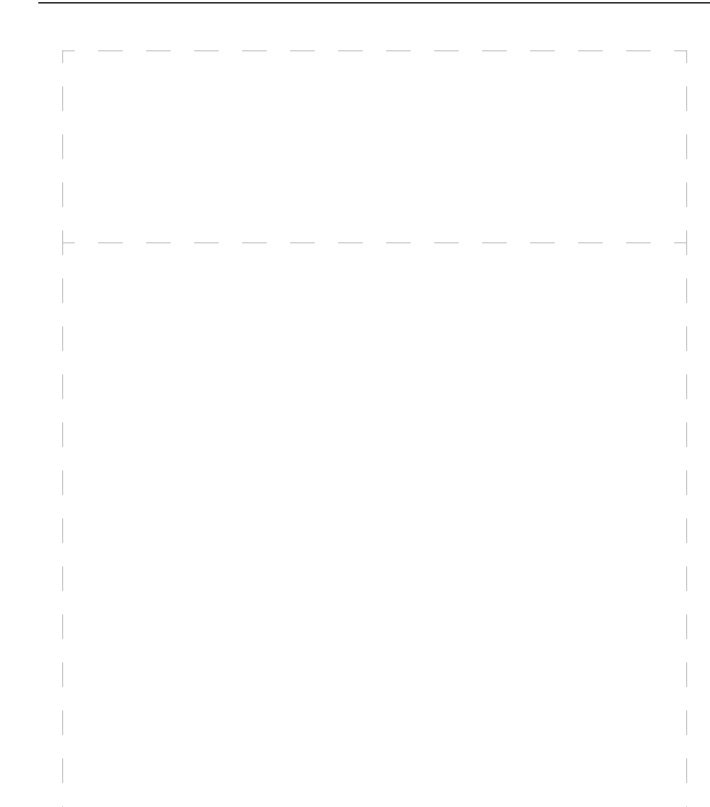
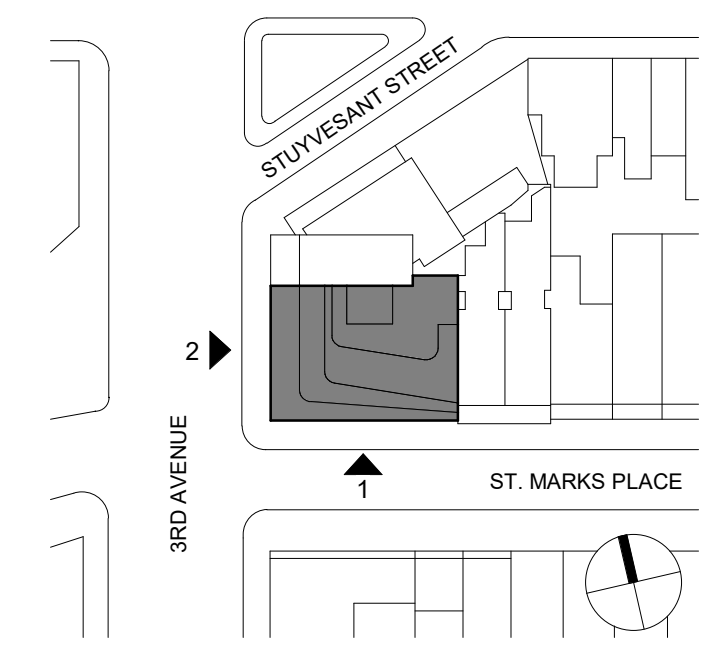
**WAIVER SECTIONS**

**Z-020.00**  
MA PROJECT NO:1801 SHEET 7 OF 10

**3 Saint Marks Place**  
New York, NY 10003

BOROUGH: MANHATTAN  
BLOCK: 464  
LOT: 1, 3, 59  
ULURP:

**MA** Morris Adjmi Architects  
www.ma.com

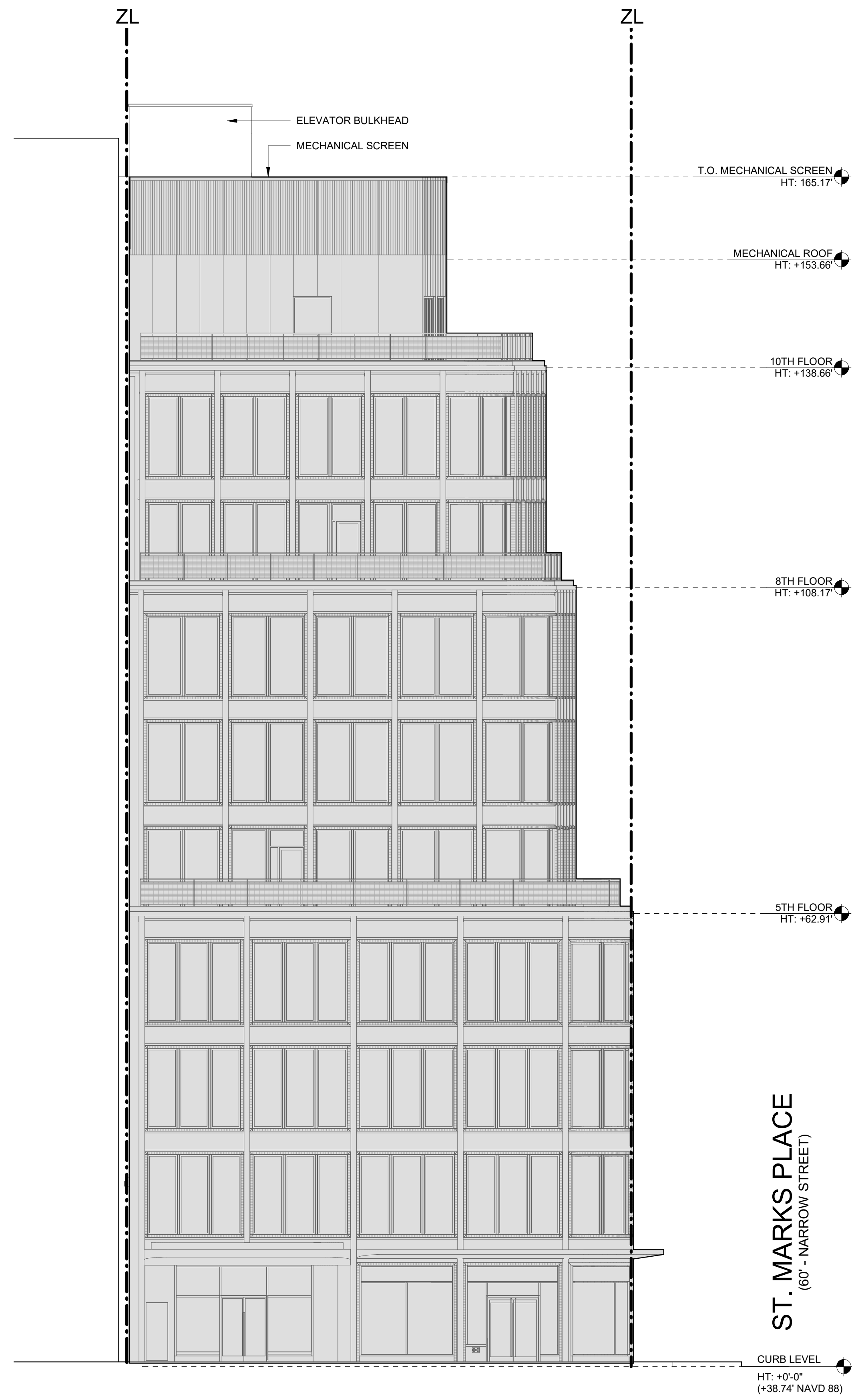


REV NO	DATE	ISSUE
09-24-2019		ULURP SUBMISSION

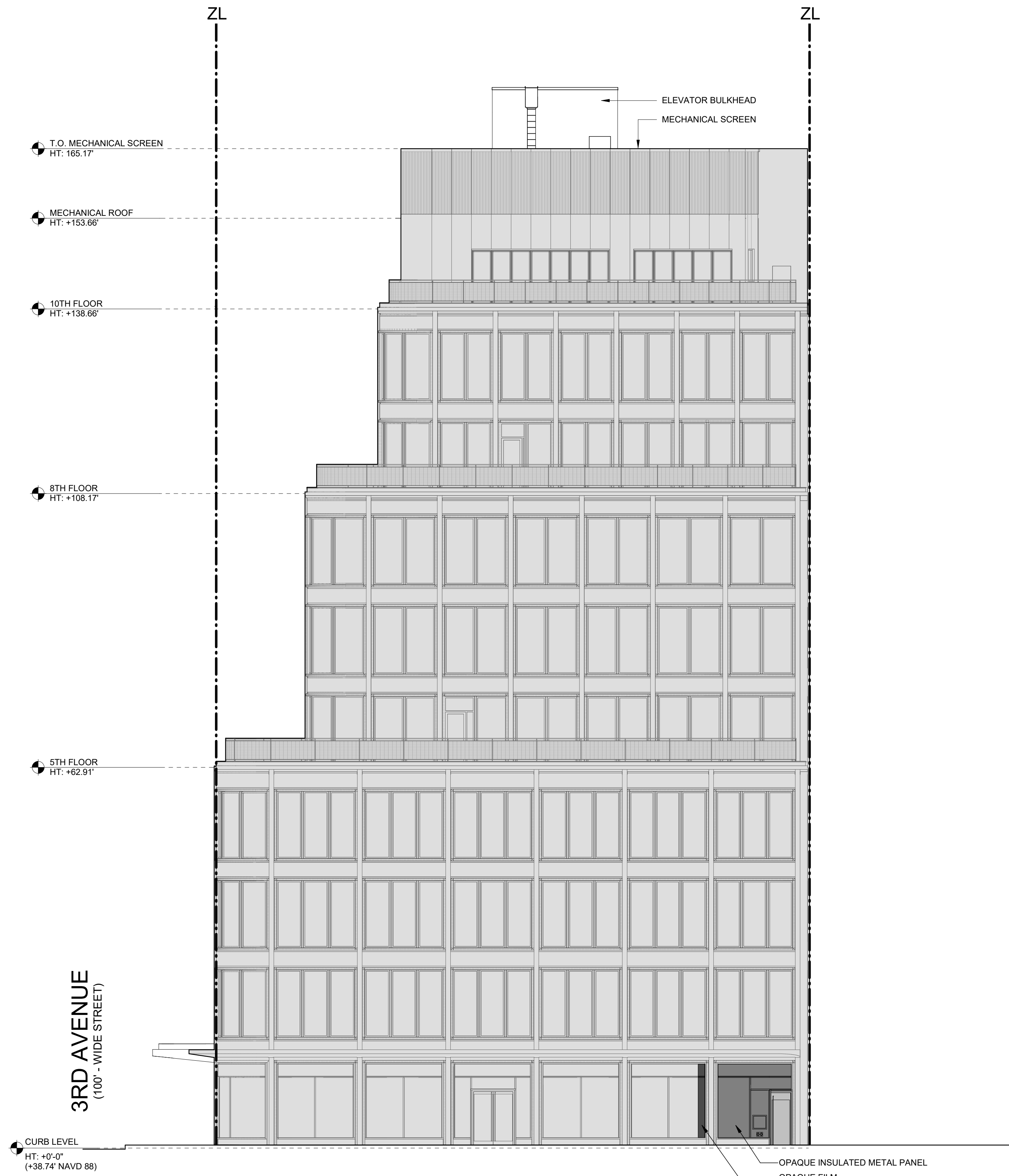
<p><b>OWNER/CLIENT:</b> REC (Real Estate Equities Corp) 18 East 48th Street New York, NY 10017 Phone: 212-682-2121</p> <p><b>ARCHITECT:</b> Morris Adjmi Architects 60 Broad Street, 32nd Fl. New York, NY 10001 Phone: 212-662-2020</p> <p><b>ME/FP:</b> ICOR Associates 485C Route 1 South, Suite 200 Iselin, NJ 08830 Phone: 908-272-3300</p> <p><b>STRUCTURAL:</b> SDG Engineering PC 121 Washington Road Port Washington, NY 11050 Phone: 917-461-2197</p> <p><b>LANDSCAPE:</b> Future Green Studio 18 Bay Street Brooklyn, NY 11231 Phone: 718-855-8995</p>	<p><b>EXPEDITOR:</b> JM Zaring 299 Broadway, Suite 1100 New York, NY 10007 Phone: 212-964-4464</p> <p><b>ELEVATOR:</b> VDA (Van Deusen &amp; Associates) 120 Eagle Rock Avenue, Suite 120 East Hanover, NJ 07930 Phone: 973-994-6220</p> <p><b>ACOUSTICAL:</b> Longman Lindsey 1410 Broadway, Suite 508 New York, NY 10018 Phone: 212-315-6400</p> <p><b>ENVELOPE:</b> SGH (Simpson Gumpertz &amp; Heger) 20 Jay Street Suite 504 Brooklyn, NY 11201 Phone: 212-271-7000</p> <p><b>LIGHTING:</b> Lighting Workshop 20 Jay Street Suite 504 Brooklyn, NY 11201 Phone: 212-796-6910</p>
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**LEGEND**

- COMMERCIAL ENTRANCE POINT
- 8 STORY** ← # STORIES  
HT: 90' ← BUILDING HEIGHT
- 5** ← STORY #  
**UG 6B** ← ZONING USE GROUP
- TRAFFIC DIRECTION
- ZONING LOT LINE
- TAX LOT LINE
- PROPOSED MAX. BUILDING ENVELOPE
- ILLUSTRATIVE BUILDING ENVELOPE
- AWNING OR MARQUEE ABOVE
- MECHANICAL EQUIPMENT SCREEN
- STREET LAMP
- TRAFFIC LIGHT
- HYDRANT
- # STORY  
HT: +0.00 ← PROPOSED ENVELOPE HEIGHT  
(HT: +0.00) ← ILLUSTRATIVE BUILDING HEIGHT
- S.E.P. SKY EXPOSURE PLANE
- PROPOSED BUILDING
- EXISTING BUILDING
- EXISTING STREET TREE
- PROPOSED NEW STREET TREE
- FDNY BOX
- BOLLARD



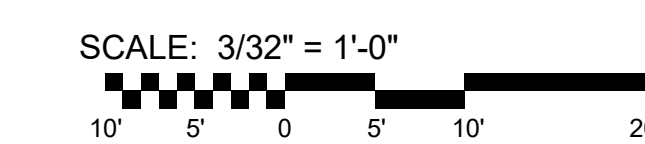
**2 WEST BUILDING ELEVATION (3RD AVENUE)**  
3/32" = 1'-0"



**1 SOUTH BUILDING ELEVATION (ST. MARKS PLACE)**  
3/32" = 1'-0"

**GENERAL NOTES**

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.
3. BUILDING ENTRANCES AND DETAILS SHOWN FOR ILLUSTRATIVE PURPOSES ONLY.
4. AWNINGS, CANOPIES, MARQUEES AND OTHER PROJECTIONS INTO PUBLIC RIGHT-OF-WAY ARE PERMITTED, SUBJECT TO DOB AND/OR DOT APPROVAL.



**BUILDING ELEVATION**

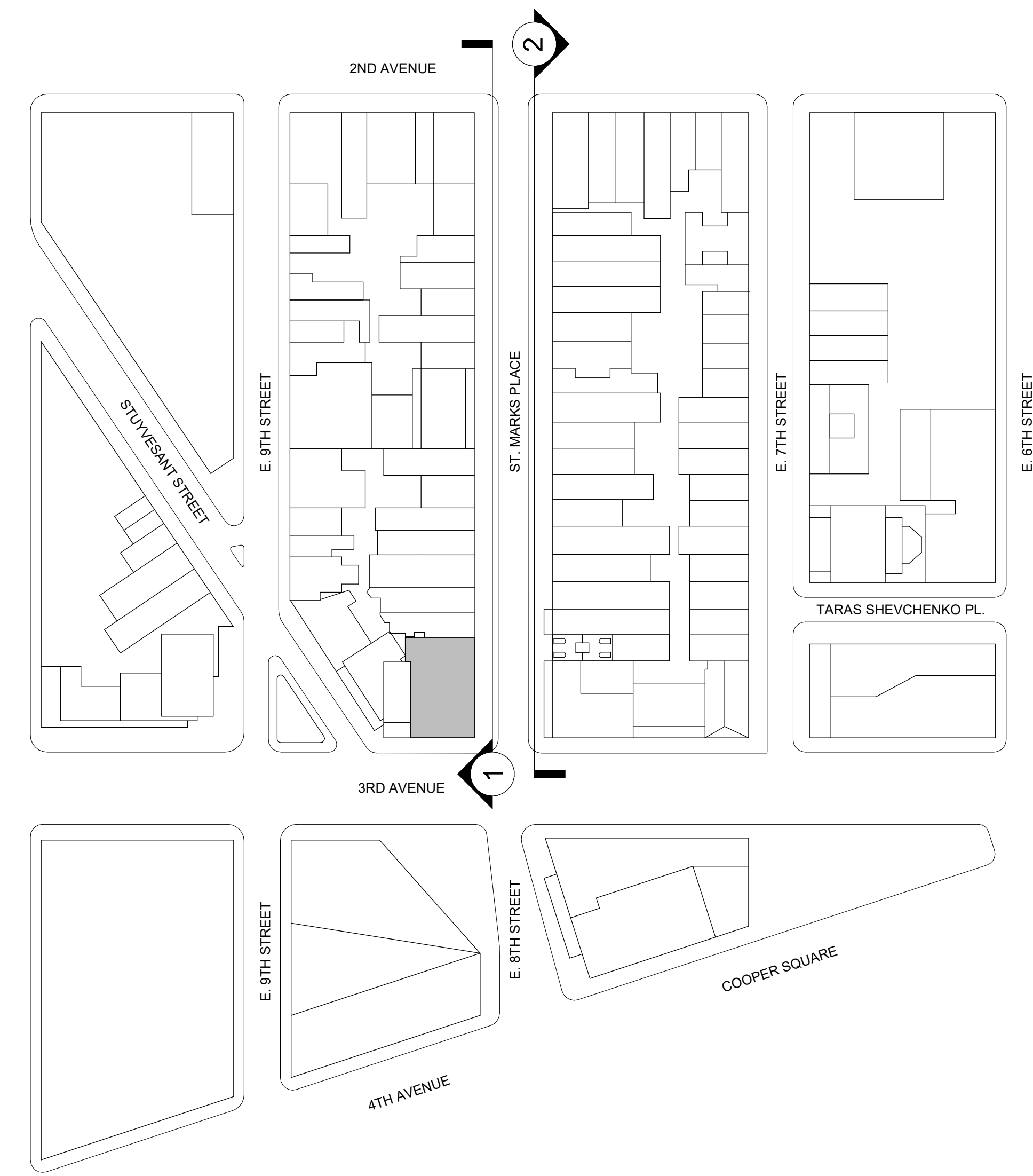
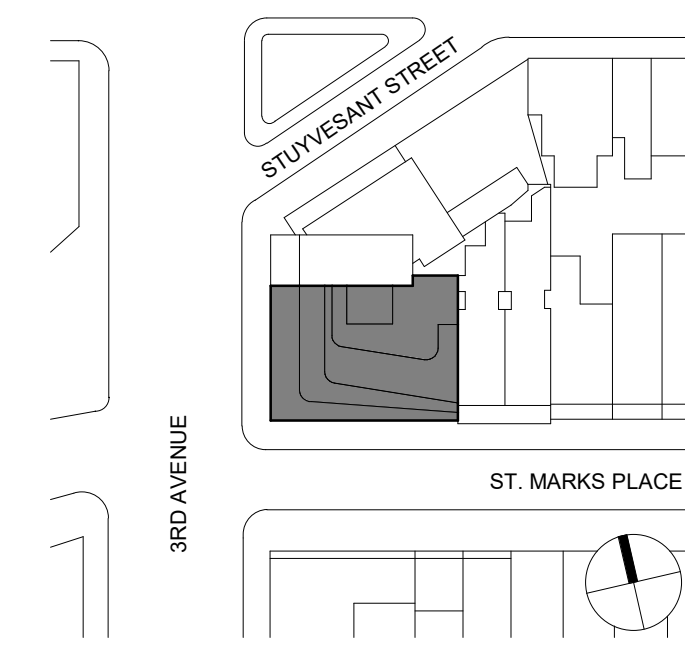
**Z-030.00**  
MA PROJECT NO:1801 SHEET 8 OF 10



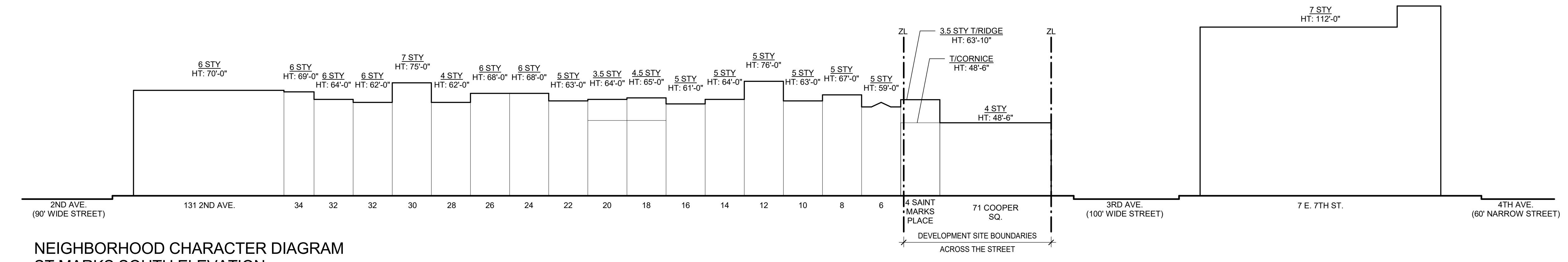
**3 Saint Marks Place**  
New York, NY 10003

BOROUGH: MANHATTAN  
BLOCK: 464  
LOT: 1, 3, 59  
ULURP:

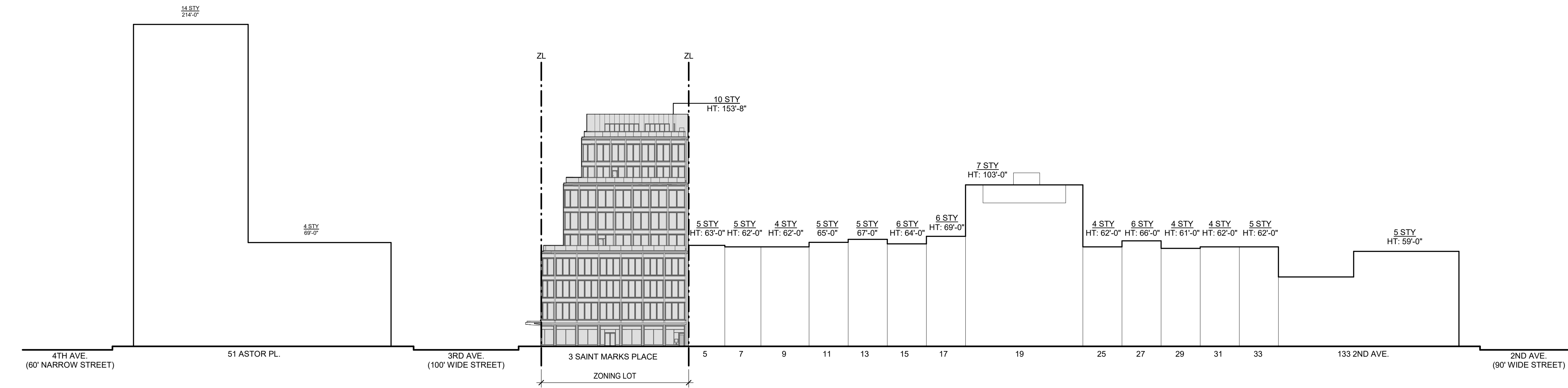
**MA** Morris Adimi Architects  
www.ma.com



**KEY PLAN**



**2** NEIGHBORHOOD CHARACTER DIAGRAM  
ST MARKS SOUTH ELEVATION  
1" = 40'-0"



**1** NEIGHBORHOOD CHARACTER DIAGRAM  
ST MARKS NORTH ELEVATION  
1" = 40'-0"

**LEGEND**

- ZONING LOT LINE
- 8 STORY HT: 90' ← # STORIES
- ← BUILDING HEIGHT
- PROPOSED BUILDING
- EXISTING BUILDING

**GENERAL NOTES**

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.

SCALE: As indicated

REV NO	DATE	ISSUE
	09-24-2019	ULURP SUBMISSION

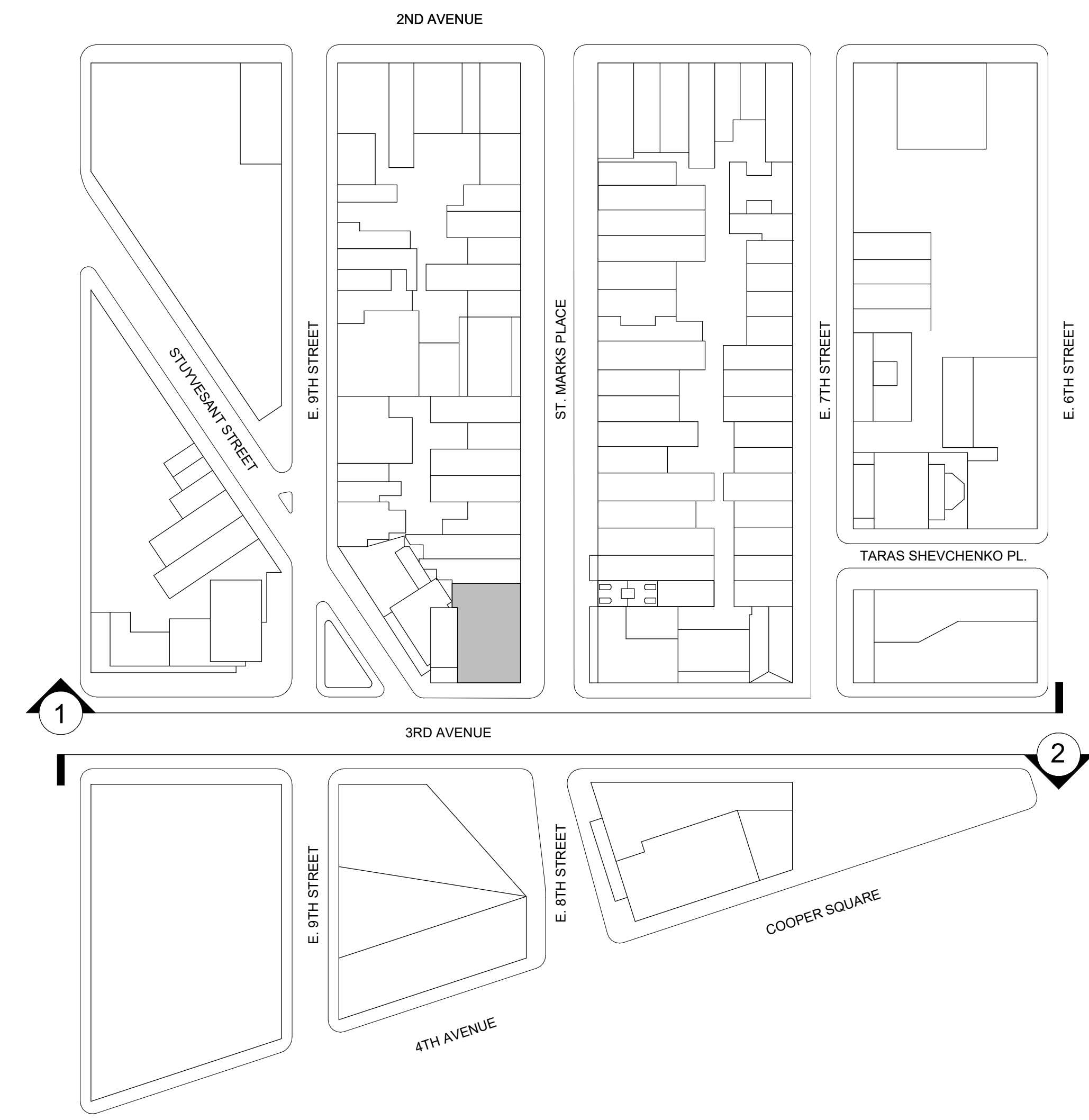
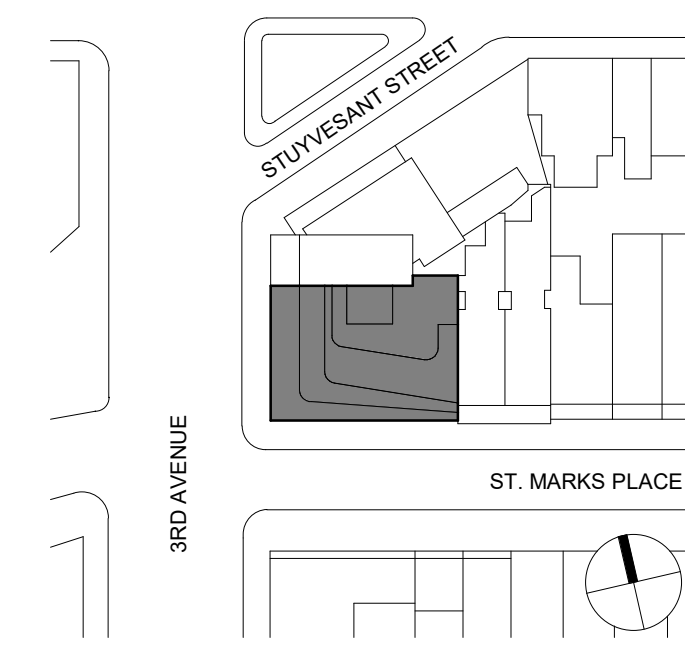
<b>OWNER/CLIENT:</b> REC (Real Estate Equities Corp) 18 East 48th Street New York, NY 10017 Phone: 212-682-2121	<b>EDITOR:</b> JM Zaring 299 Broadway, Suite 1100 New York, NY 10007 Phone: 212-964-4464
<b>ARCHITECT:</b> Morris Adimi Architects 60 Broad Street, 32nd Fl. New York, NY 10001 Phone: 212-662-2020	<b>ELEVATOR:</b> VDA (Van Deusen & Associates) 120 Eagle Rock Avenue, Suite 120 East Hanover, NJ 07930 Phone: 973-994-6220
<b>ME/FP:</b> ICOR Associates 485C Route 1 South, Suite 200 Iselin, NJ 08830 Phone: 908-272-3300	<b>ACOUSTICAL:</b> Longman Lindsay 1410 Broadway, Suite 508 New York, NY 10018 Phone: 212-315-6400
<b>STRUCTURAL:</b> SDG Engineering PC 121 Washington Road Port Washington, NY 11050 Phone: 617-461-2197	<b>ENVELOPE:</b> SGH (Simpson Gumpertz & Heger) 550 Seventh Avenue, 10th Floor New York, NY 10018 Phone: 212-271-7000
<b>LANDSCAPE:</b> Future Green Studio 18 Bay Street Brooklyn, NY 11231 Phone: 718-855-8995	<b>LIGHTING:</b> Lighting Workshop 20 Jay Street Suite 504 Brooklyn, NY 11201 Phone: 212-796-6510



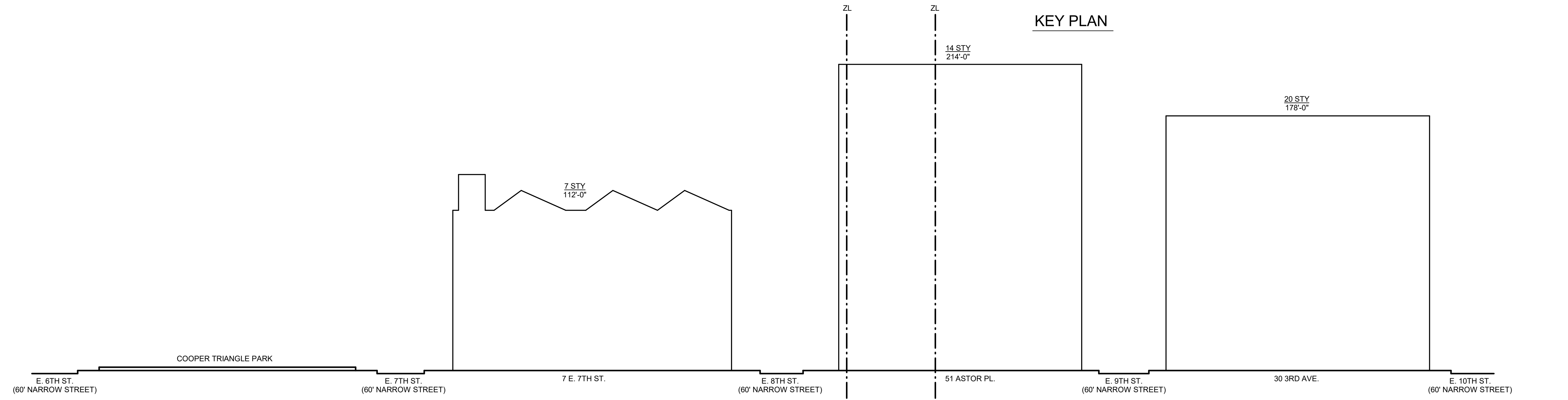
**3 Saint Marks Place**  
New York, NY 10003

BOROUGH: MANHATTAN  
BLOCK: 464  
LOT: 1, 3, 59  
ULURP:

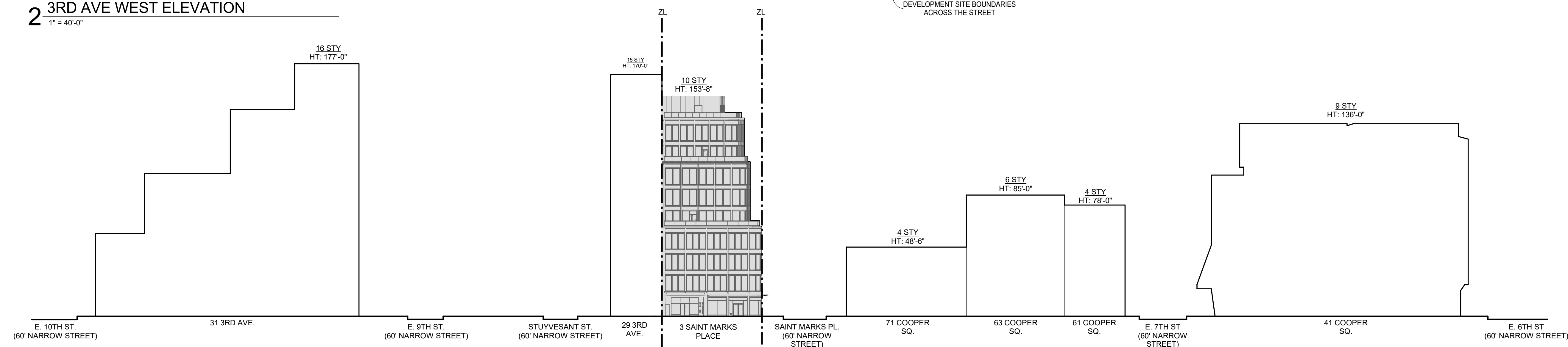
**MA** Morris Adjmi Architects  
www.ma.com



**KEY PLAN**



**2** NEIGHBORHOOD CHARACTER DIAGRAM  
3RD AVE WEST ELEVATION  
1" = 40'-0"



**1** NEIGHBORHOOD CHARACTER DIAGRAM  
3RD AVE EAST ELEVATION  
1" = 40'-0"

REV NO	DATE	ISSUE
	09-24-2019	ULURP SUBMISSION

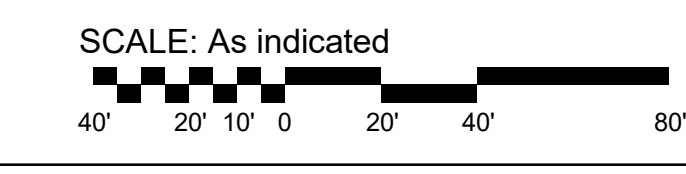
<b>OWNER/CLIENT:</b> REC (Real Estate Equities Corp) 18 East 48th Street New York, NY 10017 Phone: 212-662-2121	<b>EXPIEDITOR:</b> JM Zaring 299 Broadway, Suite 1100 New York, NY 10007 Phone: 212-964-4464
<b>ARCHITECT:</b> Morris Adjmi Architects 60 Broad Street, 32nd Fl. New York, NY 10001 Phone: 212-662-2020	<b>ELEVATOR:</b> VDA (Van Deusen & Associates) 120 Eagle Rock Avenue, Suite 120 East Hanover, NJ 07930 Phone: 973-994-6220
<b>ME/FP:</b> ICOR Associates 485C Route 1 South, Suite 200 Iselin, NJ 08830 Phone: 908-272-3300	<b>ACOUSTICAL:</b> Longman Lindsay 1410 Broadway, Suite 508 New York, NY 10018 Phone: 212-315-6400
<b>STRUCTURAL:</b> SDG Engineering PC 121 Washington Road Port Washington, NY 11050 Phone: 917-461-2197	<b>ENVELOPE:</b> SGH (Simpson Gumpertz & Heger) 550 Seventh Avenue, 10th Floor New York, NY 10018 Phone: 212-271-7000
<b>LANDSCAPE:</b> Future Green Studio 18 Bay Street Brooklyn, NY 11231 Phone: 718-855-8995	<b>LIGHTING:</b> Lighting Workshop 20 Jay Street Suite 504 Brooklyn, NY 11201 Phone: 212-796-6510

**LEGEND**

- ZONING LOT LINE
- PROPOSED BUILDING
- EXISTING BUILDING
- 8 STORY HT. 90' — # STORIES
- BUILDING HEIGHT

**GENERAL NOTES**

1. APPLICANT'S STAMP AND SEAL CORRESPONDS TO THE INFORMATION REGARDING THE DEVELOPMENT SITE, ZONING LOT, AND RELATED CURB CUTS. INFORMATION REGARDING THE SURROUNDING PROPERTIES IS FOR ILLUSTRATIVE PURPOSES ONLY.
2. GRAPHIC SCALE APPLICABLE TO ALL NON-DIMENSIONED ELEMENTS.



**NEIGHBORHOOD CHARACTER DIAGRAM**

**Z-041.00**  
MA PROJECT NO:1801 SHEET 10 OF 10



Adam Taubman  
Special Counsel  
T 212.715.9377  
F 212.715.8378  
ataubman@kramerlevin.com

1177 Avenue of the Americas  
New York, NY 10036  
T 212.715.9100  
F 212.715.8000

**October 3, 2019**

Via Hand Delivery

Sara Avila  
Central Intake  
Department of City Planning  
120 Broadway, 30th Floor  
New York, NY 10271

Re: 3 St. Marks Place  
ULURP No. 200077ZSM

Dear Sara:

Enclosed in connection with the referenced application are fourteen (14) copies of the following revised and supplemental materials:

- Owner's Authorization by Gabay & Ameri II LLC;
- LR Form (first page only);
- Supplemental Form ZS/ZA/ZC;
- Area Map; and
- Drawings T-001 and Z-001 through Z-010.00, Z-020.00, Z-030.00, Z-040.00, and Z-041.00, dated September 24, 2019, prepared by Morris Adjmi Architects.

The LR Form and Area Map have been revised to indicate the block and lot designation of the landmark building located at 4 St. Marks Place. The Supplemental Form ZS/ZA/ZC has been revised to reflect that the applicant is ground lessee of the Development Site. The Drawings have been amended only with respect to their date, which was omitted from the previously filed set.

The enclosed materials supersede and replace their previously submitted counterparts. All other materials in support of the referenced application remain as previously submitted.

Please distribute the enclosed fourteen (14) copies as follows:

Sara Avila  
October 3, 2019



- Counsel, Janine Gaylard – 1 copy
- Environmental Review, Kate Glass – 1 copy
- Manhattan Office, Matthew Pietrus – 2 copies
- Technical Review, Cheryl Johnson – 10 copies

Very truly yours,

A handwritten signature in black ink, appearing to read "Adam Taubman".

Adam Taubman

AT:at  
Enclosures

**GABAY & AMERI II LLC**  
c/o 225 First Avenue  
New York, New York 10003

September 26, 2019

New York City Department of City Planning  
120 Broadway  
New York, New York 10271

Re: 3 St. Marks Place (Block 464, Lots 1, 3, and 59)  
4 St. Marks Place (Block 463, Lot 11)  
Manhattan, New York

Dear Madam or Sir:

Gabay & Ameri II LLC is the fee owner of the property located at 3 St. Marks Place, Manhattan, New York (Block 464, Lots 1, 3, and 59) (the "Development Site").

Gabay & Ameri II hereby authorizes, on behalf of itself and its successors and assigns, REEC St Marks LP (and its affiliates, successors, or assigns) to submit one or more applications to the New York City Department of City Planning for a special permit pursuant to Section 74-79 of the Zoning Resolution to transfer unused floor area from the property located at 4 St. Marks Place, Manhattan, New York (Block 463, Lot 11) to the Development Site and to grant one or more bulk waivers to facilitate the development of the Development Site.

**GABAY & AMERI II**

By: 

Name:

Title:

**PARTNER**

Sworn to before me this 26 day  
of September, 2019

  
Notary Public (Sign and Seal)





# Doing Business Data Form

## Land Use Actions

To be completed by the City agency prior to distribution Agency \_\_\_\_\_ Application # \_\_\_\_\_

Check One  General (GEN)  Lease Acquisition (LES)

A Doing Business Data Form must be completed by any land use applicant subject to the provisions of Local Law 34 of 2007 (see Q&A sheet for more information). Please either type responses directly into this fillable form or print answers by hand in black ink. For all submissions, please be sure to fill out the certification box on the last page, and include the completed Data Form as part of the land use application package. **Submission of a complete and accurate form is required at the time of application filing and, where applicable, is required for the certification or referral for public review of any land use application subject to the provisions of Local Law 34 of 2007 (see 62 RCNY § 2-02(a)(1)).**

This Data Form requires information to be provided on principal officers, owners and senior managers. The name, employer and title of each person identified on the Data Form will be included in a public database of people who do business with the City of New York, as will the organizations that own 10% or more of the entity. No other information reported on this form will be disclosed to the public.

Please return the completed Data Form to the City office that supplied it. Please contact the Doing Business Accountability Project at [DoingBusiness@mocs.nyc.gov](mailto:DoingBusiness@mocs.nyc.gov) or 212-788-8104 with any questions regarding this Data Form. Thank you for your cooperation.

### Applicant Information

*If you are completing this form by hand, please print clearly.*

Applicant EIN/TIN 81-3153141 Applicant Name REEC ST MARKS LP

#### Filing Status

(Select One)

**NEW:** Data Forms submitted now must include the listing of **organizations**, as well as individuals, with 10% or more ownership of the entity. Until such certification of ownership is submitted through a change, new or update form, a no change form will not be accepted.

Applicant has never completed a Doing Business Data Form. Fill out the entire form.

Change from previous Data Form dated \_\_\_\_\_. Fill out only those sections that have changed, and indicate the name of the persons who no longer hold positions with the applicant.

No Change from previous Data Form dated \_\_\_\_\_. Skip to the bottom of the last page.

Applicant is a Non-Profit  Yes  No

Applicant Type  Corporation (any type)  Joint Venture  LLC  Partnership (any type)  Sole Proprietor  Other (specify) \_\_\_\_\_

Address 18 East 48<sup>th</sup> St, Penthouse

City NYC State NY Zip 10017

Phone 212-682-2121 E-mail BKlein@reec-ny.com

*Provide your e-mail address in order to receive notices regarding this form by e-mail.*

### Principal Officers

Please fill in the required identification information for each officer listed below. If the applicant has no such officer or its equivalent, please check "This position does not exist." If the applicant is filing a Change Form and the person listed is replacing someone who was previously disclosed, please check "This person replaced..." and fill in the name of the person being replaced so his/her name can be removed from the *Doing Business Database*, and indicate the date that the change became effective.

#### Chief Executive Officer (CEO) or equivalent officer

*The highest ranking officer or manager, such as the President, Executive Director, Sole Proprietor or Chairperson of the Board.*

This position does not exist

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by applicant) \_\_\_\_\_

Home Address \_\_\_\_\_

This person replaced former CEO \_\_\_\_\_ on date \_\_\_\_\_

#### Chief Financial Officer (CFO) or equivalent officer

*The highest ranking financial officer, such as the Treasurer, Comptroller, Financial Director or VP for Finance.*

This position does not exist

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by applicant) \_\_\_\_\_

Home Address \_\_\_\_\_

This person replaced former CFO \_\_\_\_\_ on date \_\_\_\_\_

#### Chief Operating Officer (COO) or equivalent officer

*The highest ranking operational officer, such as the Chief Planning Officer, Director of Operations or VP for Operations.*

This position does not exist

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by applicant) \_\_\_\_\_

Home Address \_\_\_\_\_

This person replaced former COO \_\_\_\_\_ on date \_\_\_\_\_

**Principal Owners**

Please fill in the required identification information for all individuals or organizations that, through stock shares, partnership agreements or other means, own or control 10% or more of the applicant. If no individual or organization owners exist, please check the appropriate box to indicate why and skip to the Senior Managers section. If the applicant is owned by other companies that control 10% or more of the entity, those companies must be listed. If an owner was identified on the previous page, fill in his/her name and write "See above." If the applicant is filing a Change Form, list any individuals or organizations that are no longer owners at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Owners."

There are no owners listed because (select one):

- The entity is not-for-profit
- The entity is an individual
- No individual or organization owns 10% or more of the entity

Other (explain) \_\_\_\_\_

**Individual Owners (who own or control 10% or more of the applicant)**

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by applicant) \_\_\_\_\_

Home Address \_\_\_\_\_

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by applicant) \_\_\_\_\_

Home Address \_\_\_\_\_

**Organization Owners (that own or control 10% or more of the applicant)**

Organization Name Sherfam Common LP

Organization Name REEC ST MARKS LP LLC

Organization Name \_\_\_\_\_

**Remove the following previously-reported Principal Owners**

Name \_\_\_\_\_ Removal Date \_\_\_\_\_

Name \_\_\_\_\_ Removal Date \_\_\_\_\_

Name \_\_\_\_\_ Removal Date \_\_\_\_\_

**Senior Managers**

Please fill in the required identification information for all senior managers who oversee land use applications. Senior managers include anyone who, either by title or duties, has substantial discretion and high-leveloversight regarding the administration of such land use applications, not limited to the land use application for which this form is being filed. At least one senior manager must be listed, or the Data Form will be considered incomplete. If a senior manager has been identified on a previous page, fill in his/her name and write "See above." If the applicant is filing a Change Form, list individuals who are no longer senior managers at the bottom of this section. If more space is needed, attach additional pages labeled "Additional Senior Managers."

**Senior Managers**

First Name Mark MI \_\_\_\_\_ Last Seigel Birth Date (mm/dd/yy) 6/14/55

Office Title Manager Employer (if not employed by applicant) \_\_\_\_\_

Home Address 18 East 48th St, PH

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by applicant) \_\_\_\_\_

Home Address \_\_\_\_\_

First Name \_\_\_\_\_ MI \_\_\_\_\_ Last \_\_\_\_\_ Birth Date (mm/dd/yy) \_\_\_\_\_

Office Title \_\_\_\_\_ Employer (if not employed by applicant) \_\_\_\_\_

Home Address \_\_\_\_\_

**Remove the following previously-reported Senior Managers**

Name \_\_\_\_\_ removal date \_\_\_\_\_

Name \_\_\_\_\_ removal date \_\_\_\_\_

**Certification**

I certify that the information submitted on these two pages and X additional pages is accurate and complete. I understand that willful or fraudulent submission of a materially false statement may result in the applicant being subject to appropriate sanctions.

Name Mark Seigel Title Authorized Signatory/Manager

Applicant Name REEC ST MARKS LP Work Phone # 212-682-2121

Signature Mark G. Seigel Date 7/30/19

CRP 4 ST. MARKS PLACE A LLC  
CRP 4 ST. MARKS PLACE B LLC  
CRP 4 ST. MARKS PLACE C LLC  
CRP 4 ST. MARKS PLACE D LLC  
1841 Broadway, Suite 811  
New York, New York 10023

\_\_\_\_\_, 2019

New York City Department of City Planning  
120 Broadway  
New York, New York 10271

Re: 3 St. Marks Place  
Block 464, Lots 1, 3, and 59  
Manhattan, New York  
(the "Development Site")

Dear Madam or Sir:

CRP 4 St. Marks Place A LLC, CRP 4 St. Marks Place B LLC, CRP 4 St. Marks Place C LLC, and CRP 4 St. Marks Place D LLC, collectively, are the fee owner of the property located at 4 St. Marks Place, Manhattan, New York (Block 463, Lot 11) (the "Landmark Property").

Each of CRP 4 St. Marks Place A LLC, CRP 4 St. Marks Place B LLC, CRP 4 St. Marks Place C LLC, and CRP 4 St. Marks Place D LLC hereby authorizes, on behalf of itself and its successors and assigns, REEC St Marks LP (and its affiliates, successors, or assigns) to submit one or more applications to the New York City Department of City Planning for a special permit pursuant to Section 74-79 of the Zoning Resolution to transfer unused floor area from the Landmark Property to the Development Site and to grant one or more bulk waivers to facilitate the development of the Development Site.

CRP 4 ST. MARKS PLACE A LLC

Sworn to before me this 6<sup>th</sup> day  
of August 2019

\_\_\_\_\_  
Notary Public (Sign and Seal)

By: \_\_\_\_\_

Name: Paul Selis  
Title: \_\_\_\_\_

**STERNECK SETH**  
**NOTARY PUBLIC, STATE OF NEW YORK**  
**Registration No. 01ST6379044**  
**Commission Expires August 06, 2022**

[SEE ADDITIONAL SIGNATURES ON FOLLOWING PAGE]



CRP 4 ST. MARKS PLACE B LLC

Sworn to before me this 6<sup>th</sup> day  
of August, 2019

\_\_\_\_\_  
Notary Public (Sign and Seal)

By: \_\_\_\_\_

Name: Paul Selb  
Title: MEM

**STERNECK SETH**  
**NOTARY PUBLIC, STATE OF NEW YORK**  
**Registration No. 01ST6379044**  
**Commission Expires August 06, 2022**

Sworn to before me this 6<sup>th</sup> day  
of August, 2019

\_\_\_\_\_  
Notary Public (Sign and Seal)

CRP 4 ST. MARKS PLACE C LLC

By: \_\_\_\_\_

Name: Paul Selb  
Title: MEM

**STERNECK SETH**  
**NOTARY PUBLIC, STATE OF NEW YORK**  
**Registration No. 01ST6379044**  
**Commission Expires August 06, 2022**

Sworn to before me this 6<sup>th</sup> day  
of August, 2019

\_\_\_\_\_  
Notary Public (Sign and Seal)

CRP 4 ST. MARKS PLACE D LLC

By: \_\_\_\_\_

Name: Paul Selb  
Title: MEM

**STERNECK SETH**  
**NOTARY PUBLIC, STATE OF NEW YORK**  
**Registration No. 01ST6379044**  
**Commission Expires August 06, 2022**