

Patricia Lancaster
Commissioner
Department of Buildings
280 Broadway
New York, New York 10007

Re: Gotham Organization: Revocation of permits for construction at 400 W. 55th Street, Block 1064, Lots 22, 25 & 36

Dear Commissioner Lancaster:

We join with our elected officials (see their letter to you dated January 7, 2003) to request revocation of the demolition and construction permits issued to Gotham Construction for the captioned property located at 400 West 55th Street.

The permits relate to a proposed 18 story residential building in the Preservation Area of the Special Clinton District. The 18 story building would be achieved by piling onto the corner portion of the development site development rights from the mid-block portion of the development site, as well as rights purchased from adjoining residential and commercial properties, and by setting the building back from the property lines on Ninth Avenue and 55th Street. The proposed height and streetwall setbacks are dramatically at odds with the existing character of the neighborhood and with the goals and intent of the Special Clinton District regulations, and must be reconsidered. We believe that several defects in the zoning analysis and procedure justify this reconsideration, and eventual revocation of the permits:

- The lot coverage in the portion of the development site in the C6-2 zoning district appears to exceed the permitted 60%, based on an incomplete or incorrect interpretation of Zoning Resolution Section 96-102.
- The plans do not indicate that 20% of the lot area is provided as “usable, landscaped open area for the residential tenants,” as required by Zoning Resolution Section 96-102.
- Compliance with all of the rear yard requirements of Zoning Resolution Section 96-102 is not indicated on the plans.
- The construction permit application may not have received the two zoning reviews required by DoB procedures.

Because the developer claims that this building may be constructed as-of-right, this Board has not been provided with complete information concerning the project, and there may be additional elements unknown to us that would also justify reexamination of the developer’s plans.

P. Lancaster
January 9, 2003
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We are dismayed that this developer chose to keep the community entirely in the dark about this project until the design was finalized and construction permits were issued. It is our preference to work with developers to address community concerns in the course of a project's design, and we believe we have a good track record in that regard. Unfortunately, in this case we are left with no option but to request revocation of the construction permits. The proposed building threatens to undermine much of what the Special Clinton District regulations have protected for the past 30 years, and it is alarming that this developer has failed to take that into account in preparing and presenting its plans.

We join with our elected officials in their request for a meeting within the next two weeks to further discuss this matter.

Sincerely,

A handwritten signature in black ink that reads "Simone Sindin". The signature is written in a cursive, flowing style.

Simone Sindin Chair

cc: Local elected officials
A. Burden, DCP
V. Chakrabarti, DCP
J. Mulligan, DCP