

290-06-BZ

APPLICANT – Kramer Levin Naftalis & Frankel LLP, for Rusabo 368 LLC, owner; Great Jones Lafayette LLC, lessee.

SUBJECT – Application April 20, 2011 – Extension of Time to Complete Construction of a previously granted Variance (§72-21) for the construction of a six-story, eight-unit residential building with ground floor retail which expired on April 17, 2011. M1-5B zoning district.

PREMISES AFFECTED – 372 Lafayette Street, aka 11 Great Jones Street, block bounded by Lafayette, Great Jones and Bond Streets and Shinbone Alley, Block 530, Lot 13, Borough of Manhattan.

COMMUNITY BOARD #2M

APPEARANCES –

For Applicant: Jim Power.

ACTION OF THE BOARD – Application granted on condition.

THE VOTE TO GRANT –

Affirmative: Chair Srinivasan, Commissioner Ottley-Brown, Commissioner Hinkson and Commissioner Montanez.....4
Negative:.....0
Absent: Vice Chair Collins.....1

THE RESOLUTION –

WHEREAS, this is an application for a reopening and an extension of time to complete construction of a previously granted variance to permit the construction of a six-story mixed-use commercial/residential building, which expired on April 17, 2011; and

WHEREAS, a public hearing was held on this application on May 10, 2011, after due notice by publication in *The City Record*, and then to decision on May 24, 2011; and

WHEREAS, the premises and surrounding area had site and neighborhood examinations by Chair Srinivasan, Vice-Chair Collins, Commissioner Montanez, and Commissioner Ottley-Brown; and

WHEREAS, the subject site is located on the west side of Lafayette Street, between Great Jones Street and Bond Street, in an M1-5B zoning district within the NoHo Historic District; and

WHEREAS, the Board has exercised jurisdiction over the site since April 17, 2007 when, under the subject calendar number, the Board granted a variance to permit the proposed construction of a six-story, eight-unit residential building with ground floor retail, contrary to ZR §§ 42-10 and 42-14; and

WHEREAS, substantial construction was to be completed by April 17, 2011, in accordance with ZR § 72-23; and

WHEREAS, the applicant states that due to

financing delays, additional time is necessary to complete the project; thus, the applicant now requests an extension of time to complete construction; and

WHEREAS, based upon its review of the record, the Board finds that the requested extension of time to complete construction is appropriate with certain conditions as set forth below.

Therefore it is Resolved that the Board of Standards and Appeals *reopens* and *amends* the resolution, dated April 17, 2007, so that as amended this portion of the resolution shall read: “to grant an extension of the time to complete construction for a term of four years, to expire on May 24, 2015; *on condition*:

THAT substantial construction shall be completed by May 24, 2015;

THAT all conditions from prior resolutions not specifically waived by the Board remain in effect;

THAT this approval is limited to the relief granted by the Board in response to specifically cited and filed DOB/other jurisdiction objection(s) only; and

THAT the Department of Buildings must ensure compliance with all other applicable provisions of the Zoning Resolution, the Administrative Code, and any other relevant laws under its jurisdiction irrespective of plan(s) and/or configuration(s) not related to the relief granted.”

(DOB Application No. 104520608)

Adopted by the Board of Standards and Appeals, May 24, 2011.

A true copy of resolution adopted by the Board of Standards and Appeals, May 24, 2011.

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Copies Sent

To Applicant

Fire Com'r.

Borough Com'r.